

PENNSYLVANIA BULLETIN

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Agencies in this issue

The General Assembly

The Courts

Department of Agriculture

Department of Banking and Securities

Department of Conservation and Natural
Resources

Department of Environmental Protection

Department of Health

Department of Revenue

Department of Transportation

Environmental Hearing Board

Fish and Boat Commission

Insurance Department

Milk Marketing Board

Office of the State Fire Commissioner

Pennsylvania Gaming Control Board

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

Professional Standards and Practices Commission

Susquehanna River Basin Commission

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

No. 536, July 2019

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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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.

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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 006 through 013					
006	Jun 12	HB0275	PN0246	60 days	Municipalities Financial Recovery Act—program objectives, authorization and limitation of status
007	Jun 12	SB0115	PN0659	60 days	Public School Code of 1949—cardiopulmonary resuscitation education
008	Jun 12	SB0441	PN0439	60 days	Sgt. Christopher M. Wrinkle and Tosca Memorial Bridge—designation
009	Jun 19	HB0619	PN0614	Immediately	June 19 as “Juneteenth National Freedom Day”—designation and holiday observance
010	Jun 21	HB0223	PN1975	Immediately	Conveyance—Commonwealth property in Asylum Township, Bradford County, to French Azilum, Inc.
011	Jun 21	SB0043	PN0020	60 days	J. Edward “Hutch” Hutchinson Memorial Bypass—designation
012	Jun 28	HB0033	PN2182	Immediately*	Human Services Code—omnibus amendments
013	Jun 28	HB0262	PN2266	Immediately*	Tax Reform Code of 1971—omnibus amendments
2019 Appropriation Acts of Regular Session Enacted—Act 001A through 015A					
001A	Jun 28	HB0790	PN2215	Immediately*	General Appropriation Act of 2019—enactment
002A	Jun 28	HB1350	PN2233	Immediately*	Pennsylvania State University—education, general expenses and Agricultural College Land Scrip Fund
003A	Jun 28	HB1351	PN2234	Immediately*	University of Pittsburgh—education, general expenses and rural education outreach
004A	Jun 28	HB1352	PN2235	Immediately*	Temple University—education and general expenses
005A	Jun 28	HB1353	PN2236	Immediately*	Lincoln University—education and general expenses
006A	Jun 28	HB1354	PN2237	Immediately*	University of Pennsylvania—veterinary activities and Center for Infectious Diseases
007A	Jun 28	SB0235	PN0986	Immediately*	Bureau of Professional and Occupational Affairs—operation of professional licensure boards
008A	Jun 28	SB0236	PN0987	Immediately*	Department of Labor and Industry and Department of Community and Economic Development—expenses for Workers’ Compensation Act, Pennsylvania Occupational Disease Act and Office of Small Business Advocate
009A	Jun 28	SB0237	PN0988	Immediately*	Office of Small Business Advocate—operation
010A	Jun 28	SB0238	PN0989	Immediately*	Office of Consumer Advocate—operation
011A	Jun 28	SB0239	PN0990	Immediately*	Public School Employees’ Retirement Board—administrative expenses, etc.
012A	Jun 28	SB0240	PN0991	Immediately*	State Employees’ Retirement Board—administrative expenses, etc.
013A	Jun 28	SB0241	PN1016	Immediately*	Philadelphia Parking Authority—operation
014A	Jun 28	SB0242	PN0993	Immediately*	Pennsylvania Public Utility Commission—operation
015A	Jun 28	SB0243	PN0994	Immediately*	Gaming Control Appropriation Act of 2019—enactment
2019 Joint Resolutions of Regular Session Passed—JR 001					
001	Jun 19	HB0276	PN0284		Constitution of Pennsylvania—rights of victims of crime
2019 Vetoes of Regular Session of Bills—Veto 001					
001	Jun 18	HB0800	PN1676		Public School Code of 1949—limitations

* 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 at 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. 19-1050. Filed for public inspection July 12, 2019, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 9 AND 19]

Order Amending Rules 905, 1922, 1925 and 1931 of the Pennsylvania Rules of Appellate Procedure; No. 283 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 24th day of June, 2019, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 46 Pa.B. 5886 (September 17, 2016):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 905, 1922, 1925, and 1931 of the Pennsylvania Rules of Appellate 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 October 1, 2019.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 9. APPEALS FROM LOWER COURTS

Rule 905. Filing of Notice of Appeal.

(a) *Filing with clerk.*

(1) Two copies of the notice of appeal, the order for transcript, if any, and the proof of service required by [**Rule 906 (service of notice of appeal)**] **Pa.R.A.P. 906**, shall be filed with the clerk of the trial court. If the appeal is to the Supreme Court, the jurisdictional statement required by [**Rule**] **Pa.R.A.P. 909** shall also be filed with the clerk of the trial court.

(2) If the appeal is a children's fast track appeal, [**the**] **a** concise statement of errors complained of on appeal as described in [**Rule**] **Pa.R.A.P. 1925(a)(2)** shall be filed with the notice of appeal and served **on the trial judge** in accordance with [**Rule 1925(b)(1)**] **Pa.R.A.P. 906(a)(2)**.

(3) Upon receipt of the notice of appeal, the clerk shall immediately stamp it with the date of receipt, and that date shall constitute the date when the appeal was taken, which date shall be shown on the docket.

(4) If a notice of appeal is mistakenly filed in an appellate court, or is otherwise filed in an incorrect office within the unified judicial system, the clerk shall immediately stamp it with the date of receipt and transmit it to the clerk of the court which entered the order appealed from, and upon payment of an additional filing fee the notice of appeal shall be deemed filed in the trial court on the date originally filed.

(5) A notice of appeal filed after the announcement of a determination but before the entry of an appealable order shall be treated as filed after such entry and on the day thereof.

(b) *Transmission to appellate court.*—The clerk shall immediately transmit to the prothonotary of the appellate court named in the notice of appeal a copy of the notice of appeal [**showing the date of receipt, the related proof of service**] and **all attachments, as well as** a receipt showing collection of any docketing fee in the appellate court required under [**Subdivision**] **paragraph** (c). If the appeal is a children's fast track appeal, the clerk shall stamp the notice of appeal with a "Children's Fast Track" designation in red ink, advising the appellate court that the appeal is a children's fast track appeal, and **the clerk** shall **also** transmit to the prothonotary of the appellate court named in the notice of appeal the concise statement of errors complained of on appeal required by [**Subdivision**] **subparagraph** (a)(2) of this rule. The clerk shall also transmit with such papers:

1. [**a copy of any order for transcript**] **copies of all orders for transcripts relating to orders on appeal;**

2. a copy of any verified statement, application, or other document filed under [**Rule 551 through Rule 561**] **Pa.R.A.P. 551—561** relating *in forma pauperis*; and

3. if the appeal is to the Supreme Court, the jurisdictional statement required by [**Rule**] **Pa.R.A.P. 909**.

(c) *Fees.*—The appellant upon filing the notice of appeal shall pay any fees therefor (including docketing fees in the appellate court) prescribed by Chapter 27 [**(fees and costs in appellate courts and on appeal)**].

Official Note: [**Insofar as the clerk or prothonotary of the lower court is concerned, the notice of appeal is for all intents and purposes a writ in the nature of certiorari in the usual form issued out of the appellate court named therein and returnable thereto within the time prescribed by Chapter 19 (preparation and transmission of record and related matters).**]

To preserve a mailing date as the filing date for an appeal as of right from an order of the Commonwealth Court, *see* [**Rule**] **Pa.R.A.P. 1101(b)**.

As to number of copies, *see* [**note to Rule 124 (form of papers; number of copies)**] **Pa.R.A.P. 124, note**. The appellate court portion of the filing fee will be transmitted pursuant to regulations adopted under 42 Pa.C.S. § 3502 [**(financial regulations)**].

[**Pending adoption of such rules the subject is regulated by Paragraph 4 of the Order amending this rule, which provides as follows:**

"4. Pending adoption of initial regulations under 42 Pa.C.S. § 3502 (financial regulations), the docketing fee (currently \$12 in the Supreme Court and the Superior Court and \$25 in the Commonwealth Court) paid through the clerk or prothonotary of the lower court pursuant to Rule 905(c) (fees) of the Pennsylvania Rules of Appellate Procedure shall be transmitted as follows:

(a) If the docketing fee is tendered by check payable to the appellate prothonotary, the clerk or

prothonotary of the lower court shall transmit the check pursuant to Rule 905(b).

(b) If the docketing fee is tendered by check payable to the clerk or prothonotary of the lower court he or she shall endorse it without recourse to the appropriate appellate prothonotary and transmit the check pursuant to Rule 905(b).

(c) If the docketing fee is tendered in cash the clerk or prothonotary of the lower court shall draw a check in like amount on the account of such clerk or prothonotary to the order of the appropriate appellate prothonotary and transmit the check pursuant to Rule 905(b).

(d) In matters arising under 42 Pa.C.S. § 723 (appeals from the Commonwealth Court), the appellant shall tender the docketing fee in the Supreme Court to the Prothonotary of the Commonwealth Court by check payable to the order of the Prothonotary of the Supreme Court, which shall be transmitted pursuant to Rule 905(b)."

The better practice will be to pay the fee for filing the notice of appeal in the lower court and the docketing fee in the appellate court by separate checks payable to the respective clerks or prothonotaries.

The 1982 amendment to Subdivision (a) corrects deficiencies in previous practice which were illustrated in *State Farm Mutual Auto. Ins. Co. v. Schultz*, 281 Pa. Super. 212, 421 A.2d 1224 (1980).]

CHAPTER 19. PREPARATION AND TRANSMISSION OF RECORD AND RELATED MATTERS

RECORD ON APPEAL FROM LOWER COURT

Rule 1922. Transcription of Notes of Testimony.

(a) [*General Rule*.—Upon receipt of the order for transcript and any required deposit to secure the payment of transcript fees the official court reporter shall proceed to have his notes transcribed, and not later than 14 days after receipt of such order and any required deposit shall lodge the transcript (with proof of service of notice of such lodgment on all parties to the matter) with the clerk of the trial court. Such notice by the court reporter shall state that if no objections are made to the text of the transcript within five days after such notice, the transcript will become a part of the record. If objections are made the difference shall be submitted to and settled by the trial court. The trial court or the appellate court may on application or upon its own motion shorten the time prescribed in this subdivision.] *Request for Transcripts*.—An appellant may file a request for transcripts under Pennsylvania Rule of Judicial Administration 4007 prior to or concurrent with the notice of appeal. If a deposit is required, the appellant shall make the deposit at the time of the request for the transcript unless the appellant is requesting a waiver of the cost because of economic hardship. Unless another Rule of Appellate Procedure provides a shorter time, the court reporter shall provide the trial judge with the transcript within 14 days of the request for transcript. When the appellant receives notice under Rule of Judicial Administration 4007(D)(3) that the transcript has been prepared, the appellant has 14 days to pay the final balance in compliance with that rule.

(b) [*Diminution of transcription*.

(1) In civil cases, an application for an order providing that less than the entire proceedings shall be transcribed may be made to the trial court by any party within two days after the order for transcript is filed. A party shall have the right to require that any specified part of the notes of testimony or recordings be transcribed, subject to the applicable requirements for the payment of transcript fees.

(2) In criminal cases, diminution of transcription shall be in accordance with Rule 115 of the Pennsylvania Rules of Criminal Procedure (recording and transcribing court proceedings).

(3) In any case, untranscribed notes or recordings shall not be part of the record on appeal for any purpose.] *Filing of the Transcript*.—When the transcript is delivered to the filing office and the parties under Rule of Judicial Administration 4007(D)(4), the transcript shall be entered on the docket.

(c) [*Certification and filing*.—The trial judge shall examine any part of the transcript as to which an objection is made pursuant to subdivision (a) of this rule or which contains the charge to the jury in a criminal proceeding, and may examine any other part of the transcript, and after such examination and notice to the parties and opportunity for objection (unless previously given) shall correct such transcript. If the trial judge examines any portion of the transcript, he shall certify thereon, by reference to the page and line numbers or the equivalent, which portions thereof he has read and corrected. If no objections are filed to the transcript as lodged, or after any differences have been settled or other corrections have been made by the court, the official court reporter shall certify the transcript, and cause it to be filed with the clerk of the lower court.] *Corrections to Transcript*.—If a transcript contains an error or is an incomplete representation of the proceedings, the omission or misstatement may be corrected by the following means:

(1) *By objection*. A party may file a written objection to the filed transcript. Any party may answer the objection. The trial court shall resolve the objections and then direct that the transcript as corrected be made a part of the record and transmitted to the appellate court.

(2) *By stipulation of the parties filed in the trial court*. If the trial court clerk has already certified the record, the parties shall file in the appellate court a copy of any stipulation filed pursuant to this rule, and the trial court shall direct that the transcript as corrected be made a part of the record and transmitted to the appellate court.

(3) *By the trial court or, if the record has already been transmitted to the appellate court, by the appellate court or trial court on remand, with notice to all parties and an opportunity to respond*.

(d) *Emergency appeals*.—Where the exigency of the case is such as to impel immediate consideration in the appellate court, the trial judge shall take all action necessary to expedite the preparation and transmission of the record notwithstanding the usual procedures prescribed in this chapter or in the Rules of Judicial

Administration. [Pending action by the lower court under this subdivision any party may proceed in the appellate court under Rule 1923 (statement in absence of transcript) and may append to any filing in the appellate court as much of the record below as the party desires to bring to the attention of the appellate court.]

Official Note: [Based in part upon former Supreme Court Rule 56, former Superior Court Rule 46, and former Commonwealth Court Rule 25 and the act of May 11, 1911 (P.L. 279, No. 179), § 4 (12 P.S. § 1199). The 14 day requirement is designed to fix an objective standard to guide the official court reporter and the lower court, so as to permit the settling of any objections by the lower court and the physical preparation and transmission by the clerk of the record within the 40 day period fixed by Rule 1931 (transmission of the record). Although under these rules a writ of certiorari is no longer issued, the requirements of these rules have the effect of a Supreme Court order, and the lower court is expected to give the transcription of notes of testimony under this rule priority over unappealed matters in the lower court.

The certification requirement of subdivision (c) recognizes that in practice the trial judge ordinarily will not actually read the transcript prior to certification unless objection is made by one of the parties. However, the rule requires the judge to review and correct the charge in criminal cases, to avoid the problems which arise when a later attempt is made by the trial judge under Rule 1926 (correction and modification of the record) to conform the transcript to his recollection of events.] Depending on the order issued by the trial court, a party may wish to seek appellate review of an order under paragraph (c) by application or in the merits brief. The 2017 amendments addressed changes in the Rules of Judicial Administration. In addition, the amendment eliminated time limits for objections to or requests for correction of the transcript. An objection to a transcript must be raised if, for example, a critical portion of the proceedings was not transcribed.

Rule 1925. Opinion in Support of Order.

(a) *Opinion in support of order.*

(1) **General rule.**—Except as otherwise prescribed by this rule, upon receipt of the notice of appeal, the judge who entered the order giving rise to the notice of appeal, if the reasons for the order do not already appear of record, shall [**forthwith**] **within the period set forth in Pa.R.A.P. 1931(a)(1)** file of record at least a brief opinion of the reasons for the order, or for the rulings or other errors complained of, or shall specify in writing the place in the record where such reasons may be found.

If the case appealed involves a ruling issued by a judge who was not the judge entering the order giving rise to the notice of appeal, the judge entering the order giving rise to the notice of appeal may request that the judge who made the earlier ruling provide an opinion to be filed in accordance with the standards above to explain the reasons for that ruling.

(2) **Children's fast track appeals.**—In a children's fast track appeal:

(i) The concise statement of errors complained of on appeal shall be filed and served with the notice of appeal [**required by Rule 905. See Pa.R.A.P. 905(a)(2)**].

(ii) Upon receipt of the notice of appeal and the concise statement of errors complained of on appeal required by [**Rule**] **Pa.R.A.P. 905(a)(2)**, the judge who entered the order giving rise to the notice of appeal, if the reasons for the order do not already appear of record, shall within 30 days file of record at least a brief opinion of the reasons for the order, or for the rulings or other errors complained of, which may, but need not, refer to the transcript of the proceedings.

(3) **Appeals arising under the Pennsylvania Code of Military Justice.**—In an appeal arising under the Pennsylvania Code of Military Justice, the concise statement of errors complained of on appeal shall be filed and served with the notice of appeal. *See Pa.R.A.P. 4004(b).*

(b) **Direction to file statement of errors complained of on appeal; instructions to the appellant and the trial court.**—If the judge entering the order giving rise to the notice of appeal ("judge") desires clarification of the errors complained of on appeal, the judge may enter an order directing the appellant to file of record in the trial court and serve on the judge a concise statement of the errors complained of on appeal ("Statement").

(1) **Filing and service.**—[**Appellant**] **The appellant** shall file of record the Statement and concurrently shall serve the judge. Filing of record [**and service on the judge shall be in person or by mail**] **shall be** as provided in Pa.R.A.P. 121(a) and, **if mail is used**, shall be complete on mailing if **the** appellant obtains a United States Postal Service Form 3817, Certificate of Mailing, or other similar United States Postal Service form from which the date of deposit can be verified in compliance with the requirements set forth in Pa.R.A.P. 1112(c). **Service on the judge shall be at the location specified in the order, and shall be either in person, by mail, or by any other means specified in the order.** Service on the parties shall be concurrent with filing and shall be by any means of service specified under Pa.R.A.P. 121(c).

(2) *Time for filing and service.* [—]

(i) The judge shall allow the appellant at least 21 days from the date of the order's entry on the docket for the filing and service of the Statement. Upon application of the appellant and for good cause shown, the judge may enlarge the time period initially specified or permit an amended or supplemental Statement to be filed. Good cause includes, but is not limited to, delay in the production of a transcript necessary to develop the Statement so long as the delay is not attributable to a lack of diligence in ordering or paying for such transcript by the party or counsel on appeal. In extraordinary circumstances, the judge may allow for the filing of a Statement or amended or supplemental Statement *nunc pro tunc*.

(ii) **If a party has ordered but not received a transcript necessary to develop the Statement, that party may request an extension of the deadline to file the Statement until 21 days following the date of entry on the docket of the transcript in accordance with Pa.R.A.P. 1922(b). The party must attach the transcript purchase order to the motion for the extension. If the motion is filed at least five days before the Statement is due but the trial court does not rule on the motion prior to the original due date, the motion will be deemed to have been granted.**

(3) *Contents of order.*—The judge’s order directing the filing and service of a Statement shall specify:

(i) the number of days after the date of entry of the judge’s order within which the appellant must file and serve the Statement;

(ii) that the Statement shall be filed of record;

(iii) that the Statement shall be served on the judge pursuant to paragraph (b)(1)[;] **and both the place the appellant can serve the Statement in person and the address to which the appellant can mail the Statement. In addition, the judge may provide an email, facsimile, or other alternative means for the appellant to serve the Statement on the judge; and**

(iv) that any issue not properly included in the Statement timely filed and served pursuant to subdivision (b) shall be deemed waived.

(4) *Requirements; waiver.*

(i) The Statement shall set forth only those [**rulings or**] errors that the appellant intends to [**challenge**] **assert.**

(ii) The Statement shall concisely identify each [**ruling or**] error that the appellant intends to [**challenge**] **assert** with sufficient detail to identify [**all pertinent issues**] **the issue to be raised** for the judge. The judge shall not require the citation to authorities **or the record**; however, appellant may choose to include pertinent authorities **and record citations** in the Statement.

(iii) The judge shall not require [**appellant or appellee**] **any party** to file a brief, memorandum of law, or response as part of or in conjunction with the Statement.

(iv) The Statement should not be redundant or provide lengthy explanations as to any error. Where non-redundant, non-frivolous issues are set forth in an appropriately concise manner, the number of errors raised will not alone be grounds for finding waiver.

(v) Each error identified in the Statement will be deemed to include every subsidiary issue [**contained therein which**] **that** was raised in the trial court; this provision does not in any way limit the obligation of a criminal appellant to delineate clearly the scope of claimed constitutional errors on appeal.

(vi) If the appellant in a civil case cannot readily discern the basis for the judge’s decision, the appellant shall preface the Statement with an explanation as to why the Statement has identified the errors in only general terms. In such a case, the generality of the Statement will not be grounds for finding waiver.

(vii) Issues not included in the Statement and/or not raised in accordance with the provisions of this paragraph (b)(4) are waived.

(c) *Remand.*

(1) An appellate court may remand in either a civil or criminal case for a determination as to whether a Statement had been filed and/or served or timely filed and/or served.

(2) Upon application of the appellant and for good cause shown, an appellate court may remand in a civil case for the filing *nunc pro tunc* of a Statement or for amendment or supplementation of a timely filed and served Statement and for a concurrent supplemental

opinion. **If an appellant has a statutory or rule-based right to counsel, good cause shown includes a failure by counsel to file a Statement timely or at all.**

(3) If an appellant **represented by counsel** in a criminal case was ordered to file a Statement and failed to do so **or filed an untimely Statement**, such that the appellate court is convinced that counsel has been *per se* ineffective, **and the trial court did not file an opinion**, the appellate court [**shall**] **may** remand for **appointment of new counsel**, the filing of a Statement *nunc pro tunc*, and [**for**] the preparation and filing of an opinion by the judge.

(4) In a criminal case, counsel may file of record and serve on the judge a statement of intent to file an [**Anders/McClendon**] **Anders/Santiago** brief in lieu of filing a Statement. If, upon review of the [**Anders/McClendon**] **Anders/Santiago** brief, the appellate court believes that there are arguably meritorious issues for review, those issues will not be waived; instead, the appellate court may remand for the filing of a Statement, a supplemental opinion pursuant to [**Rule**] **Pa.R.A.P. 1925(a)**, or both. Upon remand, the trial court may, but is not required to, replace appellant’s counsel.

(d) *Opinions in matters on petition for allowance of appeal.*—Upon receipt of notice of the filing of a petition for allowance of appeal under [**Rule**] **Pa.R.A.P. 1112(c)** (appeals by allowance), the appellate court [**below which**] **that** entered the order sought to be reviewed, if the reasons for the order do not already appear of record, shall forthwith file of record at least a brief statement, in the form of an opinion, of the reasons for the order.

Official Note: [Subdivision] Paragraph (a): The 2007 amendments [**clarify**] **clarified** that a judge whose order gave rise to the notice of appeal may ask a prior judge who made a ruling in question for the reasons for that judge’s decision. In such cases, more than one judge may issue separate [**Rule**] **Pa.R.A.P. 1925(a)** opinions for a single case. It may be particularly important for a judge to author a separate opinion if credibility was at issue in the pretrial ruling in question. *See, e.g., Commonwealth v. Yogel*, [**307 Pa. Super. 241, 243-44,**] 453 A.2d 15, 16 (**Pa. Super.** 1982). At the same time, the basis for some pre-trial rulings will be clear from the order and/or opinion issued by the judge at the time the ruling was made, and there will then be no reason to seek a separate opinion from that judge under this rule. *See, e.g., Pa.R.Crim.P. 581(I)*. Likewise, there will be times when the prior judge may explain the ruling to the judge whose order has given rise to the notice of appeal in sufficient detail that there will be only one opinion under [**Rule**] **Pa.R.A.P. 1925(a)**, even though there are multiple rulings at issue. The time period for transmission of the record is specified in Pa.R.A.P. 1931[,] **and that rule was concurrently amended to expand the time period for the preparation of the opinion and transmission of the record**] .

[**Subdivision**] **Paragraph (b):** This [**subdivision**] **paragraph** permits the judge whose order gave rise to the notice of appeal (“judge”) to ask for a statement of errors complained of on appeal (“Statement”) if the record is inadequate and the judge needs to clarify the errors complained of. The term “errors” is meant to encourage appellants to use the Statement as an opportunity to

winnow the issues, recognizing that they will ultimately need to be refined to a statement that will comply with the requirements of Pa.R.A.P. 2116. Nonetheless, the term “errors” is intended in this context to be expansive, and it encompasses all of the reasons the trial court should not have reached its decision or judgment, including, for example, those that may not have been decisions of the judge, such as challenges to jurisdiction.

[Paragraph] Subparagraph (b)(1): This **[paragraph] subparagraph** maintains the requirement that the Statement be both filed of record in the trial court and served on the judge. Service on the judge may be accomplished by mail **[or]**, by personal service, **or by any other means set forth by the judge in the order.** The date of mailing will be considered the date of filing **[and of service upon the judge]** only if counsel obtains a United States Postal Service form from which the date of mailing can be verified, as specified in Pa.R.A.P. 1112(c). Counsel is advised **both when filing and when serving the trial judge** to retain date-stamped copies of **[the]** postal forms (or **[pleadings if served by hand] other proofs of timely service**), in case questions **of waiver** arise later, **to demonstrate [as to whether]** that the Statement was timely filed or served on the judge. **This subparagraph was amended in 2019 to permit the increasingly frequent preference of judges to receive electronic or facsimile copies of filings.**

[Paragraph] Subparagraph (b)(2): This **[paragraph] subparagraph** extends the time period for drafting the Statement from 14 days to at least 21 days, with the trial court permitted to enlarge the time period or to allow the filing of an amended or supplemental Statement upon good cause shown. In *Commonwealth v. Mitchell*, [588 Pa. 19, 41,] 902 A.2d 430, 444 (Pa. 2006), the Court expressly observed that a Statement filed “after several extensions of time” was timely. An enlargement of time upon timely application might be warranted if, for example, there was a serious delay in the transcription of the notes of testimony or in the delivery of the order to appellate counsel. **The 2019 amendments to the rule provided the opportunity to obtain an extension of time to file the Statement until 21 days after the transcript is filed pursuant to Pa.R.A.P. 1922(b). The appellant may file a motion for an extension of time, which, if filed in accordance with the rule, will be deemed granted if not expressly denied before the Statement is due.**

A trial court should **also** enlarge the time or allow for an amended or supplemental Statement when new counsel is retained or appointed. A supplemental Statement may also be appropriate when the ruling challenged was so non-specific—e.g., “Motion Denied”—that counsel could not be sufficiently definite in the initial Statement.

In general, *nunc pro tunc* relief is allowed only when there has been a breakdown in the process constituting extraordinary circumstances. See, e.g., *In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, [577 Pa. 231, 248-49,] 843 A.2d 1223, 1234 (Pa. 2004) (“We have held that fraud or the wrongful or negligent act of a court official may be a proper reason for holding that a statutory appeal period does not run and that the wrong may be corrected by means of a petition filed *nunc pro tunc*.”) Courts have also allowed *nunc pro tunc* relief when “non-negligent circumstances, either as they relate to appellant or his counsel” occasion delay. *McKeown v.*

Bailey, 731 A.2d 628, 630 (Pa. Super. 1999). However, even when there is a breakdown in the process, the appellant must attempt to remedy it within a “very short duration” of time. *Id.* [; *Amicone v. Rok*, 839 A.2d 1109, 1113 (Pa. Super. 2003) (recognizing a breakdown in process, but finding the delay too long to justify *nunc pro tunc* relief).]

[Paragraph] Subparagraph (b)(3): This **[paragraph] subparagraph** specifies what the judge must advise appellants when ordering a Statement.

[Paragraph] Subparagraph (b)(4): This **[paragraph] subparagraph** sets forth the parameters for the Statement and explains what constitutes waiver. It should help counsel to comply with the concise-yet-sufficiently-detailed requirement and avoid waiver under either *Lineberger v. Wyeth*, 894 A.2d 141, 148-49 (Pa. Super. 2006) or *Kanter v. Epstein*, 866 A.2d 394, 400-03 (Pa. Super. 2004), allowance of appeal denied, [584 Pa. 678,] 880 A.2d 1239 (Pa. 2005), cert. denied sub nom. *Spector Gadon & Rosen, P.C. v. Kanter*, 546 U.S. 1092 (2006). The paragraph explains that the Statement should be sufficiently specific to allow the judge to draft the opinion required under Pa.R.A.P. 1925(a), and it provides that the number of issues alone will not constitute waiver—so long as the issues set forth are non-redundant and non-frivolous. It allows appellants to rely on the fact that subsidiary issues will be deemed included if the overarching issue is identified and if all of the issues have been properly preserved in the trial court. This provision has been taken from the United States Supreme Court rules. See Sup. Ct. R. 14(1). This **[paragraph] subparagraph** does not in any way excuse the responsibility of an appellant who is raising claims of constitutional error to raise those claims with the requisite degree of specificity. This **[paragraph] subparagraph** also allows—but does not require—an appellant to state the authority upon which the appellant challenges the ruling in question [, but it expressly recognizes that a Statement is not a brief and that an appellant shall not file a brief with the Statement. This paragraph also recognizes that there may be times that a civil appellant cannot be specific in the Statement because of the non-specificity of the ruling complained of on appeal. In such instances, civil appellants may seek leave to file a supplemental Statement to clarify their position in response to the judge’s more specific Rule 1925(a) opinion] and to identify the place in the record where the basis for the challenge may be found.

Neither the number of issues raised nor the length of the Statement alone is enough to find that a Statement is vague or non-concise enough to constitute waiver. See *Astorino v. New Jersey Transit Corp.*, 912 A.2d 308, 309 (Pa. Super. 2006). The more carefully the appellant frames the Statement, the more likely it will be that the judge will be able to articulate the rationale underlying the decision and provide a basis for counsel to determine the advisability of raising that issue on appeal. Thus, counsel should begin the winnowing process when preparing the Statement and should articulate specific errors with which the appellant takes issue and why. Nothing in the rule requires an appellant to articulate the arguments within a Statement. It is enough for an appellant—except where constitutional error must be raised with greater specific-

ity—to have identified the rulings and issues in regard to which the trial court is alleged to have erred.

[**Subdivision**] **Paragraph** (c): The appellate courts have the right under the Judicial Code to “affirm, modify, vacate, set aside or reverse any order brought before it for review, and may remand the matter and direct the entry of such appropriate order, or require such further proceedings to be had as may be just under the circumstances.” 42 Pa.C.S. § 706. [**The following additions to the rule are based upon this statutory authorization.**]

[**Paragraph**] **Subparagraph** (c)(1): This [**paragraph**] **subparagraph** applies to both civil and criminal cases and allows an appellate court to seek additional information—whether by supplementation of the record or additional briefing—if it is not apparent whether an initial or supplemental Statement was filed and/or served or timely filed and/or served.

[**Paragraph**] **Subparagraph** (c)(2): This [**paragraph**] **subparagraph** allows an appellate court to remand a civil case to allow an initial, amended, or supplemental Statement and/or a supplemental opinion. See also 42 Pa.C.S. § 706. **In 2019, the rule was amended to clarify that for those civil appellants who have a statutory or rules-based right to counsel (such as appellants in post-conviction relief, juvenile, parental termination, or civil commitment proceedings) good cause includes a failure of counsel to file a Statement or a timely Statement.**

[**Paragraph**] **Subparagraph** (c)(3): This [**paragraph**] **subparagraph** allows an appellate court to remand in criminal cases only when [**the**] **an** appellant, **who is represented by counsel**, has completely failed to respond to an order to file a Statement **or has failed to do so timely**. It is thus narrower than **subparagraph** (c)(2)[, above. Prior to these amendments of this rule, the appeal was quashed if no timely Statement was filed or served; however, because the failure to file and serve a timely Statement is a failure to perfect the appeal, it is presumptively prejudicial and “clear” ineffectiveness. See, e.g.]. See, e.g., *Commonwealth v. Burton*, 973 A.2d 428, 431 (Pa. Super. 2009); *Commonwealth v. Halley*, [582 Pa. 164, 172,] 870 A.2d 795, 801 (Pa. 2005); *Commonwealth v. West*, 883 A.2d 654, 657 (Pa. Super. 2005). **Per se ineffectiveness applies in all circumstances in which an appeal is completely foreclosed by counsel’s actions, but not in circumstances in which the actions narrow or serve to foreclose the appeal in part. Commonwealth v. Rosado, 150 A.3d 425, 433-35 (Pa. 2016). Pro se appellants are excluded from this exception to the waiver doctrine as set forth in Commonwealth v. Lord, 719 A.2d 306 (Pa. 1998).**

Direct appeal rights have typically been restored through a post-conviction relief process, but when the ineffectiveness is apparent and *per se*, the court in *West* recognized that the more effective way to resolve such *per se* ineffectiveness is to remand for the filing of a Statement and opinion. See *West*, 883 A.2d at 657; see also *Burton* (late filing of Statement is *per se* ineffective assistance of counsel). The procedure set forth in *West* is codified in [**paragraph**] **subparagraph** (c)(3). As the *West* court recognized, this rationale does not apply when waiver occurs due to the improper filing of a Statement.

In such circumstances, relief may occur only through the post-conviction relief process and only upon demonstration by the appellant that, but for the deficiency of counsel, it was reasonably probable that the appeal would have been successful. An appellant must be able to identify *per se* ineffectiveness to secure a remand under this section, and any appellant who is able to demonstrate *per se* ineffectiveness is entitled to a remand. Accordingly, this [**paragraph**] **subparagraph** does not raise the concerns addressed in *Johnson v. Mississippi*, 486 U.S. 578, 588-89 (1988) (observing that where a rule has not been consistently or regularly applied, it is not—under federal law—an adequate and independent state ground for affirming petitioner’s conviction.)

[**Paragraph**] **Subparagraph** (c)(4): This [**paragraph**] **subparagraph** clarifies the special expectations and duties of a criminal lawyer. Even lawyers seeking to withdraw pursuant to the procedures set forth in *Anders v. California*, 386 U.S. 738 (1967) and [*Commonwealth v. McClendon*, 495 Pa. 467, 434 A.2d 1185 (1981)] *Commonwealth v. Santiago*, 978 A.2d 349 (Pa. 2009), are obligated to comply with all rules[, including the filing of a Statement. See *Commonwealth v. Myers*, 897 A.2d 493, 494-96 (Pa. Super. 2006); *Commonwealth v. Ladamus*, 896 A.2d 592, 594 (Pa. Super. 2006)]. However, because a lawyer will not file an [*Anders/McClendon*] *Anders/Santiago* brief without concluding that there are no non-frivolous issues to raise on appeal, this amendment allows a lawyer to file, in lieu of a Statement, a representation that no errors [**have been raised**] **are asserted** because the lawyer is (or intends to be) seeking to withdraw under [*Anders/McClendon*/] *Anders/Santiago*. At that point, the appellate court will reverse or remand for a supplemental Statement and/or opinion if it finds potentially non-frivolous issues during its constitutionally required review of the record.

[**Subdivision** (d) was formerly (c). The text has not been revised, except to update the reference to Pa.R.A.P. 1112(c).

The 2007 amendments attempt to address the concerns of the bar raised by cases in which courts found waiver: (a) because the Statement was too vague; or (b) because the Statement was so repetitive and voluminous that it did not enable the judge to focus on the issues likely to be raised on appeal. See, e.g., *Lineberger v. Wyeth*, 894 A.2d 141, 148-49 (Pa. Super. 2006); *Kanter v. Epstein*, 866 A.2d 394, 400-03 (Pa. Super. 2004), allowance of appeal denied, 584 Pa. 678, 880 A.2d 1239 (2005), cert. denied sub nom. *Spector Gadon & Rosen, P.C. v. Kanter*, 546 U.S. 1092 (2006). Courts have also cautioned, however, “against being too quick to find waiver, claiming that Rule 1925(b) statements are either too vague or not specific enough.” *Astorino v. New Jersey Transit Corp.*, 912 A.2d 308, 309 (Pa. Super. 2006).

While conciseness and vagueness are very case-specific inquiries, certain observations may be helpful. First, the Statement is only the first step in framing the issues to be raised on appeal, and the requirements of Pa.R.A.P. 2116 are even more stringent. Thus, the Statement should be viewed as an initial winnowing. Second, when appellate courts have been critical of sparse or vague Statements, they have not criticized the number of issues raised

but the paucity of useful information contained in the Statement. Neither the number of issues raised nor the length of the Statement alone is enough to find that a Statement is vague or non-concise enough to constitute waiver. See *Astorino v. New Jersey Transit Corp.*, 912 A.2d 308, 309 (Pa. Super. 2006). The more carefully the appellant frames the Statement, the more likely it will be that the judge will be able to articulate the rationale underlying the decision and provide a basis for counsel to determine the advisability of appealing that issue. Thus, counsel should begin the winnowing process when preparing the Statement and should articulate specific rulings with which the appellant takes issue and why. Nothing in the rule requires an appellant to articulate the arguments within a Statement. It is enough for an appellant—except where constitutional error must be raised with greater specificity—to have identified the rulings and issues that comprise the putative trial court errors.]

Rule 1931. Transmission of the Record.

(a) *Time for transmission.*

(1) *General rule*—Except as otherwise prescribed by this rule **or if an extension has been granted pursuant to Pa.R.A.P. 1925(b)(2)**, the record on appeal, including the transcript and exhibits necessary for the determination of the appeal, shall be transmitted to the appellate court within 60 days after the filing of the notice of appeal. If an appeal has been allowed or if permission to appeal has been granted, the record shall be transmitted as provided by [**Rule**] **Pa.R.A.P. 1122 [allowance of appeal and transmission of record]** or by [**Rule**] **Pa.R.A.P. 1322 [(permission to appeal and transmission of record)]**, as the case may be. The appellate court may shorten or extend the time prescribed by this [**subdivision**] **subparagraph** for a class or classes of cases.

(2) *Children's fast track appeals*.—In a children's fast track appeal, the record on appeal, including the transcript and exhibits necessary for the determination of the appeal, shall be transmitted to the appellate court within 30 days after the filing of the notice of appeal. If an appeal has been allowed or if permission to appeal has been granted, the record shall be transmitted as provided by [**Rule**] **Pa.R.A.P. 1122 [allowance of appeal and transmission of record]** or by [**Rule**] **Pa.R.A.P. 1322 [(permission to appeal and transmission of record)]**, as the case may be.

(b) *Duty of [lower] trial court*.—After a notice of appeal has been filed, the judge who entered the order appealed from shall comply with [**Rule**] **Pa.R.A.P. 1925 [(opinion in support of order)]**, shall cause the official court reporter to comply with [**Rule**] **Pa.R.A.P. 1922 [(transcription of notes of testimony)]** or shall otherwise settle a statement of the evidence or proceedings as prescribed by this chapter, and shall take any other action necessary to enable the clerk to assemble and transmit the record as prescribed by this rule.

(c) *Duty of clerk to transmit the record*.—When the record is complete for purposes of the appeal, the clerk of the [**lower**] **trial** court shall transmit it to the prothonotary of the appellate court. The clerk of the [**lower**] **trial** court shall number the documents comprising the

record and shall transmit with the record a list of the documents correspondingly numbered and identified with sufficient specificity to allow the parties on appeal to identify each document and to determine whether the record on appeal is complete. Documents of unusual bulk or weight and physical exhibits other than documents shall not be transmitted by the clerk unless he or she is directed to do so by a party or by the prothonotary of the appellate court. A party must make advance arrangements with the clerk for the transportation and receipt of exhibits of unusual bulk or weight. Transmission of the record is effected when the clerk of the [**lower**] **trial** court mails or otherwise forwards the record to the prothonotary of the appellate court. The clerk of the [**lower**] **trial** court shall indicate, by endorsement on the face of the record or otherwise, the date upon which the record is transmitted to the appellate court.

(d) *Service of the list of record documents*.—The clerk of the [**lower**] **trial** court shall, at the time of the transmittal of the record to the appellate court, mail a copy of the list of record documents to all counsel of record, or if unrepresented by counsel, to the parties at the address they have provided to the clerk. The clerk shall note on the docket the giving of such notice.

(e) *Multiple appeals*.—Where more than one appeal is taken from the same order, it shall be sufficient to transmit a single record, without duplication.

(f) *Inconsistency between list of record documents and documents actually transmitted*.—If the clerk of the [**lower**] **trial** court fails to transmit to the appellate court all of the documents identified in the list of record documents, such failure shall be deemed a breakdown in processes of the court. Any omission shall be corrected promptly pursuant to [**Rule**] **Pa.R.A.P. 1926 [(correction or modification of the record)]** and shall not be the basis for any penalty against a party.

Official Note:

[**Rule**] **Pa.R.A.P. 1926 [(correction or modification of the record)]** provides the means to resolve any disagreement between the parties as to what should be included in the record on appeal.

[Pa.B. Doc. No. 19-1051. Filed for public inspection July 12, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Adoption of Local Rules of Orphans' Court 14.2—Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person or Estate of an Incapacitated Person; Local Rule 14.2(a)(17)—Petition Contents; Local Rule 14.2(b-1)—Required Certification and Criminal Background Check of Guardians; Local Rule 14.2(c)(5)-(6)—Exhibits; and Local Rule 14.2(f)—Notice

Order

And Now, this 19th day of June, 2019, the Court hereby Adopts Montgomery County Local Rules of Orphans' Court Rule 14.2(a)(17)—Petition Content; Rule 14.2(b-1)—Required Certification and Criminal Background Check of Guardians; Rule 14.2(c)(5)-(6)—Exhibits;

and Rule 14.2(f)—Notice. These Local Rules shall become effective 30 days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

THOMAS M. DeRICCI,
President Judge

Rule 14.2. Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person or Estate of an Incapacitated Person.

Local Rule 14.2(a)(17). Petition Contents.

In addition to the contents itemized in Rule 14.2(a), the Petition shall also set forth one of the following averments:

(i) That petitioner is aware that counsel has been retained by the alleged incapacitated person and the identity of such counsel;

(ii) That petitioner is unaware of any counsel representing the alleged incapacitated person and reasonably believes that counsel should be appointed;

(iii) That the petitioner is aware that the alleged incapacitated person has requested appointment of counsel; or

(iv) That the petitioner has no knowledge regarding whether the alleged incapacitated person is represented or has requested appointment of counsel.

Local Rule 14.2(b-1). Required Certification and Criminal Background Check of Guardians.

Any person or entity seeking appointment by the Court of Common Pleas of Montgomery County, Orphans' Court Division, as a guardian (whether of person or estate) shall meet the following requirements:

(1) If not identified in the initial Petition for Adjudication of Incapacity and Appointment of a Guardian, any proposed guardian shall provide the information required in Rule 14.2(b) to the Court at or prior to the hearing, including the certified response to a Pennsylvania State Police criminal record check issued within six months prior to the date provided to the Court.

(2) Every "Professional Guardian", as defined in paragraph (3) of this Local Rule, shall comply with the following Certification Requirements for Professional Guardians:

(a) become certified by the Center for Guardianship Certification on or before January 1, 2020, including:

i. meeting all minimum eligibility requirements for certification which are set by the Center for Guardianship Certification including, but not limited to, submitting to a criminal background check, ensuring proof of work experience, and verifying proof of educational experience; and

ii. successfully completing the National Certified Guardian Exam on or before January 1, 2020.

(b) maintain certification through recertification every two (2) years, as required by the Center for Guardianship Certification;

(c) file evidence of current certification with the Court as an exhibit to a consent to serve as guardian in any case commenced after January 1, 2020; and

(d) be responsible for any and all applicable fees for becoming and remaining a certified guardian, unless otherwise directed by this Court.

(3) For purposes of this Local Rule, a "Professional Guardian" is defined as any individual or entity appointed as a guardian for three (3) or more incapacitated or partially incapacitated adults (excluding appointments as a guardian for a family member), by this Court and by any other court;

(4) When a Professional Guardian is an entity, the principal of the entity and the person or persons to have direct responsibility for the alleged incapacitated person shall comply with the requirements of paragraph (2) of this Local Rule;

(5) The Court shall have discretion to waive the requirements of paragraph (2) if the proposed guardian can produce a comparable current certification in a related field. A petitioner, proposed guardian or other interested party may file a petition for waiver of certification with respect to a proposed guardian.

(6) *Effective Date:* The certification requirements of this Local Rule 14.2(b) will be effective for all guardians appointed following a hearing upon a petition filed on or after January 1, 2020.

Local Rule 14.2(c)(5)-(6). Exhibits.

In addition to the exhibits specified in Rule 14.2(c), Petitioner shall attach to the Petition for Adjudication of Incapacity the following:

(5) Any expert report evaluating the capacity of the alleged incapacitated person, if available at the time of the filing of the Petition. If the report cannot be attached to the petition, the petitioner must include an averment explaining why the report cannot be attached, and the report, if subsequently available, must be filed with the Clerk of the Orphans' Court at least ten (10) days prior to the hearing;

(6) An affidavit of excuse signed by a physician who examined the alleged incapacitated person, if the physician concludes that it would be harmful for the alleged incapacitated person to attend the hearing in person. If the petitioner intends to file such an affidavit of excuse and it is not available at the time the petition is filed, such affidavit of excuse shall be filed with Clerk of the Orphans' Court at least ten (10) days prior to the hearing. Any such affidavit of excuse shall specify whether it would be harmful for the incapacitated person to attend the hearing in person and whether it would be harmful or possible for the incapacitated person to participate in the hearing by video conference from his or her residence or other location.

Local Rule 14.2(f). Notice.

At least 20 days before the hearing date, Petitioner shall serve a copy of the Petition and the Preliminary Decree setting a hearing date on any counsel known to represent the alleged incapacitated person.

[Pa.B. Doc. No. 19-1052. Filed for public inspection July 12, 2019, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated June 27, 2019, Susan Steinthal (New York Bar # 2747517) is Suspended on Consent from the Bar of this Commonwealth for a period of six months and shall not apply for admission to the Bar of this Commonwealth for two years from the date of the order. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-1053. Filed for public inspection July 12, 2019, 9:00 a.m.]

PROPOSED RULEMAKING

MILK MARKETING BOARD

[7 PA. CODE CH. 143]

Transactions Between Dealers and Producers; Termination of Dealer-Producer Contract

The Milk Marketing Board (Board) proposes to amend § 143.31 (relating to written notice required) and proposes to delete § 143.32 (relating to forfeit use of notice rights) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 301 of the Milk Marketing Law (act) (31 P.S. § 700j-301) gives the Board the authority to “supervise, investigate and regulate the entire milk industry of the Commonwealth, . . . including the purchase and sale of milk. . . in this Commonwealth, and including the establishment of reasonable trade practices. . . .” Section 307 of the act (31 P.S. § 700j-307) gives the Board the authority to adopt and enforce regulations necessary or appropriate to carry out the provisions of the act.

Purpose and Explanation

This proposed rulemaking extends the current 28 day notice requirement to terminate a dealer-producer relationship to 90 days. It also provides for waivers to address situations where a 90 day notice would financially imperil a milk dealer.

At the beginning of March 2018 approximately 27 independent dairy farmers of this Commonwealth received termination notices from the milk dealer purchasing their milk. These producers received 90 days’ notice that their agreements would be terminated, yet many had difficulty finding new markets. One purpose of this proposed rulemaking is to provide additional time for dairy farmers to find an alternative market when they lose their current market.

In the case of the 27 producers that received notices in March 2018, their dealer could not, from a financial and economic standpoint, continue to purchase their milk. The exceptions to the 90 day notice requirement in this proposed rulemaking are intended to provide a shorter notice period in the case of a dealer’s financial hardship, business loss or catastrophic event. The exceptions also provide for a dealer to make a charitable donation of packaged milk and maintain its purchasing agreement with a producer.

This proposed rulemaking is intended to provide additional time to producers in a manner that minimizes adverse impact on milk dealers.

Description of Proposed Amendments

Section 143.31(a) is proposed to be amended to increase the required notice period to terminate a dealer-producer purchasing agreement from 28 days to 90 days.

Section 143.31(c) is proposed to be added to provide an exception to the 90 day notice requirement for dealers in “financial distress.” Financial distress is determined objectively by calculating the dealer’s Ohlson O-score. The O-Score was developed in the 1980s using financial

information from over 2,000 companies. It is generally considered to be more accurate than its predecessor, the Altman Z-score, which was developed in the 1960s using information from just 66 companies. The O-Score was selected as the primary objective metric for determination of dealer financial distress because of its reliability (consistent results over time) and validity (accurate results over time) in financial accounting since 1980. It is a result of a 9-factor linear combination of business-related ratios readily obtained through milk dealer financial statements currently filed with the Board by milk dealers on an annual basis. The O-Score is significantly more reliable than its predecessors as it was derived from a study of over 2,000 companies; it has over 90% accuracy. The O-Score provides an accurate determination of dealer financial distress to be used in a review of dealer applications for waiver of the 90 day producer termination notice requirement.

Section 143.31(d) is proposed to be added as an objective backup to address cases of potential dealer financial distress that are not captured in the O-score.

Section 143.31(e) is proposed to be added to provide an exception to the 90 day notice requirement for dealers not in financial distress but which lose customers and/or sales resulting in potential financial distress if required to continue to make producer purchases for which there is no customer for the packaged milk.

Section 143.31(f) is proposed to be added to provide an opportunity for milk dealers with producer milk purchase obligations in excess of customer sales to make a charitable donation of the associated excess packaged milk rather than to terminate producers. This section is not intended to limit or affect other charitable contributions that milk dealers make.

Section 143.31(g) is proposed to be added to provide an exception to the 90 day notice requirement when a dealer suffers a sudden and large scale (catastrophic) event affecting its ability to handle, process or sell/deliver packaged milk products.

Section 143.31(h) is proposed to be added to clarify when the exceptional 28 day notice requirement begins.

Sections 143.31(i) and (k) are proposed to be added to clarify that the notice period does not apply when contracts between dairy farmers and their cooperatives, and producers and dealers, respectively provide for a different notice requirement.

Section 143.31(k) is proposed to be added because a common issue raised by producers who received termination notices in March 2018 was that they did not know who to contact for assistance.

Section 143.32 is proposed to be deleted. As milk marketing conditions have changed and evolved, and continue to change and evolve, there is a likelihood that a producer may be selling some of its milk to a dealer while also processing, packaging and selling its own milk at its farm. At one time, exempting those producers from receiving notice may have been appropriate, but the Board has determined that current conditions are such that these producers should receive the same notice as other producers.

Public Hearing

As the result of a petition from the Department of Agriculture to extend the termination notice period, the

Board held a public hearing on July 2, 2018. Notice of the hearing was published in the *Pennsylvania Bulletin* on May 19, 2018. The Board also provided notice on May 7, 2018, by means of the Board Bulletin to parties who have requested notice of Board hearings by means of e-mail or first class mail, or both.

The following parties testified at the hearing or provided written comments, or both, as part of the hearing: Department of Agriculture, Pennsylvania Center for Dairy Excellence, Milk Marketing Board Staff, Progressive Dairymen's Cooperative, United Ag Services, Rutter's Dairy, Harrisburg Dairies, Pennsylvania Association of Dairy Cooperatives, Progressive Agriculture Organization, National Family Farm Coalition, Dairy Farmer Nelson Troutman, Melissa Bravo, Pennsylvania Farm Bureau and Pennsylvania Association of Milk Dealers.

After the hearing the Board worked with the Pennsylvania Association of Milk Dealers to draft the sections providing exceptions to the 90 day notice requirement. The Pennsylvania Association of Milk Dealers also tested the Ohlson O-score and the Dun and Bradstreet Quick Ratios.

Fiscal Impact

This proposed rulemaking would have little fiscal impact on this Commonwealth, its political subdivisions or the public.

Exceptions to the amended 90 day notice requirement that would allow milk dealers to essentially provide the current 28 day notice requirement would not be effective for up to 10 business days after a dealer requests the exception. Therefore, there is the possibility that a dealer may be required to purchase producer milk for up to 10 business days longer under the proposed amendments than dealers are currently required. The cost associated with purchasing milk is different for each dealer and is based on many factors, including, but not limited to, utilization, location, monthly milk price and volume purchased. Given the uncertainties, a precise quantification of this impact is not possible, but at a minimum could be as much as \$14,000.

Paperwork Requirements

This proposed rulemaking was drafted in consultation with the Pennsylvania Association of Milk Dealers in a manner that would require no additional paperwork requirements.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 1, 2019, the Board submitted a copy of this proposed 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 Agriculture and Rural Affairs. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections about this proposed rulemaking to Doug Eberly, Chief Counsel, Pennsylvania Milk Marketing Board, 2301 North Cameron Street, Harrisburg PA 17110, or by e-mail to ra-pmmb@pa.gov within 30 days after publication in the *Pennsylvania Bulletin*. Individuals who require this information in a different format may call (717) 787-4194 or (800) 654-5984 which is the Pennsylvania AT&T Relay Service for TDD users.

ROBERT N. BARLEY,
Chairperson

Fiscal Note: 47-18. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART VI. MILK MARKETING BOARD

CHAPTER 143. TRANSACTIONS BETWEEN DEALERS AND PRODUCERS

TERMINATION OF DEALER—PRODUCER CONTRACT

§ 143.31. Written notice required.

(a) [No dealer shall terminate his contract or purchasing agreement with a producer and no producer shall terminate his contract or selling agreement with a dealer except by giving such producer or dealer at least a 28-day written notice before termination. The dealer shall specify in such notice the reasons for termination and shall pay in full the producer whose contract has been terminated by the 20th day of the following month.]

No dealer shall terminate its contract or purchasing agreement or ordinary continuance of a previous course of dealing with a producer except by giving such producer at least a 90-day written notice before termination. No producer shall terminate its contract or purchasing agreement or ordinary continuance of a previous course of dealing with a dealer except by giving such dealer at least a 90-day written notice before termination. The period of notice shall begin when the producer or dealer receives the notice. The dealer shall specify in such notice the reasons for termination and shall pay in full the producer whose contract has been terminated by the 20th day of the following month. If a dealer petitions for a shorter notice period, the notice to the producer must inform the producer that the dealer is petitioning for the shorter notice period.

(b) Repetitions of the causes set forth in § 143.44 (relating to rejection of producer's milk) may, however, cause termination of the contract without the requisite notice.

(c) A dealer may terminate a contract or purchasing agreement or ordinary continuance of a previous course of dealing with a producer by giving a 28-day written notice if the dealer is in financial distress. "Financial distress" means an Ohlson O-score of 0.5 and higher. The dealer's Ohlson O-score shall be calculated as follows:

$$O = -1.32 - 0.407\log(TA_t/GNP) + 6.03TL_t/TA_t - 1.43 WC_t/TA_t + 0.0757 CL_t/CA_t - 1.72X - 2.37NI_t/TA_t - 1.83FFO_t/TL_t = 0.285Y - 0.521(NI_t - NI_{t-1})/(|NI_t| + |NI_{t-1}|)$$

where TA = total assets

GNP = Gross National Product price index level found at <https://fred.stlouisfed.org/series/A001RG3A086NBEA>

TL = total liabilities

WC = working capital = (current assets) – (current liabilities)

CL = current liabilities

CA = current assets

X = 1 if TL > TA, 0 otherwise

NI = net income after taxes

FFO = cash flow from operating activities

Y = 1 if a net loss for the last two years, 0 otherwise

t = most recent year data

t – 1 = prior year data

The Board shall complete its computation and review of the Ohlson O-score, and notify the dealer and affected producers, within 10 business days of receiving the necessary documentation from a dealer. “Necessary documentation” is the Balance Sheet and Statement of Operations found in the Milk Dealer’s Financial Statement (PMMB-60), and the Statement of Cash Flows prepared annually with the dealer’s financial statements.

(d) A dealer may terminate a contract or purchasing agreement or ordinary continuance of a previous course of dealing with a producer by giving a 28-day written notice if the dealer’s Ohlson O-score is between -1.0 and 0.5 if any 3 of the following five solvency ratio conditions are met

i. Quick ratio less than or equal to 0.6, where quick ratio = (cash on hand + accounts receivable)/current liabilities;

ii. Current ratio less than 1.0, where current ratio = current assets/current liabilities;

iii. Current liabilities/total equity greater than 2/3;

iv. Total liabilities/total equity greater than 1.0;

v. Fixed assets/total equity greater than 3/4.

(e) A dealer may terminate a contract or purchasing agreement or ordinary continuance of a previous course of dealing with a producer by giving a 28-day written notice if the dealer has raw milk volumes for which there are insufficient customer sales. Raw milk volumes for which there are insufficient customer sales shall be determined as follows:

(1) Identify sales reductions or customer losses experienced within any 90-day rolling period;

(2) Document weekly average sales history in pounds for the customer(s) decreased volume or for the lost customer(s) based on a 26-week rolling average, or a lesser time period if such customer was a customer for less than 26 weeks or was a school(s) and the school contract was lost during the school year;

(3) Affirm that good faith efforts were made to replace the lost sales;

(4) If the lost sales calculated according to subsection (e)(2) above amount to at least 40,000 pounds or 3% of raw milk receipts, whichever is less, of raw milk per week and the dealer has made the affirmation required by subsection (e)(3) above, the Board shall approve the 28 day written notice based on the dealer having raw milk volumes for which there are insufficient customer sales.

(5) The Board shall determine if a dealer has raw milk volumes for which there are insufficient customer sales, and notify the dealer and affected producers, within 10 business days of receiving the necessary documentation from a dealer.

(f) If a dealer has raw milk in excess of customer sales as calculated by subsections (e)(1) and (e)(2) above and has affirmed that it has made a good faith effort to dispose of the excess raw milk and has no other more economically sound disposal alternatives than dumping, skimming and dumping, or donating, and the dealer packages and donates the surplus milk to a Food Bank licensed by the Board, the producer milk packaged for such donation shall be exempt from any Pennsylvania-mandated premiums. The value of the donation may be reported to the Board as an authorized contribution. The value of the donation shall be equal to the minimum wholesale price applicable to the donation including discounts, less any Pennsylvania-mandated premiums incorporated into the minimum wholesale price. The donation shall not be considered a dealer inducement under 7 Pa. Code Chapter 146 (relating to transactions between dealers and customers). The Board shall determine if a dealer has raw milk in excess of customer sales for purposes of this subsection, and notify the dealer and affected producers, within 10 business days of receiving the request and supporting information from a dealer.

(g) A dealer may terminate a contract or purchasing agreement or ordinary continuance of a previous course of dealing with a producer by giving a 28-day notice if the dealer has raw milk volumes for which there is insufficient plant output due to a verifiable catastrophic event affecting a milk plant’s ability to handle, process, or sell/deliver historical volumes of packaged milk products, which is reasonably expected to last beyond 28-

days. Raw milk volumes for which there is insufficient plant output shall be determined as follows:

(1) Identify catastrophic event to include but not be limited to mechanical failure; weather-related damage; infrastructure-related damage; shut down or slow down of plant operations; government-imposed plant shutdown, partial or otherwise; or other similar catastrophic circumstance;

(2) Document weekly average plant output as measured by sales in pounds of packaged milk products prior to catastrophic event based on a 26-week rolling average;

(3) Document weekly average raw milk receipts in pounds prior to catastrophic event based on a 26-week rolling average;

(4) Document reasons, nature, and extent (estimated in pounds) of reduced ability to handle, process, or sell/deliver historical output of packaged milk products;

(5) Affirm that good faith efforts have been made to return to historical plant output documented under subsection (g)(2);

(6) Affirm that despite good faith efforts the reduction in output will last beyond 28-days;

(7) If the reduction in plant output documented in subsection (g)(4) amounts to at least 40,000 pounds or 3% of historical raw milk receipts in subsection (g)(3), whichever is less, of raw milk per week and the dealer has made the affirmations required in subsections (g)(5) and (g)(6), the Board shall approve the 28-day written notice based on the dealer having raw milk volumes for which there is insufficient plant capacity due to catastrophic event.

(8) The Board shall determine if a dealer has raw milk volumes for which there is insufficient output due to catastrophic event and notify the dealer and affected producers within 10 business days of receiving the information required by this subsection.

(h) Any 28-day notice period as provided by this section shall commence on the day the 28-day notice is approved by the Board.

(i) If a contract between a cooperative and a member of such cooperative provides for the amount of notice required to terminate the contract, this section shall not apply.

(j) Notwithstanding subsection (a), a producer and dealer may contract for either more or less than a 90 day notice period to terminate a contract or purchasing agreement. Subsection (a) shall apply when the contract, purchasing agreement, or ordinary continuance of a previous course of dealing between a producer and dealer does not contain a termination provision.

(k) The Board shall maintain a current list of government agencies and nonprofit organizations which are available to assist producers who receive a termination notice. The termination notice shall not be considered received by the producer unless it includes this list.

[§ 143.32. Forfeit use of notice rights.

A producer who offers milk for sale at his farm under the exemptive provisions of section 402 of the act of July 31, 1968, (31 P.S. § 700j-310) shall be

considered to have elected the status of a milk dealer and to have forfeited his rights under § 143.31 (relating to written notice required).]

[Pa.B. Doc. No. 19-1054. Filed for public inspection July 12, 2019, 9:00 a.m.]

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 686a, 687a AND 688a]

Table Game Rules of Play; Over/Under, DJ Wild Stud Poker, Face Up Pai Gow Poker

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to add Chapters 686a, 687a and 688a (relating to Over/Under; DJ Wild Stud Poker; and Face Up Pai Gow Poker) to read as set forth in Annex A.

Purpose of this Proposed Rulemaking

This proposed rulemaking will add new table games to the compliment of games available for play in this Commonwealth.

Explanation

Sections 686a.1, 687a.1 and 688a.1 (relating to definitions) contain the definitions used throughout the chapters. Sections 686a.2, 687a.2 and 688a.2 (relating to physical characteristics) contain the physical characteristics of the table layout and related equipment. Sections 686a.3, 687a.3 and 688a.3 (relating to cards; number of decks) detail the number of cards and decks used to play the game and the rank of hands in § 687a.3. Sections 686a.4, 687a.4 and 688a.4 (relating to opening of the table for gaming) address how the dealer is to open the table game for play.

Sections 686a.5, 687a.5 and 688a.5 (relating to shuffle and cut of the cards) detail how the cards are to be shuffled and cut and in § 688.5, how to determine the starting point for the dealing of the cards. Sections 687a.6 and 688a.6 (relating to rankings) address the rank of the cards and hands. Sections 686a.6, 687a.7 and 688a.7 (relating to wagers) outline the permissible wagers players may place during a round of play.

Section 686a.7 (relating to procedure for dealing the cards; completion of each round of play) address how the cards are to be initially dealt and completing the round of play. Sections 687a.8, 687a.9 and 687a.10 and 688a.8, 688a.9 and 688a.10 (relating to procedures for dealing the cards from a manual dealing shoe; the hand; and from an automated dealing shoe) address how the cards are to be dealt and the number of cards dealt to each player. Sections 687a.11 and 688a.11 (relating to procedure for completion of each round of play) specify how wagers are to be settled and a round of play completed. Sections 686a.8, 687a.12 and 688a.12 (relating to payout odds; Progressive Wager configuration; payout limitation) outline the permissible payout odds for winning wagers and allows the operator to place a payout limit, per player per round of play. Sections 686a.9, 687a.13 and 688a.13 (relating to irregularities) address how a dealer is to handle irregularities during play.

In Over/Under, the expected payback would be 98.95% on the required wagers. For the Bonus Wager, the expected payback wager on the approved payable would be 94.393%.

In DJ Wild Stud Poker, the expected payback on the Ante, Blind and Play Wagers using perfect strategy is 98.99%. For the Trips Bonus Wager, the expected payback for the approved paytables are 98.843%, 92.474%, 92.338% and 91.454%. For the Bad Beat Bonus Wager, the expected payback for the approved paytables are 86.8%, 87.682%, 85.904% and 85.848%. For the Progressive Wager, the expected payback for the approved paytables is 77%.

In Face Up Pai Gow Poker, the expected payback on the required wagers is 98.404%. For the Ace High Bonus Wager, the expected payback for the approved paytables is 96.425%, 95.233%, 94.169%, 93.141% and 92.647%. For the Fortune Bonus Wager, the maximum payback for the approved paytables is 93.94%, 94.15%, 94.10%, 93.41%, 92.62% and 94.10%. For the Progressive Wager, the payback percentage is 75.751%, 78.073%, 75.568%, 91.937%, 80.962%, 75.349% and 75.746%.

Fiscal Impact

Commonwealth. The Board does not expect that this proposed rulemaking will have a fiscal impact on the Board or other Commonwealth agencies. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

Political subdivisions. This proposed rulemaking will not have a fiscal impact on political subdivisions of this Commonwealth.

Private sector. This proposed rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Over/Under, DJ Wild Stud Poker or Face Up Pai Gow Poker within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and purchase new equipment—specifically table layouts corresponding to the game and wagers offered. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This proposed rulemaking will not have a fiscal impact on the general public.

Paperwork Requirements

If a certificate holder selects different options for the play of table games, the certificate holder will be required to submit an updated Rules Submission form reflecting the changes. These forms are available and submitted to Board staff electronically.

Effective Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Chad W. Zimmermann, Assistant Chief Counsel, Attention: Regulation # 125-223 Public Comment, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060.

Contact Person

The contact person for questions about this proposed rulemaking is Chad W. Zimmermann, Assistant Chief Counsel, (717) 265-8356.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 20, 2019, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at www.gamingcontrolboard.pa.gov.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to this proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

DAVID M. BARASCH,
Chairperson

Fiscal Note: 125-223. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 686a. OVER/UNDER

Sec.	
686a.1.	Definitions.
686a.2.	Over/Under table; physical characteristics; inspections.
686a.3.	Cards; number of decks; value of cards.
686a.4.	Opening of the table for gaming.
686a.5.	Shuffle and cut of the cards.
686a.6.	Wagers.
686a.7.	Procedure for dealing the cards; completion of each round of play.
686a.8.	Payout odds.
686a.9.	Irregularities.

§ 686a.1. Definitions.

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

Ante Wager—The wager that a player is required to make prior to any cards being dealt to participate in the round of play.

Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Hand—The three cards dealt to the player.

Over 23 Wager—An additional wager made by the player after the first card is dealt to his hand if the player opts to remain in the round of play.

Surrender—When the player opts to forfeit his ante wager after being dealt the first card of the hand in a round of play.

Under 18 Wager—An additional wager made by the player after the first card is dealt to his hand if the player opts to remain in the round of play.

§ 686a.2. Over/Under table; physical characteristics; inspections.

(a) Over/Under shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for an Over/Under table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

(1) The name or logo of the certificate holder.

(2) A separate betting area designated for the Ante Wager, Over 23 Wager, and Under 18 Wager for each player.

(3) Three rectangular areas in front of each player's position where the player's three-card hand will be placed.

(4) The following inscriptions:

(i) All bets pay even money except for Bonus Bets.

(ii) House wins on 18—23.

(iii) Aces are always counted as 11.

(5) If the certificate holder offers the optional Bonus Wager authorized under § 686a.6 (relating to wagers), a separate area designed for the placement of the Bonus Wager for each player.

(6) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Over/Under table.

(c) Each Over/Under table must have a drop box and tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Over/Under table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

(1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.

(2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

§ 686a.3. Cards; number of decks; value of cards.

(a) Except as provided in subsection (b), Over/Under shall be played with a six-deck batch of cards that are identical in appearance and at least one cover card. The decks shall consist of 52 cards. The cards may be dealt from a multi-deck shoe or a continuous shuffler.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, Over/Under shall be played with two batches of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with six decks included in each batch, with each batch containing the same number of decks.

(2) The cards in each batch must be of the same design but the backs of the cards in one batch must be of a different color than the cards in the other batch.

(3) One batch of cards shall be shuffled and stored in the automated card shuffling device while the other batch is being used to play the game.

(4) Both batches of cards shall be continuously alternated in and out of play, with each batch being used for every other dealing shoe.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(c) The decks of cards opened for use at an Over/Under table shall be changed at least once every 24 hours.

(d) The value of the cards shall be as follows:

(1) Any card from 2 to 10 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11.

§ 686a.4. Opening of the table for gaming.

(a) After receiving the decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 686a.5 (relating to shuffle and cut of the cards).

(d) If an automated shuffling device is utilized, other than a continuous shuffler, all the decks in one batch of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c) separate from the decks in the other batch of cards.

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a) and (c)—(e) do not apply.

§ 686a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each shoe of cards is dealt or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the decks of cards in a single stack. The certificate holder may use an automated

card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (c). If no player accepts the cut, the dealer shall cut the cards.

(c) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) If the cover card appeared on the dealer's hand during the last round of play, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(4) If the reshuffle was initiated at the direction of the floorperson or above, the player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(d) The player or dealer making the cut shall place the cover card in the stack at least ten cards from the top or bottom of the stack. Once the cover card has been inserted, the dealer shall take all cards on top of the cover card and place them on the bottom of the stack. The dealer shall then insert the cover card in the stack at a position at least 1/4 of the way in from the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(e) After the cards have been cut and before the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut either by the player who last cut the cards or by the next person entitled to cut the cards, as determined under subsection (c). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe, as provided in § 686a.7(d) (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at an Over/Under table which is open for gaming, the cards shall be removed from the dealing shoe and the discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 686a.4 (relating to opening of the table for gaming) and this section shall be completed.

(h) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (b)—(g) do not apply.

§ 686a.6. Wagers.

(a) Wagers at Over/Under shall be made by placing value chips, plaques, or other Board-approved table gaming wagering instruments on the appropriate areas of the Over/Under layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

(b) After the cards have been shuffled as required by § 686a.5 (relating to shuffle and cut of the cards), a certificate holder may prohibit any patron, whether seated at the gaming table or not, who does not make a wager on a given round of play from placing a wager on the next round of play and any subsequent round of play at that gaming table until either:

(1) The certificate holder chooses to permit the player to begin wagering again.

(2) A reshuffle of the cards has occurred.

(c) All wagers, except an Over 23 Wager or Under 18 Wager shall be placed prior to the first card being dealt for each round of play. A player may not handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

(d) A player must place an Ante Wager to participate in a round of play.

(e) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed an Ante Wager in accordance with subsection (d), the option of placing a Bonus Wager.

(f) The certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place an Ante Wager in one round of play.

§ 686a.7. Procedure for dealing the cards; completion of each round of play.

(a) All cards shall be dealt from a dealing shoe which must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures under § 686a.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. The dealer may deal cards to the two betting positions closest to the dealing shoe with the same hand.

(c) After each full batch of cards is placed in the shoe, the dealer shall remove the first card and place it in the discard rack. Each new dealer who comes to the table shall also remove one card and place it in the discard rack before dealing any cards to the players.

(d) If the cover card appears as the first card in the dealing shoe at the beginning of a round of play or appears during play, the cover card shall be removed and placed to the side and the hand will be completed. The dealer shall then:

(1) Collect and reshuffle the cards by removing the cards remaining in the shoe and placing them in the discard rack to ensure that no cards are missing.

(2) Shuffle the cards so that they are randomly intermixed.

(e) After all Ante and Bonus Wagers have been placed, the dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card face up in the rectangular box described in § 686a.2(b)(3) closest to the player of each position on the layout in which an Ante Wager is placed.

(f) Immediately after the first card is dealt to each player, but prior to any additional cards being dealt the dealer shall start with the player farthest to the dealer's left and continue around the table in a clockwise direction and determine the decision of each player.

(g) Each player when asked by the dealer may elect to either:

(1) Place an Over 23 Wager equal to the amount of the player's Ante Wager.

(2) Place an Under 18 Wager equal to the amount of the player's Ante Wager.

(3) Surrender the Ante Wager, which shall then be collected by the dealer.

(h) A player's decision to surrender and forfeit the Ante Wager does not also forfeit the player's Bonus Wager, if made, and the Bonus Wager shall be settled in accordance with subsection (k).

(i) After a player indicates his decision, the dealer shall deal face up the two additional cards to the player's hand, even if the player decides to surrender his hand and has not placed a Bonus Wager.

(j) After the two additional cards have been dealt to a player, the dealer shall settle the player's wagers placed prior to and during the round of play, remove the cards and place them in the discard rack, and then move to the next player.

(i) A player shall win and be paid in accordance with § 686a.8 (relating to payout odds) if:

(1) The player placed an Ante Wager and an Over 23 Wager, and the total point count of the player's hand is 24, 25, 26, 27, 28, 29, 30, 31, 32 or 33.

(2) The player placed an Ante Wager and an Under 18 Wager, and the total point count of the player's hand is 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 or 17.

(k) A player's Ante Wager and Over 23 Wager or Under 18 Wager shall lose and shall be collected if the total point count of the player's hand is 18, 19, 20, 21, 22 or 23.

(l) A player's Bonus Wager shall win and be paid in accordance with § 686a.8 (relating to payout odds) if the player's point total is 6, 7, 8, 9, 10, 11, 12, 27, 28, 29, 30, 31, 32 or 33, and shall lose if the total point count of the player's hand is 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 or 26.

(m) After all player hands have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

(n) Players and spectators may not handle, remove or alter any cards used to play Over/Under.

§ 686a.8. Payout odds.

(a) The certificate holder shall pay out each winning Ante Wager, Over 23 Wager, and Under 18 Wager at odds of 1 to 1.

(b) The certificate holder shall pay out winning Bonus Wagers at the odds in the following payable:

<i>Paytable</i>	
<i>Point Total</i>	<i>Pay</i>
6 or 33	50 to 1
7 or 32	10 to 1
8 or 31	5 to 1
9 or 30	4 to 1
10 or 29	3 to 1
11 or 28	2 to 1
12 or 27	1 to 1

§ 686a.9. Irregularities.

(a) A card found face up in the shoe may not be used in that round of play and shall be placed in the discard rack.

(b) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack shall be shuffled and cut in accordance with the procedures in § 686a.5 (relating to shuffle and cut of the cards). The first card shall be drawn face down and placed in the discard rack and the dealer shall complete the round of play.

(c) If after receiving the first card, the dealer fails to deal the additional two cards to a player, then, at the player's option, the dealer shall either deal the additional cards after all other players have received their additional cards and complete the round of play, or call the player's hand dead and return the player's initial Ante Wager.

(d) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(e) If an automated shuffling device malfunctions and cannot be used, the device must be covered or have a sign indicating that it is out of order placed on the device before any other method of shuffling may be utilized at that table.

CHAPTER 687a. DJ WILD STUD POKER

Sec.

687a.1. Definitions.

687a.2. DJ Wild Stud Poker table; physical characteristics.

687a.3. Cards; number of decks.

687a.4. Opening of the table for gaming.

687a.5. Shuffle and cut of the cards.

687a.6. DJ Wild Stud Poker rankings.

687a.7. Wagers.

687a.8. Procedure for dealing the cards from a manual dealing shoe.

687a.9. Procedure for dealing the cards from the hand.

687a.10. Procedure for dealing the cards from an automated dealing shoe.

687a.11. Procedure for completion of each round of play.

687a.12. Payout odds; progressive wager configuration.

687a.13. Irregularities.

§ 687a.1. Definitions.

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

Ante Wager—A wager a player is required to make prior to any cards being dealt to participate in a round of play.

Blind Wager—A wager a player is required to make prior to any cards being dealt to participate in a round of play, equal to the player's Ante Wager.

Fold—The withdrawal of a player from a round of play by not making Raise Wagers.

Progressive Bonus Wager—An optional wager a player may make prior to any cards being dealt to compete against a posted progressive payable and meter.

Raise Wager—An additional wager of two times the player's Ante Wager that a player may make after examining the five cards dealt to the player.

Trips Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payable.

Two-Way Bad Beat Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against the dealer.

§ 687a.2. DJ Wild Stud Poker table; physical characteristics.

(a) DJ Wild Stud Poker shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a DJ Wild Stud Poker table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Ante Wager, Blind Wager, and Raise Wager.
- (3) If the certificate holder offers the optional Progressive Bonus Wager authorized under § 687a.7(d)(2) (relating to wagers), the Trips Bonus Wager authorized under § 687a.7(d)(3), or the Two-Way Bad Beat Bonus Wager authorized under § 687a.7(d)(4) a separate area designated for the placement of each of the wagers for each player.
- (4) If the certificate holder offers the optional Progressive Bonus Wager authorized under § 687a.7(d)(2) (relating to wagers), an area to place one card face down after the cards are dealt to the players and the dealer, which if necessary will replace the Joker card in a player's hand for purposes of the Progressive Bonus Wager.
- (5) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each DJ Wild Stud Poker table.

(c) Each DJ Wild Stud Poker table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each DJ Wild Stud Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 687a.3. Cards; number of decks.

(a) DJ Wild Stud Poker shall be played with one deck of 53 cards that are identical in appearance and one cover card, made up of a standard 52 card deck and one joker.

(b) If an automated card shuffling device is utilized, DJ Wild Stud Poker may be played with two decks of 53 cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck are placed in the discard rack at any given time.

(c) The decks of cards used in DJ Wild Stud Poker shall be changed at least every:

- (1) Four hours if the cards are dealt by hand.
- (2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 687a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 687a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c).

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 687a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the

completion of each shuffle and indicates whether 53 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with §§ 687a.8, 687a.9 or 687a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(e) After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(f) If there is no gaming activity at a DJ Wild Stud Poker table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 687a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (d)—(f) do not apply.

§ 687a.6. DJ Wild Stud Poker rankings.

(a) The rank of the cards used in DJ Wild Stud Poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace and 2). All suits shall be equal in rank.

(b) All four cards with a rank of 2 and the one joker card are considered Wild, and may be used to complete a Poker hand by assuming a different rank.

(c) The permissible Poker hands in the game of DJ Wild Stud Poker, in order of highest to lowest rank, shall be:

(1) Five Wilds, which is a hand consisting of all five Wild cards.

(2) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(3) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, other than a royal flush.

(4) A four-of-a-kind, which is a hand consisting of four cards of the same rank.

(5) A full house, which is a hand consisting of a three-of-a-kind and a pair.

(6) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(7) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

(8) A three-of-a-kind, which is a hand consisting of three cards of the same rank.

(9) Two pairs, which is a hand consisting of two sets of two cards which are of the same rank.

(10) Pair, which is a hand consisting of two cards of the same rank.

(11) High card, which is a hand that does not contain a pair or better.

(d) If a certificate holder offers the Progressive Bonus Wager, the player's hands eligible for a payout shall be:

(1) A royal flush.

(2) A straight flush.

(3) A four-of-a-kind.

(4) A full house.

(5) A flush.

(6) A straight.

(7) A three-of-a-kind.

(e) If a certificate holder offers the Trips Bonus Wager, the hands eligible for a payout shall be:

(1) Five wilds.

(2) A royal flush.

(3) A straight flush.

(4) A four-of-a-kind.

(5) A full house.

(6) A flush.

(7) A straight.

(8) A three-of-a-kind.

(f) If a certificate holder offers the Two-Way Bad Beat Bonus Wager, the player's hands eligible for a payout shall be:

(1) A royal flush.

(2) A straight flush.

(3) A four-of-a-kind.

(4) A full house.

(5) A flush.

(6) A straight.

(7) A three-of-a-kind.

§ 687a.7. Wagers.

(a) Wagers at DJ Wild Stud Poker shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a DJ Wild Stud Poker table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If

a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers, except Raise Wagers, shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in §§ 687a.8, 687a.9 or 687a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 687a.11(b) (relating to procedure for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of DJ Wild Stud Poker:

(1) To compete in a round of play, a player shall place an Ante Wager and Blind Wager, then a Raise Wager, in an amount equal to two times the player's Ante Wager, in accordance with § 687a.11(b).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a DJ Wild Stud Poker table the option to make an additional Progressive Bonus Wager which shall win if the five cards dealt to the player contain three-of-a-kind or better as provided in § 687a.6(d) (relating to DJ Wild Stud Poker rankings).

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a DJ Wild Stud Poker table the option to make an additional Trips Bonus Wager, which shall win if the five cards dealt to the player contain three-of-a-kind or better as provided in § 687a.6(e) (relating to DJ Wild Stud Poker rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a DJ Wild Stud Poker table the option to make an additional Two-Way Bad Beat which shall win if the five cards dealt to the player contain three-of-a-kind or better as provided in § 687a.6(f) (relating to DJ Wild Stud Poker rankings).

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 687a.8. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 687a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce "no more bets." To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) If a player has placed a Progressive Bonus Wager on the sensor, the dealer will press the Start Game button on the keypad, which will light up the Progressive Bonus Wagers placed, and the dealer will collect the Progressive Bonus Wagers.

(d) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal a stack of five cards to each player who has placed an Ante Wager and Blind Wager in accordance with § 687a.7(d)(1) (relating to wagers). All cards shall be dealt face down to the players.

(e) After five cards have been dealt to each player, the dealer shall deal himself five cards.

(f) The dealer shall then place one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics), and the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (i), place the stub in the discard rack without exposing the cards.

(g) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(h) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(i) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 687a.9. Procedure for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 687a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce "no more bets."

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. If a player has placed a Progressive Bonus Wager on the sensor, the dealer will press the Start Game button on the keypad, which will light up the Progressive Bonus Wagers placed, and the dealer will collect the Progressive Bonus Wagers.

(c) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal a stack of five cards to each player who has placed an Ante Wager and Blind Wager in accordance with § 687a.7(d)(1) (relating to wagers). All cards shall be dealt face down to the players.

(d) After five cards have been dealt to each player, the dealer shall deal himself five cards.

(e) The dealer shall then place one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics), and the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

(f) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(g) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(h) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 687a.10. Procedure for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 687a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets.”

(b) The dealer shall deliver the first stack of five cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed an Ante Wager and Blind Wager in accordance with § 687a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager and Blind Wager.

(c) After each stack of five cards has been dispensed and delivered in accordance with this section, the dealer shall dispense to himself five cards, remove the remaining cards from the automated dealing shoe and follow the procedures in § 687a.9(a)(2) (relating to procedure for dealing the cards from the hand) and place one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics) if a player has placed a Progressive Bonus wager.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 687a.11. Procedure for completion of each round of play.

(a) After the dealing procedures required under §§ 687a.8, 687a.9 or 687a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at DJ Wild Stud Poker shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(2) Each player shall keep his five cards in full view of the dealer at all times.

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer’s left and moving clockwise around the table, ask each player who placed an Ante Wager and Blind Wager if he wishes to make a Raise Wager in an amount equal to two times the player’s Ante Wager or fold and forfeit the Ante Wager and Blind Wager and end his participation in the round of play.

(1) If a player has placed an Ante Wager and Blind Wager and an optional Trips Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager and Blind Wager but does not forfeit the Trips Bonus Wager.

(2) If a player has placed an Ante Wager and Blind Wager and an optional Two-Way Bad Beat Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager, the Blind Wager, and the Two-Way Bad Beat Wager.

(3) The certificate holder may, in its discretion, choose to allow or not allow folded hands to qualify for the Progressive Bonus Wager.

(c) After each player who has placed an Ante Wager and Blind Wager has either placed a Raise Wager on the designated area of the layout or forfeited his Ante Wager and Blind Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Trips Bonus Wager or Progressive Bonus Wager, and place the cards in the discard rack.

(d) Once all players have either placed a Raise Wager or folded, the dealer shall turn over and reveal his five-card hand and announce the best possible DJ Wild Stud Poker hand that can be formed.

(e) Beginning with the player farthest to the dealer’s left and continuing around the table in a counterclockwise direction, the dealer shall then evaluate and announce the best possible DJ Wild Stud Poker hand that can be formed using the player’s five cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All Ante Wagers, Blind Wagers, and Raise wagers shall be settled as follows:

(1) If a player's highest ranking DJ Wild Stud Poker hand is higher than the dealer's highest ranking DJ Wild Stud Poker hand, as provided in § 687a.6(c) (relating to DJ Wild Stud Poker hand rankings), the dealer shall pay the winning Ante Wager, Blind Wager, and Raise Wager in accordance with § 687a.12(a) and (b) (relating to payout odds; progressive wager configuration).

(2) If a player's highest ranking DJ Wild Stud Poker hand is equal to the dealer's highest ranking DJ Wild Stud Poker hand, as provided in § 687a.6(c), the hand is a push, and the dealer shall not collect the Ante Wager, Blind Wager, and Raise Wager.

(3) If the player's highest ranking DJ Wild Stud Poker hand is lower than the dealer's highest ranking DJ Wild Stud Poker hand, as provided in § 687.6(c), the player loses, and the dealer shall collect the Ante Wager, Blind Wager, and Raise Wager.

(f) After settling the player's Ante Wager, Blind Wager, and Raise Wager, the dealer shall settle any optional wagers as follows:

(1) For the Progressive Bonus Wager, if the player has been dealt the Joker Wild card, it will be replaced in his hand with the one card in the area on the layout described in § 687.2(b)(4) (relating to DJ Wild Stud Poker Table; physical characteristics).

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, as provided in § 687a.6(d), the dealer shall collect the losing Progressive Bonus Wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better, as provided in § 687a.6(d), the dealer shall pay the winning Progressive Bonus Wager in accordance with § 687a.12(c).

(2) For the Trips Bonus Wager:

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, as provided in § 687a.6(e), the dealer shall collect the losing Trips Bonus Wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better, as provided in § 687a.6(e), the dealer shall pay the winning Trips Bonus Wager in accordance with § 687a.12(d).

(3) For the Two-Way Bad Beat Bonus Wager:

(i) If the player's highest ranking DJ Wild Stud Poker hand is not three-of-a-kind or better, or the player's highest ranking hand is a three-of-a-kind or better but does not lose to the dealer's higher ranking hand, as provided in § 687a.6(f), the dealer shall collect the losing Two-Way Bad Beat Bonus Wager.

(ii) If the player's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better and loses to the dealer's higher ranking hand, as provided in § 687a.6(f), the dealer shall pay the winning Two-Way Bad Beat Bonus Wager in accordance with § 687a.12(e).

(g) After all wagers of the player have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 687a.12. Payout odds; progressive wager configuration.

(a) A certificate holder shall pay winning Ante Wager and Raise Wagers 1 to 1.

(b) A certificate holder shall pay out winning Blind Bonus Wagers in accordance with one of the following payable:

<i>Paytable</i>	
<i>Hand</i>	<i>Pay</i>
Five wilds	1000 to 1
Royal flush	50 to 1
Five-of-a-kind	10 to 1
Straight flush	9 to 1
Four-of-a-kind	4 to 1
Full house	3 to 1
Flush	2 to 1
Straight	1 to 1
Three-of-a-kind or less	Push

(c) A certificate holder shall pay out winning Progressive Bonus Wagers in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submission):

<i>Progressive Paytable 1; \$1 Wager; \$2,000 seed and re-seed</i>		
<i>Hand</i>	<i>Pay</i>	<i>Envy</i>
Royal flush	100% of meter	\$1,000
Straight flush	10% of meter	\$300
Four-of-a-kind	300 to 1	
Full house	50 to 1	
Flush	40 to 1	
Straight	30 to 1	
Three-of-a-kind	9 to 1	

<i>Progressive Paytable 2; \$5 wager; \$10,000 seed and re-seed</i>		
<i>Hand</i>	<i>Pay</i>	<i>Envy</i>
Royal flush	100% of meter	\$5,000
Straight flush	10% of meter	\$1,500
Four-of-a-kind	300 to 1	
Full house	50 to 1	
Flush	40 to 1	
Straight	30 to 1	
Three-of-a-kind	9 to 1	

(d) A certificate holder shall pay out winning Trips Bonus Wager as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Paytable DJWT-04</i>		
<i>Hand</i>	<i>Natural</i>	<i>With Wild</i>
Five wilds	n/a	2000 to 1

<i>Paytable DJWT-04</i>		
<i>Hand</i>	<i>Natural</i>	<i>With Wild</i>
Royal flush	1000 to 1	90 to 1
Five-of-a-kind	n/a	70 to 1
Straight flush	200 to 1	25 to 1
Four-of-a-kind	60 to 1	6 to 1
Full house	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-kind	6 to 1	1 to 1

<i>Paytable DJWT-05</i>		
<i>Hand</i>	<i>Natural</i>	<i>With Wild</i>
Five wilds	n/a	2000 to 1
Royal flush	1000 to 1	70 to 1
Five-of-a-kind	n/a	60 to 1
Straight flush	200 to 1	25 to 1
Four-of-a-kind	50 to 1	6 to 1
Full house	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-kind	6 to 1	1 to 1

<i>Paytable DJWT-06</i>		
<i>Hand</i>	<i>Natural</i>	<i>With Wild</i>
Five wilds	n/a	500 to 1
Royal flush	400 to 1	70 to 1
Five-of-a-kind	n/a	60 to 1
Straight flush	200 to 1	25 to 1
Four-of-a-kind	50 to 1	6 to 1
Full house	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-kind	6 to 1	1 to 1

<i>Paytable DJWT-07</i>		
<i>Hand</i>	<i>Natural</i>	<i>With Wild</i>
Five wilds	n/a	2000 to 1
Royal flush	1000 to 1	60 to 1
Five-of-a-kind	n/a	50 to 1
Straight flush	200 to 1	25 to 1
Four-of-a-kind	40 to 1	6 to 1
Full house	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-kind	6 to 1	1 to 1

<i>Paytable DJWBB-01</i>	
<i>Hand</i>	<i>Pay</i>
Royal flush	500 to 1
Five-of-a-kind	500 to 1
Straight flush	500 to 1
Four-of-a-kind	500 to 1
Full house	400 to 1
Flush	300 to 1
Straight	100 to 1
Three-of-a-kind	9 to 1

<i>Paytable DJWBB-02</i>	
<i>Hand</i>	<i>Pay</i>
Royal flush	10,000 to 1
Five-of-a-kind	10,000 to 1
Straight flush	5,000 to 1
Four-of-a-kind	500 to 1
Full house	400 to 1
Flush	300 to 1
Straight	100 to 1
Three-of-a-kind	9 to 1

<i>Paytable DJWBB-03</i>	
<i>Hand</i>	<i>Pay</i>
Royal flush	500 to 1
Five-of-a-kind	500 to 1
Straight flush	500 to 1
Four-of-a-kind	300 to 1
Full house	200 to 1
Flush	100 to 1
Straight	50 to 1
Three-of-a-kind	15 to 1

<i>Paytable DJWBB-04</i>	
<i>Hand</i>	<i>Pay</i>
Royal flush	299 to 1
Five-of-a-kind	299 to 1
Straight flush	299 to 1
Four-of-a-kind	299 to 1
Full house	200 to 1
Flush	100 to 1
Straight	50 to 1
Three-of-a-kind or less	15 to 1

§ 687a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(e) A certificate holder shall pay out winning Two-Way Bad Beat Bonus Wagers as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

(c) If a player is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If any of the player's cards or dealer's cards are revealed prior to the placement of raise wagers in accordance with § 687a.11(b) (relating to procedure for completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Progressive Bonus Wager or Trips Bonus Wager, those wagers shall be settled in accordance with § 687a.11(f).

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 688a. FACE UP PAI GOW POKER

Sec.	
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§ 688a.1. Definitions.

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

Ace High Bonus Wager—An additional Face Up Pai Gow Poker wager which pays if the dealer's hand is an Ace High Pai Gow.

Ace High Pai Gow—When the seven cards in the player or dealer's hand is a rank of Ace high.

Envy Bonus—An additional fixed sum payout made to a player who placed a Qualifying Wager when another player at the Face Up Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand.

Envy Bonus Qualifying Hand—A player's Face Up Pai Gow Poker hand with a rank of a four-of-a-kind or better formed from the seven cards dealt to a player.

Fortune Bonus Wager—An additional Face Up Pai Gow Poker wager which considers the best hand possible among the player's seven cards against a posted payable.

High hand—The five-card hand that is formed from the seven cards dealt so as to rank equal to or higher than the two-card low hand.

Low hand—The two-card hand that is formed from the seven cards dealt so as to rank equal to or lower than the five-card high hand.

Progressive Payout Wager—An optional wager a player may make prior to any cards being dealt to compete against a posted progressive payable and meter.

Qualifying Wager—A Progressive Payout Wager or Fortune Bonus Wager of at least \$5 which may entitle a player to an Envy Bonus.

Setting the hands—The process of forming a high hand and low hand from the seven cards dealt.

§ 688a.2. Face Up Pai Gow Poker table; Pai Gow Poker Shaker; physical characteristics.

(a) Face Up Pai Gow Poker shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Face Up Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

(1) The name or logo of the certificate holder.

(2) A separate betting area designated for the placement of the Face Up Pai Gow Poker Wager for each player.

(3) Two separate areas designated for the placement of the high and low hands of each player.

(4) Two separate areas designated for the placement of the high and low hands of the dealer.

(5) If the certificate holder offers the optional Aces High Bonus Wager authorized under § 688a.7(e)(1) (relating to wagers), a separate area designated for the placement of the Aces High Bonus Wager for each player.

(6) If the certificate holder offers the optional Fortune Bonus Wager authorized under § 688a.7(e)(2), a separate area designated for the placement of the Fortune Bonus Wager for each player.

(7) If the certificate holder offers the optional Progressive Payout Wager authorized under § 688a.7(e)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.

(8) Inscriptions that advise patrons that if the dealer's hand is an Ace High Pai Gow, the player's wager shall push and be returned to the player.

(9) Inscriptions that advise patrons of the payout odds or amounts for all permissible wagers offered by the certificate holder. If the payout odds or amounts are not inscribed on the layout, a sign identifying the payout odds or amounts for all permissible wagers shall be posted at each Face Up Pai Gow Poker table.

(c) To determine the starting position for the dealing or delivery of the cards, Face Up Pai Gow Poker may be played with:

(1) A Pai Gow Poker shaker, approved in accordance with § 601a.10(a), which shall be designed and constructed to maintain the integrity of the game. The

Pai Gow Poker shaker shall be the responsibility of the dealer, may not be left unattended while at the table and must:

(i) Be capable of housing three dice that when not being shaken must be maintained within the Pai Gow Poker shaker. Dice that have been placed in a Pai Gow Poker shaker for use in gaming may not remain on a table for more than 24 hours.

(ii) Be designed to prevent the dice from being seen while being shaken.

(iii) Have the name or logo of the certificate holder imprinted or impressed thereon.

(2) A computerized random number generator which shall be submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use.

(d) If the certificate holder offers the optional Progressive Payout Wager in accordance with § 688a.7(e)(3), the Face Up Pai Gow Poker table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of Progressive Payout Wagers. If the certificate holder is offering a Progressive Payout Wager pursuant to § 688.7(e)(3) on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Payout Wager.

(2) A device that controls or monitors the placement of Progressive Payout Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any Progressive Payout Wager that a player attempts to place after the dealer has announced "no more bets."

(e) Each Face Up Pai Gow Poker table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(f) Each Face Up Pai Gow Poker table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 688a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Face Up Pai Gow Poker shall be played with one deck of cards that are identical in appearance and two cover cards. The deck of cards used to play Face Up Pai Gow Poker must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for gaming.

(b) If an automated card shuffling device is utilized, Face Up Pai Gow Poker may be played with two decks of cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design but the backs of the cards in one deck must be of a different color than the cards in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks of cards shall be continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck shall be placed in the discard rack at any given time.

(c) The decks of cards used in Face Up Pai Gow Poker shall be changed:

(1) At least every 4 hours if the cards are dealt by hand.

(2) At least every 8 hours if the cards are dealt from a manual or automated dealing shoe.

§ 688a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) If the deck of cards used by the certificate holder contains two jokers, the dealer and a floorperson shall ensure that only one joker is utilized and that the other joker is torn in half and placed in the box, envelope or container that the deck came from. After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence and include the one joker.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 688a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c).

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 688a.5. Shuffle and cut of the cards; procedures for determining the starting position for dealing cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by the floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, determine the starting position in accordance with subsection (i), then deal the cards in accordance with §§ 688a.8, 688a.9 or 688a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually, cut the cards in accordance with the procedures in subsections (c)—(e).

(c) Upon completion of a manual shuffle, the dealer shall place the stack of cards on top of one of the cover cards. The dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to the player determined under subsection (d). If no player accepts the cut, the dealer shall cut the cards.

(d) The cut of the cards shall be offered to players in the following order:

(1) The first player arriving at the table, if the game is just beginning.

(2) The player at the farthest position to the right of the dealer. If this player refuses, the offer to cut the cards shall rotate to each player in a counterclockwise manner.

(e) The player or dealer making the cut shall place the second cover card in the stack at least ten cards from the top or the bottom of the deck. Once the second cover card has been inserted, the dealer shall take the second cover card and all the cards on top of the second cover card and place them on the bottom of the stack. The dealer shall then remove the first cover card and place it on the bottom of the stack. The dealer shall remove one of the cover cards and either place it in the discard rack or use it as an additional cover card to be inserted four cards from the bottom of the deck. The dealer shall then determine the starting position in accordance with subsection (i) and deal the cards in accordance with §§ 688a.8, 688a.9 or 688a.10.

(f) After the cards have been cut and before the cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut either by the player who last cut the cards, or by the next person entitled to cut the cards, as determined under subsection (d).

(g) If there is no gaming activity at a Face Up Pai Gow Poker table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards:

(1) If there is no automated shuffling device in use, the cards shall be mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section.

(2) If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The deck of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the deck of cards removed from the shuffler does not need to be spread for inspection and reshuffled

prior to being dealt, if the automated card shuffling device stores a single deck of shuffled cards inside the shuffler in a secure manner.

(h) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility.

(i) To determine the starting position for the dealing of cards, the certificate holder shall use one of the following:

(1) A Pai Gow Poker shaker in accordance with the following procedures:

(i) The dealer shall shake the Pai Gow Poker shaker at least three times to cause a random mixture of the dice.

(ii) The dealer shall then remove the lid covering the Pai Gow Poker shaker and place the uncovered shaker on the designated area of the table layout. The dealer shall then total the dice and announce the total.

(iii) To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner, until the count matches the total of the three dice.

(iv) After the dealing procedures required under §§ 688a.8, 688a.9 or 688a.10 have been completed, the dealer shall place the cover on the Pai Gow Poker shaker and shake the shaker once. The Pai Gow Poker shaker shall then be placed to the right of the dealer.

(2) A computerized random number generator to select and display a number from 1 to 7. To determine the starting position, the dealer shall count each betting position in order, regardless of whether there is a wager at the betting position, beginning with the dealer as number one and continuing around the table in a counterclockwise manner until the count matches the number displayed by the random number generator.

(j) After the starting position for a round of play has been determined, a certificate holder may mark that position with an additional cover card or similar object approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment).

§ 688a.6. Face Up Pai Gow Poker rankings.

(a) The rank of the cards used in Face Up Pai Gow Poker, in order of highest to lowest, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example: queen, king, ace, 2 and 3). The joker shall be used and ranked as an ace or may be used as any card to complete a straight, a flush, a straight flush or a royal flush.

(b) The permissible Poker hands at the game of Face Up Pai Gow Poker, in order of highest to lowest rank, shall be:

(1) Five aces, which is a high hand consisting of four aces and a joker.

(2) A royal flush, which is a high hand consisting of an ace, king, queen, jack and 10 of the same suit or a king, queen, jack and 10 of the same suit and a joker.

(3) A straight flush, which is a high hand consisting of five cards of the same suit in consecutive ranking, with

ace, 2, 3, 4 and 5 being the highest ranking straight flush; king, queen, jack, 10 and 9 being the second highest ranking straight flush; and 2, 3, 4, 5 and 6 being the lowest ranking straight flush.

(4) A four-of-a-kind, which is a high hand consisting of four cards of the same rank, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind.

(5) A full house, which is a high hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(6) A flush, which is a high hand consisting of five cards of the same suit. When comparing two flushes, the hand which contains the highest ranking card, as provided in subsection (a), which is not in the other hand, shall be considered the higher ranking hand.

(7) A straight, which is a high hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight; an ace, 2, 3, 4 and 5 being the second highest ranking straight; and a 2, 3, 4, 5 and 6 being the lowest ranking straight.

(8) A three-of-a-kind, which is a high hand containing three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind.

(9) Three pair, used for the Fortune Bonus Wager only, which is a hand containing three pairs, with three aces, three kings, three queens being the highest ranking three pair hand and three 4s, three 3s, and three 2s being the lowest ranking three pair hand.

(10) Two pair, which is a high hand containing two pairs, with two aces and two kings being the highest ranking two pair hand and two 3s and two 2s being the lowest ranking two pair hand.

(11) A pair, which is either a high hand or a low hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

(c) When comparing two high hands or two low hands that are of identical hand rank under subsection (b), or contain none of the hands listed in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not in the other hand, shall be considered the higher ranking hand. If the two hands are of identical rank after the application of this section, the hands shall be considered a tie.

(d) If the certificate holder offers the optional Aces High Bonus Wager under § 688a.7(e)(1) (relating to wagers), the wager wins if the dealer's seven cards are an Ace High Pai Gow.

(e) If the certificate holder offers the optional Fortune Bonus Wager under § 688a.7(e)(2), the following seven-card hands shall have a rank higher than a hand of five aces, as described in subsection (b)(1), and be used to determine the amount of the Fortune Bonus Wager payout or Envy Bonus payment to a winning player:

(1) A seven-card straight flush with no joker, which is a hand consisting of seven cards of the same suit in consecutive ranking, with no joker used to complete the straight flush.

(2) A royal flush plus Royal Match, which is a seven-card hand consisting of an ace, king, queen, jack and a 10

of the same suit, with or without a joker, with an additional king and queen of a same suit.

(3) A seven-card straight flush with joker, which is a hand consisting of seven cards of the same suit in consecutive ranking with a joker being used to complete the straight flush.

(f) If a certificate holder offers the optional Progressive Payout Wager under § 688a.7(e)(3), the following hands shall be used to determine the amount of the progressive payout and progressive wager envy bonus to a winning player:

(1) Seven-card straight flush is a hand consisting of seven cards of the same suit in consecutive ranking, with or without a joker.

(2) Seven-card natural straight flush is a hand consisting of seven cards of the same suit in consecutive order without a joker.

(3) Seven-card wild straight flush is a hand consisting of seven cards of the same suit in consecutive ranking, with a joker being used to complete the straight flush.

(4) A royal flush plus Royal Match, which is a seven-card hand consisting of an ace, king, queen, jack and a 10 of the same suit, with or without a joker, with an additional king and queen of a same suit.

(5) Five aces, which is a hand consisting of four aces and a joker.

(6) Five-of-a-kind, which is a hand consisting of four cards of the same rank and a joker.

(7) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit or a king, queen, jack and 10 of the same suit and a joker.

(8) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking.

(9) A four-of-a-kind, which is a hand consisting of four cards of the same rank.

(10) A full house, which is a hand consisting of a three-of-a-kind and a pair.

§ 688a.7. Wagers.

(a) Wagers at Face Up Pai Gow Poker shall be made by placing value chips, plaques or other Board-approved wagering instruments on the appropriate areas of the Face Up Pai Gow Poker layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Face Up Pai Gow Poker table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers at Face Up Pai Gow Poker shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in §§ 688a.8, 688a.9 or 688a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). A wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) To participate in a round of play and compete against the dealer's high and low hands, a player shall place a Face Up Pai Gow Poker Wager.

(e) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Pai Gow Poker Wager, in accordance with subsection (d), the option of placing the following additional wagers:

(1) An Ace High Bonus Wager that the seven cards dealt to the dealer will be an Ace High Pai Gow.

(2) A Fortune Bonus Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a three-pair or better as described in § 688a.6(e) (relating to Face Up Pai Gow Poker rankings).

(3) A Progressive Payout Wager that the seven cards dealt to the player will form a seven-card Poker hand with a rank of a full house or better as described in § 688a.6(f).

(f) A certificate holder may, if specified in its Rules Submission under § 601a.2, permit a player to wager on two adjacent betting areas at a Face Up Pai Gow Poker table. If a certificate holder permits a player to wager on adjacent betting areas, the cards dealt to each betting area shall be played separately. If the two wagers are not equal, the player shall rank and set the hand with the larger wager before ranking and setting the other hand. If the amounts wagered are equal, each hand shall be played separately in a counterclockwise rotation with the first hand being ranked and set before the player proceeds to rank and set the second hand. Once a hand has been ranked, set and placed face down on the layout, the hands may not be changed.

§ 688a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 688a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce “no more bets” and:

(1) If the Fortune Bonus Wager or Progressive Payout Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player’s wager.

(2) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) The dealer shall determine the starting position for dealing the cards using one of the procedures authorized under § 688a.5(i).

(d) The dealer shall then deal the first card to the starting position as determined in subsection (c) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer,

until each position and the dealer has seven cards. Each card dealt shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed, face down to the player and face up to the dealer, on the appropriate area of the layout with the opposite hand.

(e) After seven cards have been dealt to each position and the dealer, the dealer shall remove the stub from the manual dealing shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(f) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(g) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 688a.9. Procedures for dealing the cards from the hand.

(a) If the cards are dealt from the dealer’s hand, the following requirements shall be observed:

(1) An automated shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 688a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the dealer shall place the deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand when holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce “no more bets” and:

(i) If the Fortune Bonus Wager or Progressive Payout Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player’s wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall then determine the starting position for dealing the cards using one of the procedures authorized under § 688a.5(i).

(c) The dealer shall then deal the first card to the starting position as determined in subsection (b) and, continuing around the table in a clockwise manner, deal

one card at a time to all other positions, regardless of whether there is a wager at the position face down, and to the dealer face up, until each position and the dealer has seven cards.

(d) After seven cards have been dealt to each position and the dealer, the dealer shall determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 688a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures under § 688a.5 (relating to shuffle and cut of the cards; procedures for determining the starting position for dealing cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets” and:

(i) If the Fortune Bonus Wager or Progressive Payout Wager is being offered and a player makes a Qualifying Wager, the dealer shall place an Envy lammer next to that player’s wager.

(ii) If the Progressive Payout Wager is being offered, the dealer shall use the progressive table game system to prevent the placement of any additional Progressive Payout Wagers. If any Progressive Payout Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Payout Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall determine the starting position for delivering the stacks of cards using one of the procedures authorized under § 688a.5(i).

(c) After the starting position for delivering the cards has been determined, the dealer shall deliver the first stack of cards dispensed by the automated dealing shoe face down to that position. As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other positions, regardless of whether there is a wager at the position, and the dealer face up.

(d) After seven cards have been dispensed and delivered to each position and the dealer, the dealer shall remove the remaining cards from the shoe and determine whether four cards are left by spreading them face down on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

(e) If more or less than four cards remain, the dealer shall determine if the cards were misdealt. If the cards were misdealt (a player position or the dealer has more or less than seven cards), all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

(f) If the dealer determines the cards were dealt properly, the dealer shall collect any stacks dealt to a position where there was no wager and place them in the discard rack without exposing the cards.

§ 688a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under §§ 688a.8, 688a.9 or 688a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, the dealer shall set his seven cards into two hands by arranging the cards into a high hand and low hand. The certificate holder shall specify in its Rules Submission under § 601a.2 (relating to table games Rules Submissions) the manner in which the hands of the dealer shall be set. The dealer shall then place the high hand and low hand face up on the appropriate area of the layout.

(b) After the high hand and low hand of the dealer have been set, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at a Face Up Pai Gow Poker table shall be responsible for setting his own hands and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player. If a player requests assistance in the setting of his hands, the dealer shall inform the player of the manner in which the certificate holder requires the hands of the dealer to be set in accordance with the certificate holder’s Rules Submission under § 601a.2.

(2) Each player shall keep his seven cards in full view of the dealer at all times.

(3) Once each player has set a high and low hand and placed the two hands face down on the appropriate area of the layout, the player may not touch the cards again.

(c) Each player shall set his hands by arranging the cards into a high hand and a low hand. When setting the two hands, the five-card high hand must be equal to or higher in rank than the two-card low hand. For example, if the two-card hand contains a pair of sevens, the five-card hand must contain at least a pair of sevens and the three remaining cards.

(d) Unless a player has placed an optional wager authorized under § 688a.7(e)(1)—(3) (relating to wagers), a player may surrender his wager after the hands of the dealer have been set. The player shall announce his intention to surrender prior to the dealer exposing either of the two hands of that player as provided in subsection (e). Once the player has announced his intention to surrender, the dealer shall immediately collect the Face Up Pai Gow Poker Wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table. If any Qualifying Wagers have been placed, the cards of the player shall remain on the table until collected in accordance with subsection (h). The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(e) Once the player has announced his intention to surrender, the dealer shall immediately collect the Face Up Pai Gow Poker Wager from that player and collect the seven cards dealt to that player without exposing the cards to anyone at the table. If any Qualifying Wagers have been placed, the cards of the player shall remain on the table until collected in accordance with subsection (h). The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

(e) After the dealer has set a high hand and a low hand, the dealer shall reveal both hands of each player, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction. The dealer shall compare the high and low hand of each player to the high and low hand of the dealer and shall announce if the Face Up Pai Gow Poker Wager of that player wins, loses or is a tie.

(f) A Face Up Pai Gow Poker Wager will:

(1) Lose and will immediately be collected if:

(i) The high hand of the player is lower in rank than the high hand of the dealer and the low hand of the player is lower in rank than the low hand of the dealer.

(ii) The high hand of the player is identical in rank to the high hand of the dealer or the low hand of the player is identical in rank to the low hand of the dealer and the other hand of the player is identical in rank or lower in rank than the other hand of the dealer.

(iii) The high hand of the player was not set so as to rank equal to or higher than the low hand of that player.

(iv) The two hands of the player were not otherwise set correctly in accordance with this chapter.

(2) Tie and will be returned to the player if:

(i) The high hand of the player is higher in rank than the high hand of the dealer, but the low hand of the player is identical in rank to the low hand of the dealer or lower in rank than the low hand of the dealer.

(ii) The high hand of the player is identical in rank to the high hand of the dealer or lower in rank than the high hand of the dealer, but the low hand of the player is higher in rank than the low hand of the dealer.

(iii) The dealer has an Ace High Pai Gow.

(3) Win if the high hand of the player is higher in rank than the high hand of the dealer and the low hand of the player is higher in rank than the low hand of the dealer. The dealer shall pay the winning Face Up Pai Gow Poker Wager in accordance with the payout odds in § 688a.12(a) (relating to payout odds; Envy Bonus; rate of progression).

(g) Except as provided in subsection (h), after settling the player's Face Up Pai Gow Poker Wager, the dealer shall place the cards of the player in the discard rack.

(h) After settling the player's Face Up Pai Gow Poker Wager, the dealer shall rearrange the seven cards of any player who placed an optional wager, in accordance with § 688a.7(e)(1)—(3), to form the highest ranking hand and be responsible for creating the hand for purposes of all optional wagers offered by the certificate holder. If any player at the table has placed a Qualifying Wager, the dealer shall rearrange the cards of all players regardless of whether the player placed a Fortune Bonus or Progressive Payout Wager. After rearranging the player's seven cards, the dealer shall:

(1) Settle the player's Ace High Bonus Wager as follows:

(i) If the dealer:

(A) Does not have an Ace High Pai Gow, as described in § 688a.6(d) (relating to Face Up Pai Gow Poker rankings), the dealer shall collect the Ace High Bonus Wager.

(B) Has an Ace High Pai Gow, the dealer shall pay the winning Ace High Bonus Wager in accordance with § 688a.12(b).

(2) Settle the player's Fortune Bonus Wager as follows:

(i) If a player:

(A) Does not have a straight or higher, as described in § 688a.6(e), the dealer shall collect the Fortune Bonus Wager.

(B) Has a straight or higher, the dealer shall pay the winning Fortune Bonus Wager in accordance with § 688a.12(c). If the player has an Envy Bonus Qualifying Hand and any player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(C) Did not place a Fortune Bonus Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(ii) After all Fortune Bonus Wagers have been settled, if any player is the holder of an Envy Bonus Qualifying Hand, the dealer shall pay an Envy Bonus in accordance with § 688a.12(c) to each player who has an Envy lammer at the player's betting position. Players are entitled to multiple Envy Bonuses when another player at the same Pai Gow Poker table is the holder of an Envy Bonus Qualifying Hand. A player is not entitled to an Envy Bonus for his own hand or the hand of the dealer.

(iii) After all Envy Bonuses have been paid, the dealer shall collect all remaining cards and place them in the discard rack.

(3) Settle the player's Progressive Payout Wager as follows:

(i) If a player:

(A) Does not have a full house or better, as described in § 688a.6(f), the dealer shall collect the Progressive Payout Wager.

(B) Has a full house or better, the dealer shall:

(1) Verify that the hand is a winning hand.

(2) Verify that the appropriate light on the progressive table game system has been illuminated.

(3) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(4) Pay the winning Progressive Payout Wager in accordance with the payout odds in § 688a.12(d). If a player has won a progressive payout that is a percentage of the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory, the cards of that player shall remain on the table until the necessary documentation has been completed.

(C) Did not place a Progressive Payout Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

(i) Notwithstanding the requirements in subsection (h), if the certificate holder offers more than one optional wager, the dealer shall settle all of the player's optional wagers before placing the player's cards in the discard rack.

(j) All cards removed from the table shall be placed in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 688a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay each winning Face Up Pai Gow Poker Wager at odds of 1 to 1, and shall not charge a commission or vigorish on winning hands.

(b) The certificate holder shall pay out winning Ace High Bonus Wager payouts at the odds and amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Paytable 1</i>	
<i>Outcome</i>	<i>Pay</i>
Both dealer and player have ace high	20 to 1
Only dealer has ace high, with joker	10 to 1
Only dealer has ace high, no joker	8 to 1

<i>Paytable 2</i>	
<i>Outcome</i>	<i>Pay</i>
Both dealer and player have ace high	40 to 1
Only dealer has ace high, with joker	15 to 1
Only dealer has ace high, no joker	5 to 1

<i>Paytable 3</i>	
<i>Outcome</i>	<i>Pay</i>
Both dealer and player have ace high	30 to 1
Only dealer has ace high, with joker	15 to 1
Only dealer has ace high, no joker	6 to 1

<i>Paytable 4</i>	
<i>Outcome</i>	<i>Pay</i>
Both dealer and player have ace high	25 to 1
Only dealer has ace high, with joker	10 to 1
Only dealer has ace high, no joker	7 to 1

<i>Paytable 5</i>	
<i>Outcome</i>	<i>Pay</i>
Both dealer and player have ace high	40 to 1
Only dealer has ace high, with joker	12 to 1
Only dealer has ace high, no joker	5 to 1

(c) The certificate holder shall pay out winning Fortune Bonus Wagers and Envy Bonus payouts at the odds and amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Paytable 1</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
7 card straight flush	5,000 to 1	\$1,000
Royal flush + royal match	1,000 to 1	\$250
7 card straight flush with joker	750 to 1	\$100
Five aces	250 to 1	\$50
Royal flush	100 to 1	\$25
Straight flush	50 to 1	\$10
Four-of-a-kind	20 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	
Three pair	Push	

<i>Paytable 2</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
7 card straight flush	8,000 to 1	\$5,000
Royal flush + royal match	2,000 to 1	\$1,000
7 card straight flush with joker	1,000 to 1	\$500
Five aces	400 to 1	\$250
Royal flush	150 to 1	\$50
Straight flush	50 to 1	\$20
Four-of-a-kind	25 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

<i>Paytable 3</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
7 card straight flush	5,000 to 1	\$3,000
Royal flush + royal match	2,000 to 1	\$1,000
7 card straight flush with joker	1,000 to 1	\$500
Five aces	400 to 1	\$250
Royal flush	150 to 1	\$50
Straight flush	50 to 1	\$20
Four-of-a-kind	25 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

<i>Paytable 4</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
7 card straight flush	2,500 to 1	\$1,000
Royal flush + royal match	1,000 to 1	\$750
7 card straight flush with joker	750 to 1	\$250
Five aces	250 to 1	\$100
Royal flush	125 to 1	\$50
Straight flush	50 to 1	\$20
Four-of-a-kind	25 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

<i>Paytable 5</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
7 card straight flush	5,000 to 1	\$2,500
Royal flush + royal match	1,000 to 1	\$500
7 card straight flush with joker	500 to 1	\$250
Five aces	300 to 1	\$150
Royal flush	100 to 1	\$55
Straight flush	45 to 1	\$25
Four-of-a-kind	5 to 1	\$6
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

<i>Paytable 6</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
7 card straight flush	5,000 to 1	\$2,500
Royal flush + royal match	2,000 to 1	\$500
7 card straight flush with joker	1,000 to 1	\$250
Five aces	400 to 1	\$150
Royal flush	150 to 1	\$55
Straight flush	50 to 1	\$25
Four-of-a-kind	25 to 1	\$6
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

(d) The certificate holder shall pay out winning Progressive Payout Wagers and Envy Bonus payouts at the odds and amounts in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Paytable 1 (\$1 wager)</i>	<i>Pay</i>
7 card straight flush	100% of meter
Five aces	10% of meter
Royal flush	\$500
Straight flush	\$100
Four-of-a-kind	\$75
Full house	\$4
Meter seed: \$10,000	
Rate of progression: 28%	
Original wager not returned to player	

<i>Paytable 2 (\$1 wager)</i>	<i>Pay</i>
7 card natural straight flush	100% of meter
7 card wild straight flush	10% of meter
Five-of-a-kind	\$500
Royal flush	\$300
Straight flush	\$100
Four-of-a-kind	\$30
Full house	\$7
Meter seed: \$10,000	
Rate of progression: 7%	
Original wager not returned to player	
Fully wild joker	

<i>Paytable 3 (\$1 wager)</i>	<i>Pay</i>
7 card straight flush	100% of meter
Five aces	10% of meter
Royal flush	\$500
Straight flush	\$100
Four-of-a-kind	\$75
Full house	\$4
Meter seed: \$2,000	
Rate of progression: 29%	
Original wager not returned to player	

<i>Paytable 4 (\$5 wager)</i>		
<i>Outcome</i>	<i>Pay & Progressive</i>	<i>Envy</i>
7 card straight flush	\$5,000/100% of meter	\$5,000
Royal flush + royal match	\$5,000/20% of meter	\$3,750
7 card straight flush w/joker	\$5,000/10% of meter	\$1,250
Five aces	\$2,500	\$500
Royal flush	\$500	\$250
Straight flush	\$200	\$100
Four-of-a-kind	\$100	\$25
Full house	\$25	
Flush	\$20	
Three-of-a-kind	\$15	

<i>Paytable 4 (\$5 wager)</i>		
<i>Outcome</i>	<i>Pay & Progressive</i>	<i>Envy</i>
Straight	\$7.50	
Meter seed: \$10,000		
Rate of progression: 1%		
Reserve rate: 1%		
Original wager returned to player		

<i>Paytable 5 (\$1 wager)</i>	<i>Pay</i>
7 card straight flush	100% of meter
Five aces	10% of meter
Five-of-a-kind	\$1,000
Royal flush	\$500
Straight flush	\$100
Four-of-a-kind	\$20
Full house	\$5
Meter seed: \$5,000	
Rate of progression: 17%	
Original wager not returned to player	
Fully wild joker	

<i>Paytable 6 (\$1 wager)</i>	<i>Pay</i>
7 card straight flush	100% of meter
Five aces	10% of meter
Five-of-a-kind	\$800
Royal flush	\$400
Straight flush	\$75
Four-of-a-kind	\$10
Meter seed: \$2,000	
Rate of progression: 17%	
Original wager not returned to player	
Fully wild joker	

<i>Paytable 7 (\$1 wager)</i>	<i>Pay</i>
7 card straight flush	100% of meter
Five aces	10% of meter
Five-of-a-kind	\$800
Royal flush	\$400
Straight flush	\$75
Four-of-a-kind	\$10
Meter seed: \$1,000	
Rate of progression: 26%	
Original wager not returned to player	
Fully wild joker	

§ 688a.13. Irregularities; invalid roll of dice.

(a) If the dealer uncovers the Pai Gow Poker shaker and all three dice do not land flat on the bottom of the shaker, the dealer shall call a “no roll” and reshake the dice.

(b) If the dealer uncovers the Pai Gow Poker shaker and a die or dice fall out of the shaker, the dealer shall call a “no roll” and reshake the dice.

(c) If the dealer incorrectly totals the dice and deals the first card to the wrong position, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If the dealer exposes any of the cards dealt to a player, the player may void the hand. The player shall make the decision to either play out the hand or to void the hand without looking at the unexposed cards.

(e) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(f) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(g) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(h) If the dealer does not set his hands in the manner in which the certificate holder requires the hands of the dealer to be set, the hands shall be reset in accordance with the certificate holder’s Rules Submission and the round of play shall be completed.

(i) If a card is exposed while the dealer is dealing the cards in accordance with § 688a.9 (relating to procedures for dealing the cards from the hand) or the seven stacks in accordance with § 688a.10 (relating to procedures for dealing the cards from an automated dealing shoe), all wagers shall be returned to the players and the cards shall be reshuffled.

(j) If any player position or the dealer is dealt an incorrect number of cards, all hand shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(k) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(l) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(m) If an automated shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

[Pa.B. Doc. No. 19-1055. Filed for public inspection July 12, 2019, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Interstate/International Quarantine Order; Avian Influenza

Recitals.

A. Avian influenza is an infectious disease of poultry.

B. Avian influenza is designated a “dangerous transmissible disease” of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301–2389), at 3 Pa.C.S.A. § 2321(a)(6).

C. The Pennsylvania Department of Agriculture (PDA) has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals in order to exclude, contain or eliminate dangerous transmissible diseases.

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 disease.

G. Avian influenza exists, or is suspected to exist, outside this Commonwealth.

H. All poultry and hatching eggs of poultry entering PA must come from a flock meeting the testing requirements outlined in this order and the testing requirements for Pullorum-typhoid and other Dangerous Transmissible Diseases as required under PDA’s regulations at Title 7 of the *Pennsylvania Code* (accessible through the following web site address: www.pacode.com) and under the Domestic Animal Law (3 Pa.C.S. §§ 2301–2389), at 3 Pa.C.S. § 2321(d) including all applicable Orders of Quarantine (accessible through the following website address: www.agriculture.pa.gov).

I. A flock shall consist of birds which have been together without untested additions for 21 days.

J. The Domestic Animal Law allows (at 3 Pa.C.S.A. § 2329(c)) for the establishment of an Interstate/International Quarantine under the circumstances described above.

K. Any person accepting poultry or hatching eggs in violation of the testing and records provisions of this Order is in violation of this Order.

L. Pursuant to that authority, PDA issued its initial Interstate/International Quarantine Order addressing avian influenza on January 24, 2006. In the course of implementing and administering this initial Order, PDA determined the need to refine the conditions of quarantine; and issued a February 7, 2008, March 16, 2009, July 1, 2012, and a revised January 5, 2013 Interstate/International Quarantine Order to supplant and rescind its initial Order.

M. PDA has again determined the need to refine the conditions of quarantine. Specifically, PDA seeks to further clarify the requirements for testing and documentation applicable to importation of poultry and hatching eggs of poultry into Pennsylvania.

Order.

PDA enters an Interstate/International 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 with respect to the shipment of live poultry and other avian species into the Commonwealth of Pennsylvania:

1. For purposes of this Order, the term “poultry” includes all domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds (domesticated fowl such as pheasants, partridge, quail, grouse, and guineas, but not doves and pigeons), or as otherwise defined under subpart A of the current version of the National Poultry Improvement Plan (NPIP) and Auxiliary Provisions, and shall be 3 weeks of age or older.

2. Poultry and hatching eggs of poultry shall only be allowed into the Commonwealth under one of the following circumstances:

a. The poultry and hatching eggs of poultry originate from a flock that participates in the current version of the National Poultry Improvement Plan and Auxiliary Provisions “U.S. Avian Influenza Clean” or “U.S. H5/H7 Avian Influenza Clean” program and the shipment is accompanied by a USDA form 9-3 form (Report of Sales of Hatching Eggs, Chicks, or Poult) or equivalent form. If poultry or hatching eggs are shipped in containers through the United States Postal Service (USPS), Federal Express, United Parcel Service (UPS), or by any other courier, the 9-3 (or equivalent) form must be affixed to the outside of the container and must be clearly visible and legible; or

b. The poultry and hatching eggs of poultry originate from a flock in which a minimum of thirty (30) birds, three (3) weeks of age or older, were tested negative for avian influenza by a National Animal Health Laboratory Network (NAHLN) laboratory. For gallinaceous birds such as chickens, turkeys, ostriches, emus, rheas, cassowaries, and game birds, serology is permitted OR virus isolation or real-time reverse-transcriptase polymerase chain reaction (RRT-PCR) testing of oropharyngeal or tracheal swab samples shall be performed. RRT-PCR testing of cloacal swab samples is accepted for testing of domestic waterfowl species such as ducks and geese, as specified by the National Veterinary Services Laboratory. For non-domesticated waterfowl, virus isolation testing of cloacal swab samples shall be performed. The date of sample collection must be within the thirty (30) days prior to the date of entry into Pennsylvania. If there are fewer than thirty (30) birds in the flock, all birds of age must be tested as described above for that bird type. Samples must be collected by a USDA Category II Accredited Veterinarian, a Certified Poultry Technician, or a State or Federal official or their designees. No untested poultry shall have been added to the flock after sample collection and before entry into Pennsylvania.

c. All poultry and hatching eggs of poultry being imported into Pennsylvania which are not being moved on a NPIP 9-3 (or equivalent) form must be accompanied by an Owner Endorsed Avian Interstate/International Health Statement, or a Certificate of Veterinary Inspection (CVI) issued by a USDA Category II Accredited Veterinarian. The testing laboratory name, test accession number(s),

and a statement indicating negative test results must be included on the statement or CVI. If poultry or hatching eggs are shipped in containers through the United States Postal Service (USPS), Federal Express, United Parcel Service (UPS), or by any other courier, a copy of the Owner Endorsed Avian Interstate/International Health Statement or CVI must be affixed to the outside of the container and must be clearly visible and legible. A copy of the Owner Endorsed Avian Interstate/International Health Statement or CVI and the laboratory test report including negative test results must also be sent to PDA within the seven (7) days after the date of shipment.

d. If a flock is serologically positive, poultry and hatching eggs from that flock may be imported only if the flock is determined to be free of virus by virtue of a negative virus detection test. This test must be performed by an approved NAHLN laboratory. A minimum of one hundred and fifty (150) birds from the flock must be tested. If there are fewer than 150 birds in the flock, all birds of age must be tested by the approved test described for that bird type. For gallinaceous birds such as chickens, turkeys, ostriches, emus, rheas, cassowaries, and game birds, virus isolation or RRT-PCR testing of oropharyngeal or tracheal specimens shall be performed. RRT-PCR testing of cloacal swab samples is accepted for testing of domestic waterfowl species, such as ducks and geese, as specified by the National Veterinary Services Laboratory. For non-domesticated waterfowl, virus isolation testing of cloacal swabs shall be performed. The date of sample collection must be within the thirty (30) days prior to the date of entry into Pennsylvania. Samples must be collected by a USDA Category II Accredited Veterinarian, a Certified Poultry Technician, or a State or Federal official or their designees. No untested poultry shall have been added to the flock after sample collection and before entry into Pennsylvania.

3. Poultry three (3) weeks of age and older and hatching eggs of poultry, imported into the Commonwealth, shall meet all other import requirements required under PDA's regulations at Title 7 of the *Pennsylvania Code* (accessible through the following web site address: www.pacode.com) and under the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389, at 3 Pa.C.S. § 2321(d)) including all applicable Orders of Quarantine (accessible through the following website address: www.agriculture.pa.gov).

4. Chickens, turkeys, ostriches, emus, rheas, cassowaries, game birds, other gallinaceous birds, domestic waterfowl and other water birds (swimming or wading birds) three (3) weeks of age and older which are destined to be pet birds (non-agricultural purposes) or destined to be part of a zoological or menagerie collection and their hatching eggs, and non-domesticated birds destined for domestication, confinement, or intended for release shall only be allowed into the Commonwealth under one of the following circumstances:

a. The birds and hatching eggs originate from a flock in which a minimum of thirty (30) birds (or the entire flock if it consists of fewer than 30 birds), three (3) weeks of age or older, were tested negative for avian influenza by virus detection testing. Alternatively, these birds may be tested individually for import (no flock of origin test requirement). Samples must be collected by a USDA Category II Accredited Veterinarian, a Certified Poultry Technician, or a State or Federal official or their designees. The test shall be performed by an approved NAHLN laboratory.

b. RRT-PCR testing or virus isolation testing for avian influenza is accepted for testing of chickens, turkeys, ostriches, emus, rheas, cassowaries, game birds, other gallinaceous birds, and domestic waterfowl species such as ducks and geese as specified by the National Veterinary Services Laboratory. For non-domesticated water birds (swimming or wading birds), virus isolation testing of cloacal swabs shall be performed. The date of sample collection must be within the thirty (30) days prior to the date of entry into Pennsylvania. Hatching eggs may originate from individually tested birds or from a flock tested as required by this Order.

c. These birds and hatching eggs must be accompanied by an Owner Endorsed Avian Interstate/International Health Statement, or a Certificate of Veterinary Inspection (CVI) issued by a USDA Category II Accredited Veterinarian. The testing laboratory name, test accession number(s), and a statement indicating negative test results must be included on the statement or CVI. A copy of the Owner Endorsed Avian Interstate/International Health Statement or CVI and the laboratory test report including negative test results must also be sent to PDA within the seven (7) days after the date of shipment. If any birds or hatching eggs are shipped in containers through the USPS, Federal Express, United Parcel Service, or by any other courier, the Owner Endorsed Avian Interstate/International Health Statement or CVI must be affixed to the outside of the container and must be clearly visible and legible.

5. Chickens, turkeys, ostriches, emus, rheas, cassowaries, game birds, other gallinaceous birds, domestic waterfowl and non-domesticated water birds (swimming or wading birds) three (3) weeks of age and older which are destined to be pet birds (non-agricultural purposes) or destined to be part of a zoological or menagerie collection and their hatching eggs; and all non-domesticated birds three (3) weeks of age and older and hatching eggs destined for domestication, confinement, or intended for release shall meet all other import requirements required under PDA's regulations at Title 7 of the *Pennsylvania Code* (accessible through the following web site address: www.pacode.com) and under the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389, at 3 Pa.C.S. § 2321(d)) including all applicable Orders of Quarantine (accessible through the following website address: www.agriculture.pa.gov).

6. All other imported avian species, including pet psittacine and passerine birds and hatching eggs, must be accompanied by an Owner Endorsed Avian Interstate/International Health Statement, or a Certificate of Veterinary Inspection (CVI) issued by a USDA Category II Accredited Veterinarian. A copy of the Owner Endorsed Avian Interstate/International Health Statement or CVI must also be sent to PDA within the seven (7) days after the date of shipment. If birds or hatching eggs are shipped in containers through the USPS, Federal Express, United Parcel Service, or by any other courier, the Owner Endorsed Avian Interstate/International Health Statement or CVI must be affixed to the outside of the container and must be clearly visible and legible. Avian influenza testing is not required for these types of birds or hatching eggs.

7. This Order shall not be construed as limiting PDA's authority to establish additional quarantine or testing requirements on imported poultry and/or poultry products.

8. This Order is effective upon publication in the *Pennsylvania Bulletin*, and supplants the referenced Interstate/International Quarantine Order of January 5, 2013.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 19-1056. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) issues this temporary order designating Chronic Wasting Disease (CWD), Viral Hemorrhagic Septicemia (VHS), the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1), and *Brucella canis* as “dangerous transmissible diseases.” These designations are made under the authority of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).

This temporary order is the successor to a previous temporary order. The previous temporary order expired as of January 1, 2019 and will be replaced by this temporary order.

Under the Domestic Animal Law at, 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), the Department has authority to declare a disease that has not been specifically identified in that statute as a “dangerous transmissible disease” to be a dangerous transmissible disease through issuance of a temporary order making that designation. Under the authority of the Domestic Animal Law, set forth above, the Department hereby establishes the following diseases as “Dangerous Transmissible Diseases.”

1. CWD

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSEs). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or “mad cow” disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a “prion.” There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

CWD has been identified in both captive and wild deer in this Commonwealth. The designation of CWD as a “dangerous transmissible disease” allowed the Department to facilitate the development and oversight of a surveillance program and quarantine orders that allowed for detection, tracing and containment of the CWD outbreak and allowed the Department to react and take action necessary to carry out its statutory duty under the Domestic Animal Law.

2. VHS

VHS virus is a serious pathogen of fresh and saltwater fish that is causing a disease in the Great Lakes region of the United States and Canada. VHS virus is a rhabdovirus (rod shaped virus) that affects fish of all size and age ranges. It does not pose any threat to human health. VHS can cause hemorrhaging of fish tissue, including internal organs, and can cause the death of infected fish. Once a fish is infected with VHS, there is no known cure. Not all infected fish develop the disease, but they can carry and spread the disease to other fish. The World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

3. Neurologic Form of EHV-1

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheobronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection, and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild in coordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas, and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur by means of coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

4. Canine Brucellosis (*Brucella canis*)

Canine brucellosis is an infectious disease of dogs caused by the *Brucella canis* (*B. canis*) bacteria. *B. canis* infection in breeding dogs is an important cause of reproductive failure, particularly in kennels. *B. canis* infection can result in abortions, stillbirths, epididymitis, orchitis and sperm abnormalities in breeding dogs. Infected dogs that have been spayed or neutered may develop other conditions such as ocular disease and discospondylitis.

Transmission of *B. canis* occurs through exposure to secretions during estrus or mating or by contact with infected tissues during birth or following abortion. In addition, infected dogs may spread the bacteria in blood, milk, urine, saliva, nasal and ocular secretions, and feces. Puppies can become infected in utero, during birth, through nursing, and by contact with contaminated surfaces. The bacteria can also be transmitted by fomites.

B. canis is considered to be a zoonotic organism, although its importance as a cause of human illness is

still unknown. People in very close contact with infected dogs are thought to be more at risk of infection, including those who work in a breeding kennel, and veterinarians. Laboratory personnel handling the organism are also considered to have a higher risk of infection. The symptoms of this disease in humans are nonspecific and cases may not be reported. The 2012 National Association of State Public Health Veterinarians (NASPHV) document "Public Health Implications of *B. canis* Infections in Humans" reports that there are documented cases of infection with *B. canis* leading to serious health problem. Those with compromised immune systems may be at higher risk of serious illness. Treatment with antibiotics may be effective.

Although infection in dogs can be treated with antibiotics, *B. canis* can persist in an animal even after treatment. Prevention is key, and all dogs entering a breeding kennel or used for breeding should first be test-negative or come from a brucella-negative source. Ongoing and regular testing is recommended, even in closed breeding facilities, and this is an essential component of recognition and prevention. Proper biosecurity and sanitation of breeding facilities is also recommended to prevent disease transmission. Infected puppies or dogs should not be purchased or adopted.

Order

The Department hereby designates CWD, VHS, EHV-1, and *Brucella canis* "dangerous transmissible diseases" under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making such a designation.

This order shall take effect as of publication in the *Pennsylvania Bulletin* and shall remain in effect until no later than January 1, 2020. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2020, (2) allow this temporary order to expire on January 1, 2020, (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Kevin Brightbill, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 19-1057. Filed for public inspection July 12, 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 July 2, 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

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
06-21-2019	Peoples Security Bank and Trust Company Scranton Lackawanna County	830 Norman Drive Lebanon Lebanon County	Opened
07-01-2019	Republic First Bank Philadelphia Philadelphia County	Deptford Center and Almonesson-Westville Roads Deptford Gloucester County, NJ	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-1058. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 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 August 2019, is 4 3/4%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 2.33 to which was added 2.50 percentage points for a total of 4.83 that by law is rounded off to the nearest quarter at 4 3/4%.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-1059. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, July 24, 2019, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Katie Woodbury directly at (717) 783-5878 or through

the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 19-1060. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Grant Programs

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has available funding for two grant programs: (1) projects proposing the installation of multifunctional riparian forest buffers; and (2) projects proposing land acquisition, planning, development, rehabilitation, maintenance, equipment purchase or educational programs for all-terrain vehicle or snowmobile trails. Grant funding will be awarded through a competitive grant application process. Applicants can apply for this funding between August 1, 2019, and September 30, 2019, by means of the Department's online grant application portal. More information about these grant opportunities and the application process is available online at <https://brcgrants.dcnr.pa.gov/Pages/Opportunities.aspx>.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 19-1061. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Wild Resource Conservation Program Public Hearing

The Department of Conservation and Natural Resources (Department) will hold a public hearing on Wednesday, September 11, 2019, to comment on the applications submitted to the Wild Resource Conservation Program for grant funding in Fiscal Year 2019-2020. The public hearing will be held at 10 a.m. in the 6th Floor Conference Room, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning this public hearing can be directed to Jennifer Girton, (717) 787-3212, jgirton@pa.gov or Greg Czarnecki, (717) 783-1337, gczarnecki@pa.gov.

Persons in need of accommodations as provided for the Americans with Disabilities Act of 1990 should contact Greg Czarnecki, (717) 783-1337 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 19-1062. Filed for public inspection July 12, 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.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0029416 (Sewage)	Camp Weequahic 210 Wood Road Lakewood, PA 18439	Wayne County Preston Township	Unnamed Tributary to Equinunk Creek (HQ-CWF) (1-A)	Yes
PA0063088 (Sewage)	Joel & Lydia Mohler SRSTP 2020 Raubsville Road Hellertown, PA 18055-9766	Northampton County Williams Township	Unnamed Tributary of East Branch Saucon Creek (CWF) (2-C)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061786 (Sewage)	The Manwalamink Water Co. P.O. Box 48 River Road Shawnee on Delaware, PA 18356-0048	Monroe County Smithfield Township	Brodhead Creek (CWF (existing use)) (1-E)	Yes
PA0063231 (Sewage)	LTMA Pennsville WWTF Indian Trail Drive Walnutport, PA 18088	Northampton County Lehigh Township	Indian Creek (CWF, MF) (2-C)	Yes
PA0029190 (Sewage)	Monsignor McHugh School WWTP Route 390 Cresco, PA 18326	Monroe County Paradise Township	Unnamed Tributary to Paradise Creek (HQ-CWF/MF) (1-E)	Yes
PA0041912 (Sewage)	Deer Haven WWTP RT 507 Greentown, PA 18426	Pike County Palmyra Township	Lake Wallenpaupack (HQ-CWF) (1-C)	No

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>
PA0070271 (Sewage)	Maidencreek Township STP 1 Quarry Road Blandon, PA 19510	Berks County/ Ontelaunee Township	Willow Creek (3-B)	Yes
PA0247731 (IW)	DS Services of America 1761 Newport Road Ephrata, PA 17522-8761	Lancaster County/ West Earl Township	Cocalico Creek (7-J)	Yes
PA0083038 (Sewage)	Tripwire Operations Group, LLC—Ryan Morris 1685 Baltimore Pike Gettysburg, PA 17325	Adams County/ Mount Joy Township	Unt Rock Creek (13-D)	Yes
PA0084395 (Industrial Waste)	State Correctional Institute of Camp Hill 2500 Lisburn Road Camp Hill, PA 17001	Cumberland/ Lower Allen Township	Cedar Run (7-C)	Yes
PA0261181 (Sew)	Michael Camellerie & Cynthia George Camellerie 2470 Enola Road Carlisle, PA 17013	Cumberland/ North Middleton Township	UNT Conodoguinet Creek (7-B)	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>
PA0091065 (Sewage)	Emily & Ryan Rekich SRSTP 114 Cobham Lane Cabot, PA 16023-9726	Butler County Winfield Township	Unnamed Tributary of Little Buffalo Creek (HQ-TSF) (18-F)	Yes
PA0040878 (Sewage)	Keystone Adolescent Center 95 South Race Street Greenville, PA 16125	Mercer County West Salem Township	Unnamed Tributary to the Big Run (WWF) (20-A)	Yes
PA0222801 (Sewage)	Sarah Heinz House Camp 1 Heinz Street Pittsburgh, PA 15212	Lawrence County Wayne Township	Slippery Rock Creek (CWF) (20-C)	Yes
PA0003085 (Industrial)	Graftech USA 800 Theresia Street St Marys, PA 15857-1831	Elk County Saint Marys City	Unnamed Tributary to Elk Creek (17-A)	No

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.

PA0052868, Industrial, SIC Code 4959, **BAE Systems**, P.O. Box 868, NNH01-6C5, Nashua, NH 03061-0868. Facility Name: BAE Systems GWC. This existing facility is located in Montgomery Township, **Montgomery County**.

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

The receiving stream, Unnamed Tributary of West Branch Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F 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 .1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	75.0
Trichloroethylene	XXX	XXX	XXX	0.005	XXX	0.013
PFOA (ug/L)	XXX	XXX	XXX	Report	XXX	Report
PFOS (ug/L)	XXX	XXX	XXX	Report	XXX	Report
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	0.07	XXX	0.175

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Requirement
- D. BAT/ELG Reopener
- E. Dry Stream
- F. No Stripper Tower Wastewater

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.

PA0051365, Industrial, SIC Code 4941, **Aqua Pennsylvania Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Ingrams Mill WTP. This existing facility is located in East Bradford Township, **Chester County**.

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

The receiving stream(s), East Branch Brandywine Creek, 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 .22 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	8.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.35	0.70	0.73
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	9.0	XXX	XXX	5.0	10	XXX
Total Suspended Solids	XXX	XXX	XXX	20	40	50
Turbidity (NTU)	XXX	XXX	XXX	Report Daily Avg	XXX	Report
Nitrate-Nitrite as N	Report	XXX	XXX	Report	Report	XXX
Total Nitrogen	14	XXX	XXX	5.1	10.2	XXX
Ammonia-Nitrogen	1.766	XXX	XXX	0.8	1.6	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	Report	XXX
Total Phosphorus	0.7	XXX	XXX	0.27	0.54	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	10
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Chlorodibromomethane	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX

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

- I. Other Requirements
 - A. Public Nuisance
 - B. BAT/BCT Development
 - C. Change of Ownership
 - D. Sludge Removal
 - E. TMDL/WLA Analysis
 - F. TRC optimization
- II. Sedimentation Basin Cleaning
- III. Chemical Additives

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.

PA0050016, Industrial, SIC Code 3082, **Markel Corp**, 435 School Lane, Plymouth Meeting, PA 19462-2744. Facility Name: Markel Norristown Facility. This existing facility is located in Plymouth Township, **Montgomery County**.

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

The receiving stream(s), Diamond Run, is located in State Water Plan watershed 3-F 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 0.04 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>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110
Biochemical Oxygen Demand (BOD ₅)	XXX	13	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	10	XXX	XXX	Report	XXX
Oil and Grease	XXX	7.5	XXX	15	XXX	30
Cooper, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Bis(2-Ethylhexyl)Phthalate	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on stormwater.

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

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

- I. Other Requirements
 - A. Property Rights
 - B. Sludge Disposal
 - C. Test Methods
 - D. No Net additions to non-contact cooling water
- II. Stormwater Requirements
- III. Chemical Additives Requirements

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.

PA0056804, Industrial, SIC Code 4941, **North Penn North Wales Water Authority Montgomery County**, P.O. Box 317, Chalfont, PA 18914-0317. Facility Name: Forest Park WTP. This existing facility is located in Chalfont Borough, **Bucks County**.

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

The receiving stream(s), Pine Run (TSF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.94 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>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.24	XXX	0.56
Total Suspended Solids	324	647	XXX	20.0	40.0	50
Total Phosphorus	8	16	XXX	0.5	1.0	1.25
Aluminum, Total	16	32	XXX	1.0	2.0	2.5
Iron, Total	32	64	XXX	2.0	4.0	5
Manganese, Total	16	32	XXX	1.0	2.0	2.5
Chlorodibromomethane	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
PFOA	XXX	XXX	XXX	Report	Report	XXX
PFOS	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 1.94 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>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.24	XXX	0.56
Total Suspended Solids	324	647	XXX	20.0	40.0	50
Total Phosphorus	8	16	XXX	0.5	1.0	1.25
Aluminum, Total	11	22	XXX	1.0	2.0	2.5
Iron, Total	32	64	XXX	2.0	4.0	5
Manganese, Total	16	32	XXX	1.0	2.0	2.5
Chlorodibromomethane	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX
PFOA	XXX	XXX	XXX	Report	Report	XXX
PFOS	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX

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

- Proper Sludge Disposal
- BAT/BCT Standards
- Chlorine Minimization

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.

PA0056821, Sewage, SIC Code 4952, **Malvern School of Glen Mills**, 20 Creek Road, Glen Mills, PA 19342-1634. Facility Name: Malvern School of Glen Mills. This existing facility is located in Thornbury Township, **Delaware 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), Chester Creek (TSF, MF), is located in State Water Plan watershed 3-G and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0025 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	5.0	XXX	10.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	Report

Sludge use and disposal description and location(s): McGoverns Permit 11952 hauls when needed general to Goose Creek facility of DELCORA.

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

- A. No Stormwater to Sewer
- B. Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP when Public Sewers Become Available
- E. Chlorine Minimization
- F. Notification of the Designation of the Responsible Operator
- G. Twice per Month Sampling
- H. Operations and Maintenance 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 in effect.

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

NPDES Permit No. PA0276120, Storm Water, **Slate Belt Heat Recovery Center LLC**, 435 Williams Court, Baltimore, MD 21220-2888, Plainfield Township, **Northampton County**.

The following notice reflects changes to the notice published at 48 Pa.B. 6281 (September 29, 2018):

Changes to previous Draft NPDES Permit due to revised NPDES Permit Application:

- Revised Drainage Areas and Outfall locations (regrading plan changes, revised stormwater controls).
- Enhanced NPDES Monitoring Plan: First year of quarterly monitoring; Outfalls Nos. 001, 002, 004, and 007 shall include monitoring/reporting for 1,1,1-Trichloroethane; 1,1-Dichloroethane; 1,1-Dichloroethene; 1,2-Dibromoethane; 1,2-Dichloroethane; Benzene, cis-1,2-Dichloroethene; Ethyl Benzene; Methylene Chloride; Tetrachloroethene; Toluene; trans-1,2-Dichloroethene; Trichloroethene; Vinyl Chloride, and Xylenes. Outfall No. 004 monitoring will include copper and Nitrate-N monitoring.
- Enhanced Stormwater Best Management Practices (BMPs) including direction of roof drainage to Basin No. 2; stormwater inlet filter inserts; "isolation flip gate" control for Outfall No. 001 to allow capture of spills, leaks, and other releases.
- Part C.VI.C condition expanded to allow submittal of a Standard Operating Procedure (SOP) for discharge of uncontaminated precipitation collected in the thermal heater containment areas.

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

NPDES Permit No. PA0281751, CAFO, **Kish View Farm**, 4733 E Main Street, Belleville, PA 17004-9296.

This proposed facility is located in Union Township, **Mifflin County**.

Description of size and scope of proposed operation/activity: 1,279.63 AEU.

The receiving stream, Unnamed Tributary of Kishacoquillas Creek (HQ-CWF, MF), is in watershed 12-A and classified for: High Quality—Cold Water and Migratory Fish.

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

NPDES Permit No. PA0281778, CAFO, **Pleasant View Farms Inc.**, RR 1 Box 124, Martinsburg, PA 16662-9684.

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

Description of size and scope of proposed operation/activity: CAFO Permit. Holstein cows, heifers and calves. 4,395.05 AEU.

The receiving stream, Unnamed Tributary of Plum Creek (WWF, MF) and Unnamed Tributary of Plum Creek (WWF), is in watershed 11-A and classified for: Migratory Fishes and Warm Water Fishes.

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

Application No. PA0260223, Concentrated Animal Feeding Operation (CAFO), **Scott Brinton (Riverview Farms CAFO)**, 323 Riverview Road, Peach Bottom, PA 17563-9691.

Scott Brinton has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Riverview Farms CAFO, located in Fulton Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to Puddle Duck Creek and Haines Branch in Watershed 7-K, which is classified for high quality—cold water fishery. The CAFO is designed to maintain an animal population of approximately 626.10 animal equivalent units (AEUs) consisting of 3,000 grow—finish pigs, 12 dairy heifers, 8 dairy calves, and 40,000 layers. Manure is stored in an underbarn manure storage pit, while layer manure is stored in barn until flocks are cleaned out. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

PA0110744, Industrial, SIC Code 4941, **Evitts Creek Water Co.**, 1032 Lake Gordon Road, Bedford, PA 15522-5243. Facility Name: Evitts Creek Water. This existing facility is located in Cumberland Valley Township, **Bedford County**.

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

The receiving stream(s), Evitts Creek (HQ-CWF), is located in State Water Plan watershed 13-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .4297 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
May 1 - Oct 31	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Annl Avg	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>Daily Maximum</i>	
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .4297 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>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Min Mo Avg	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.01	XXX	0.05
Total Suspended Solids	Report	Report	XXX	30	60	75
Aluminum, Total	Report	Report	XXX	4.0	8.0	10
Iron, Total	Report	Report	XXX	1.5	3.0	3.7
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

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

The EPA Waiver is in effect.

PA0028649, Sewage, SIC Code 4952, **Borough of Sinking Spring**, 3940 Penn Avenue, Sinking Spring, PA 19608-1168. Facility Name: Sinking Spring Borough STP. This existing facility is located in Spring Township, **Berks 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), Cacoosing Creek, is located in State Water Plan watershed 3-C and is classified for cold water and migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 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>Weekly Average</i>	
Total Dissolved Solids	XXX	XXX	XXX	XXX	1,000.0 Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 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>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	0.13	XXX	0.43
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	260	417 Wkly Avg	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	312	469 Wkly Avg	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	78	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	26	XXX	XXX	2.5	XXX	5
Total Phosphorus	16.7	XXX	XXX	1.6	XXX	3.2
Dibromochloromethane	Report	Report	XXX	Report	Report	XXX
Tetrachloroethylene	Report	Report	XXX	Report	Report Daily Max Report Daily Max	XXX

Sludge use and disposal description and location(s): Sludge is treated and then applied to the on-site reed drying beds. Solids generated from this facility will be land applied under NPDES Permit No. PAG083567.

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

- Whole Effluent Toxicity (WET) Testing Requirements
- Stormwater Requirements

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

The EPA Waiver is not in effect.

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

PA0272248, Sewage, SIC Code 4952, 8800, **Tracy Delmonaco**, 3 Maple Avenue, Oil City, PA 16301. Facility Name: Tracy Delmonaco SRSTP. This proposed facility is located in Cranberry Township, **Venango County**.

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

The receiving stream is the Allegheny River, located in State Water Plan watershed 16-E and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
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	2,000

Only temporary treatment unit anerobic digestion storage with off-site disposal is anticipated.

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.

PA0272299, Sewage, SIC Code 4952, 8800, **Anthony Talarico**, 5895 Crane Road, Edinboro, PA 16412. Facility Name: Anthony Talarico SRSTP. This proposed facility is located in Franklin Township, **Erie County**.

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

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

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

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

Off-site sewage sludge disposal.

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

The EPA Waiver is in effect.

PA0272281, Sewage, SIC Code 4952, 8800, **Ashley & Timothy Blodgett**, 2914 Mercer Butler Pike, Slippery Rock, PA 16057. Facility Name: Ashley & Timothy Blodgett SRSTP. This proposed facility is located in Liberty Township, **Mercer County**.

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

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

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

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

- Sewage sludge is to be anaerobically digested in the treatment facility prior to off-site disposal.

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

The EPA Waiver is in effect.

Central Office: Environmental Program Manager, Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774, Telephone: 717.787.5017.

PA0270831, Pesticides, SIC Code 0782, **PA Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge associated with the application of pesticides for aquatic plant control in State Game Lands throughout Pennsylvania.

Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

This draft permit proposes to incorporate a joint approval by DEP and the Pennsylvania Fish and Boat Commission (PFBC) for the use of an algicide, herbicide or fish control chemical in waters of the Commonwealth under 25 Pa. Code § 91.38 and the Fish and Boat Code, 30 Pa.C.S. § 2504(a)(1). Conditions of a Joint Chapter 91.38 Permit for use of algaecides, herbicides and fish control chemicals in waters of the Commonwealth have been included in this NPDES permit.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-826-5472. You may submit written comments on the application and draft permit within 30 days to the previously listed address. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

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. WQG02151908, Sewage, **East Whiteland Township**, 209 Conestoga Road, Frazer, PA 19355.

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

Description of Action/Activity: Installation of a sewer extension.

WQM Permit No. WQG02151909, Sewage, **East Whiteland Township**, 209 Conestoga Road, Frazer, PA 19355.

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

Description of Action/Activity: Construction and operation of a low pressure system.

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

WQM Permit No. WQG0202281901, Sewerage, **Guilford Township Authority**, 115 Spring Valley Road, Chambersburg, PA 17202.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a Connection of 8 residential, five commercial and one church to public sanitary sewer services.

WQM Permit No. 6719407, Industrial Waste, **Manchester Township Municipal Authority**, 3200 Farmtrail Road, York, PA 17406-5699.

This proposed facility is located in Manchester Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of Pump Station for Residential Subdivision.

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

WQM Permit No. 0219402, Sewage, **Collier Township Municipal Authority Allegheny County**, 3300 Preble Avenue, Pittsburgh, PA 15233-1025.

This proposed facility is located in Collier Township, **Allegheny County**.

Description of Proposed Action/Activity: Installation of a low-pressure sewer system to serve seven dwellings along Summer Drive.

WQM Permit No. 6596403 A-1, Sewage, **North Huntingdon Township Municipal Authority Westmoreland County**, 11265 Center Highway, N Huntingdon, PA 15642.

This existing facility is located in North Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Upgrade capacity of existing Falcon Ridge Pump Station and replace force main.

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

WQM Permit No. 1619404, Sewage, **Don P Hegburg**, 729 Railroad Street, Clarion, PA 16214.

This proposed facility is located in Clarion Township, **Clarion County**.

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

WQM Permit No. 0319401, Sewage, **William Girardi**, 132 Washington Street, Freeport, PA 16229.

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

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

WQM Permit No. 6119402, Sewage, **John Shoup**, 310 Fineview Drive, McMurray, PA 16317.

This proposed facility is located in Sandycreek Township, **Venango County**.

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

WQM Permit No. 2519415, Sewage, **Gary I Snyder**, 4119 Maple Grove Drive, Erie, PA 16510-6601.

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

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

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.

PAI130532, MS4, **West Goshen Township Chester County**, 1025 Paoli Pike, West Chester, PA 19380-4699. 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 Goshen Township, **Chester County**. The receiving streams, John Smedley Run (HQ-CWF, MF), Plum Run (WWF, MF), Broad Run (HQ-CWF, MF), Chester Creek (Goose Creek) (TSF, MF), East Branch Brandywine Creek (WWF, MF), East Branch Chester Creek (TSF, MF), and Taylor Run (TSF, MF), are located in State Water Plan watershed 3-H and 3-G and are classified for Migratory Fishes, Warm Water Fishes, High Quality—Cold Water, 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 Combined Pollutant Reduction and Total Maximum Daily Load 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.

PAI130022, MS4, **Milford Township Bucks County MS4**, 2100 Krammes Road, Quakertown, PA 18951-3871. 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 Milford Township, **Bucks County**. The receiving streams Beaver Run and Morgan Creek are located in the State Water Plan watershed 3-E and are classified as Trout Stocking, Migratory Fish within the Tohickon Creek watershed. Other receiving streams include two (2) Unnamed Tributaries to Unami Creek located in the State Water Plan watershed 3-E and are classified as HQ-TSF (High Quality—Trout Stocking). 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)

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.

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

PAI133508, MS4, **Brecknock Township Berks County**, 889 Alleghenyville Road, Mohnton, PA 19540-7708. 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 Brecknock Township, **Berks County**. The receiving stream(s), Allegheny Creek (CWF, MF), Unnamed Tributary to Little Neshaminy Creek (WWF, MF), and Wyomissing Creek (HQ-CWF, MF), is located in State Water Plan watershed 2-F and 3-C and is classified for Cold Water Fishes, Migratory Fishes, High Quality—Cold Water, Warm Water Fishes, and Migratory Fish, 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 717-705-4732.

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>
PAD450091	Abraham & Trapasso Enterprises LLC 3329 Mtn View Dr Tannersville, PA 18372	Monroe	Pocono Twp	Swiftwater Creek (HQ-CWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450090	Lovelight Enterprises LP 100 Gymnastics Way Stroudsburg, PA 18360	Monroe	Jackson Twp	UNT to Rocky Run (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>
PAD480102	Innovative Office Products LLC 100 Kuebler Rd Easton, PA 18040-9288	Northampton	Forks Twp	Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210038	QBS, Inc. 1548 South Linden Avenue Alliance, OH 44601	Cumberland	Hampden Township	UNT Trindle Spring Run (CWF, MF)
PAD500005	Dark Hollow, LP 115 Brook Lane Marysville, PA 17053	Perry	Carroll Township	Shermans Creek (WWF) UNT Shermans Creek (WWF)
PAD500006	Trout Brothers Farms, LLC 508 Red Rock Road Loysville, PA 17047	Perry	Jackson Township	UNT Shermans Creek (HQ-CWF) Shermans Creek (HQ-CWF)

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

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD020018	Hammock Beach Partners, LLC 4276 Green Glade Court Allison Park, PA 15101-1202	Allegheny County	Fox Chapel Borough	UNT to Stony Camp Run (HQ-WWF); UNT to Squaw Run (HQ-WWF)
PAD020020	4137 Bakerstown Road, LLC 2 Manhattanville Road Suite 403 Purchase, NY 10577	Allegheny County	Richland Township	Montour Run (TSF); UNT to Breakneck Run (WWF); UNT to Willow Run (TSF); UNTs to Montour Run (TSF)
PAD260008	First Third, LLC P.O. Box 2311 Uniontown, PA 15401	Fayette County	South Union Township	UNT to Coal Lick Run (WWF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received.

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

NPDES Permit No. PAG126103 A-1, CAFO, Pennwood Farms, 262 Sugar Grove School Road, Berlin, PA 15530.

This existing facility is located in Brothersvalley Township, **Somerset County**.

Description of size and scope of existing operation/activity: 2,004.67 AEU.

The receiving stream, Unnamed Tributary to Stonycreek River (CWF) and Unnamed Tributary to Yarnell Brook (WWF, MF), is in watershed 18-E and 4-A and classified for: Migratory Fishes, Cold Water Fishes, and Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where

applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PAG123890, CAFO, Mount Rock Dairy LLC, 473 Mount Rock Road, Newville, PA 17241.

This proposed facility is located in West Pennsboro Township, **Cumberland County**.

Description of size and scope of proposed operation/activity: Dairy operation with 1,650 Holstein cows, 100 Holstein heifers, and 300 Holstein calves. 2,618.5 AEU; 20.88 AEU/ac.

The receiving stream, Mount Rock Spring Creek (WWF, MF), is in watershed 7-B and classified for: Migratory Fishes and Warm Water Fishes.

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

MS4 PAG-13 Notices of Intent Received.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136219	City of McKeesport 500 5th Avenue McKeesport, PA 15132-2527	City of McKeesport Allegheny County	N	Y

STATE CONSERVATION COMMISSION

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

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>
Lester Martin 415 E. Old York Road Carlisle, PA 17015	Cumberland	88.5	135.3	Ducks	EV	Renewal

<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>
Wingert Farms, Inc. 5497 Shade Lane Alexandria, PA 16611	Huntingdon	1,667.6	2,049.86	Dairy	HQ	Renewal
Esbenshade, Inc. Mark Kniesly 220 Eby Chiques Rd Mount Joy, PA 17552	Lancaster	407.7	8,870.5	Layers	NA	R
Spring Valley Dairy, LLC 1577 Auction Rd Manheim, PA 17545	Lancaster	203.6	485.74	Dairy/ Pullets	NA	R
Bryan Byers 81 Four Pines Road Quarryville, PA 17566	Lancaster	275.7	178.46	Ducks	HQ	R
Belview Valley Farms Swine 458 Gemmill Road Delta, PA 17314	York	550.2	639.36	Swine	NA	Renewal
Joel Krall 480 Schaeffer Rd Lebanon, PA 17042	Lebanon	9.4	671.20	Dairy	N/A	Renewal
Dave Morrow 237 Briar Road Loysville, PA 17047	Perry	419.9	657.65	Swine, Beef	HQ, CWF	Renewal
Mt. Pleasant Farms 2071 Mt. Pleasant Road Fayetteville, PA 17222	Franklin	311	604.46	Ducks and Heifers	NA	Renewal
Presque Isle Downs 8199 Perry Highway Erie, PA 16509	Erie	237.4	459.88	Horse	CWF/MF	Renewal

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

SAFE DRINKING WATER

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

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

Permit No. 0219518, Public Water Supply.

Applicant	Monroeville Municipal Authority 219 Speelman Lane Monroeville, PA 15146
[Township or Borough]	Municipality of Monroeville
Responsible Official	James R. Hunter, General Manager Monroeville Municipal Authority 219 Speelman Lane Monroeville, PA 15146
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024

Application Received Date June 19, 2019
 Description of Action Modification to the existing remote chlorination feed system at the Parks Tank.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 3019505MA, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 Jefferson, PA 15344

[Township or Borough] Center Township

Responsible Official Timothy Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 Jefferson, PA 15344

Type of Facility Water system

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

Application Received Date June 27, 2019

Description of Action Installation of the Maple Run Road water meter vault.

Application No. 3013501WMP25, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 Jefferson, PA 15344

[Township or Borough] Center Township

Responsible Official Timothy Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 Jefferson, PA 15344

Type of Facility Water system

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

Application Received Date June 27, 2019

Description of Action Proposed Maple Run Road water meter vault as a bulk water load-out station.

Application No. 3019506MA, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 Jefferson, PA 15344

[Township or Borough] Washington Township

Responsible Official Timothy Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 Jefferson, PA 15344

Type of Facility Water system

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

Application Received Date May 20, 2019

Description of Action Installation of the Range Route 221 water meter vault.

Application No. 3013501WMP26, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 Jefferson, PA 15344

[Township or Borough] Washington Township

Responsible Official Timothy Faddis, Manager
 Southwestern Pennsylvania Water Authority
 1442 Jefferson Road
 Jefferson, PA 15344

Type of Facility Water system

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

Application Received Date May 20, 2019

Description of Action Proposed Range Route 221 water meter vault as a bulk water load-out station.

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 demon-

strates 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.

Bedford Valley Petroleum Corp./Ward Property, 4321 Ward Road, Clearville, PA 15535, Monroe Township, **Bedford County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Bedford Valley Petroleum Corp., 10228 Lincoln Highway, Everett, PA 15537-6908, and Ivan and Regina Ward, 313 Ward Road, Clearville, PA 15535 submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is residential. The Notice of Intent to Remediate was published in the *Bedford Gazette* on June 18, 2019.

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

Carsia Property, 810 East Eleventh Street, Hazleton City, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Suite 3, Wilkes-Barre, PA 18702, on behalf of Michael Carsia, 810 East Eleventh Street, Hazleton, PA 18201, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated by a release from an underground storage tank that stored heating oil. Future use of the site will be residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Standard Speaker* on June 15, 2019.

NFI Industries, 1 Liz Way, Coolbaugh Township, **Monroe County**. Environmental Products & Services of Vermont, 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of 1st Class Services Inc., 32 Wernik Place, 2nd Floor, Suite J, Metuchen, NJ 08840, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of diesel fuel from a truck's saddle tank. Future use of the site will be non-residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Pocono Record* on June 14, 2019.

Compression Polymers Group, 801 East Corey Street, Scranton City, **Lackawanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, Harrisburg, PA 17104, on behalf of CPG International Inc., 801 East Corey Street, Scranton, PA 18505, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated by a release of hydraulic fluid at a commercial plastics manufacturing facility. Future use of the site will be non-residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Scranton Times* on May 17, 2019.

M&D Realty Group Property (former Northern Electric Railway/Philadelphia Transformer), 1100 Lackawanna Trail, Dalton Borough, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of M&D Realty Group LLC, 1006 Sunset Avenue, Clarks Summit, PA 18411, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with PCBs, VOCs, and VOCs from leaking transformers that were stored at the site. Future use of the site will be non-residential. Site Specific remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Scranton Times* on June 19, 2019.

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

Showalter Transport, LLC Cleanup, State Route 35 near Sand Hill Road, Selingsgrove, Penn Township, **Snyder County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Showalter Transport, LLC, P.O. Box 209, McAllisterville, PA 17049, has submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel, motor oil and antifreeze. The applicant proposed to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on June 7, 2019.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northwest Region: Christina S. Wilhelm, Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit Application No. 301353. Covanta Environmental Solutions, LLC (Covanta), 101 River Park Drive, New Castle, PA 16101; New Castle; **Lawrence County**. A permit renewal application was received for this facility on June 13, 2019. Covanta is an existing residual waste processing facility seeking to renew their

permit for another ten years of operation. The existing facility is primarily utilized for volume reduction by pressure filtration in conjunction with chemical separation. Wastewater from this facility discharges into the New Castle Sanitation Authority sewer system. The discharge is approximately 40–50 million gallons per year. The terms and conditions of the permit renewal would remain the same as the previous permit. The expiration date of the current permit is March 9, 2020.

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.

48-00076E: Calpine Bethlehem LLC (500 Delaware Avenue, Suite 600, Wilmington, DE 19801) for increase in operational hours from their existing turbines at their facility located in Bethlehem, **Northampton County**.

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

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

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

46-0005AU: Merck, Sharp & Dohme, Corp. (770 Sunmeytown Pike, West Point, PA 19486-0004) for the construction of a new building that will involve the cleaning and disinfection of manufacturing space, a new de minimis VOC source, and the installation of a natural gas fired generator set in Building 63 to provide emergency electric power to this building at an existing permitted Title V facility in Upper Gwynedd Township, **Montgomery County**. The total emissions from this project will result in the following potential ton/year air contaminants: VOC—0.25; NO_x—0.50; CO—1.0; SO₂—0.0; and PM/PM₁₀/PM_{2.5}—0.01. The installation of the sources in this project do not trigger applicability toward NSR or PSD regulations. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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.

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

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

54-00021: Pine Grove Landfill, Inc. (193 Schultz Road, Pine Grove, PA 17963-8634) The Department intends to issue a Title V Operating Permit renewal for operation of sources at a landfill in Pine Grove Township, **Schuylkill County**. The sources on site one closed municipal solid waste landfill and expansion pad controlled by an enclosed ground flare through landfill gas management systems. Other sources on site include one diesel-fired emergency generator and one LPG-fired emergency generator. The proposed Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

41-00005: Lycoming Engines (652 Oliver Street, Williamsport, PA 17701) to issue a renewal Title V Operating Permit for their Oliver Street Plant located in the City of Williamsport, **Lycoming County**. The facility's main sources include engine test cells, surface coating and degreasing operations, and various small natural gas combustion units located throughout the facility.

The facility has potential emissions of 66 tons per year (tpy) nitrogen oxides, 3,567 tpy carbon monoxide, 72 tpy volatile organic compounds, 7 tpy particulate matter, 3 tpy sulfur oxides, 11 tpy of combined hazardous air pollutants, and 63,426 tpy of carbon dioxide equivalents (greenhouse gases). 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, 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.

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

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

V14-002: Veolia Energy Efficiency PA, LLC—(2600 Christian Street, Philadelphia, PA 19146) for the operation of an electric generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) Rapid Start Boiler with Low NO_x Burner firing No. 2 fuel oil or Natural Gas.

OP17-00008: Exelon Generation Company, LLC—Delaware Generating Station (1325 North Beach Street, Philadelphia, PA 19125) for the operation of an electric generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four (4) combustion turbines firing No. 2 fuel oil or kerosene.

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.

23-00035: Community Light and Sound Inc. (333 East 5th Street, Chester, PA 19013-4511) for a renewal of a non-Title V, State-Only, Synthetic Minor Permit in Chester City, **Delaware County**. Community Light and Sound is a manufacturer of household audio and video equipment. The facility has taken site level restriction limits of 24.9 tons per year for VOC's and 9.9 tons per year for any single HAP and 24.9 tons per year for combined HAP's. The restrictions will ensure that Community Light and Sound remains under the emission thresholds. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

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

13-00013 Ampal, Inc. (2115 Little Gap Road, Palmerton, PA 18071) The Department intends to issue a State-Only Operating Permit for operation of sources at primary metal products manufacturing facility in Lower Towamensing Township, **Carbon County**. The sources include an aluminum melting furnace, process towers, screening towers, and blending tower, and bulk loading operations. Emissions are controlled by cartridge filters. The proposed permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

48-00093: Oldcastle APG Northeast, Inc. (800 Uhler Road, Easton, PA 18040-6617). The Department intends to issue a renewal State-Only Natural Minor Permit for Anchor Concrete located in Forks Township, **Northampton County**. Operations at this facility include the manufacturing of concrete block, brick and ready-mix concrete. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

67-03145: Weldon Solutions, Inc. (425 East Berlin Road, York, PA 17408) to issue a State Only Operating Permit for the Weldon Mach Tool, Inc. facility located in West Manchester Township, **York County**. This is for renewal of the existing operating permit. The potential emissions from the facility are estimated at 12.81 tons per year VOC, 7.99 tons per year HAPs, 1.52 ton per year NO_x, 1.28 ton per year CO, and less than one ton per

year each of SO_x and PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52—Surface Coating Processes, 25 Pa. Code § 129.52d—Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings, and 25 Pa. Code § 129.63—Degreasing Operations.

01-05004: NRG REMA, LLC (100 Mummerts Church Road, Abbottstown, PA 17301) to issue a State-Only Operating Permit for the electricity generation facility (Hamilton Generating Station) located in Hamilton Township, **Adams County**. This is for renewal of the existing operating permit. The actual emissions from the facility in 2018 were reported to be 3.4 tons NO_x. 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 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Source ID 101A).

21-05013: Fry Communications, Inc., Buildings 1 & 2 (800 West Church Road, Mechanicsburg, PA 17055) for the operation of a commercial printing facility in Mechanicsburg Borough, **Cumberland County**. This is for renewal of the existing State-only permit. Potential air emissions from the facility are estimated at 0.13 tpy PM, 1.59 tpy NO_x, 0.68 tpy CO, 14.14 tpy VOC, 0.01 tpy SO₂ and 0.02 tpy HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

06-05096: Tower Health System/Reading Hospital (P.O. Box 16052, Reading, PA 19612-6052) to issue a State-only operating permit for their facility in West Reading Borough, **Berks County**. This is for renewal of the existing operating permit. The facility has the potential to emit 77.49 tpy of NO_x, 15.04 tpy of SO_x, 65.51 tpy of CO, 13.85 tpy of PM, 3.98 tpy of VOCs, and 0.51 tpy total HAPs. Among other items, the conditions include provisions derived from MACT Subpart JJJJJ, MACT Subpart CCCCC, NSPS Subpart Dc, NSPS Subpart KKKK and NSPS Subpart III. 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.

21-05012: Mount Holly Springs Specialty Paper, Inc. (1 Mount Street, Mount Holly Springs, PA 17065-1406) to issue a Natural Minor Operating Permit for boilers located in Mount Holly Springs Borough, **Cumberland County**. This is for renewal of the existing operating permit. The facility's actual NO_x and CO emissions are less than 2.5 tpy, and VOC and PM emissions are less than 0.5 tpy each. 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 from 25 Pa. Code Chapter 123.

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.

OP-03-00244: Dominion Transmission, Inc. (5000 Dominion Boulevard, Glen Allen, VA 23060), In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a Synthetic Minor Operating Permit (SOOP-03-00244) to Dominion Transmission, Inc. ("DTI") to authorize the continued operation of their Rural Valley natural gas transmission facility located in Valley Township, **Armstrong County**.

The facility's main air contamination sources consist of: Two (2) natural gas-fired Caterpillar Compressor Engines, each rated at 1,775 bhp and 3,550 bhp and each controlled by an oxidation catalyst; one (1) natural gas-fired auxiliary emergency Caterpillar Generator rated at 622 bhp controlled by an oxidation catalyst; one (1) natural gas-fired Solar Taurus 70-10802S Turbine rated at 10,915 hp equipped with low NO_x technology, one (1) Dehydrator with a reboiler rated at 0.275 MMBtu/hr, emissions are controlled via a thermal oxidizer rated at 4.0 MMBtu/hr, fugitives and tank etc.

Facility-wide potential emissions are limited to 41.0 tons VOC, 52.0 tons NO_x, 24.0 tons CO, 1.0 ton SO_x, 8.5 tons PM₁₀, and 6.0 tons HAPs. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements. The two (2) Caterpillar compressor engines and one (1) emergency generator are subject to the applicable requirement of 40 CFR Part 60 Subpart JJJJ. The turbine is subject to the requirements of 40 CFR Part 60 Subpart KKKK. The TEG dehydrator is subject to the NESHAP requirements per 40 CFR Part 63 Subpart HH.

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 Jesse Parihar, 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 (03-00244) 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>.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

17980115 and NPDES PA0238074. Junior Coal Contracting, Inc. (2330 Six Mile Road, Philipsburg, PA

16866). Permit renewal for continued operation and restoration of a bituminous surface coal and auger mine located in Decatur and Woodward Townships, **Clearfield County** affecting 60.5 acres. Receiving stream(s): Unnamed Tributary to Beaver Run and Beaver Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 19, 2019.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500.

03090103 and NPDES Permit No. PA0251631. M & M Lime Company, Inc. (215 Nichola Road, Worthington, PA 16262). Renewal application for reclamation only to an existing bituminous surface mine, located in West Franklin Township, **Armstrong County**, affecting 8.2 acres. Receiving streams: Buffalo Creek, classified for the following use: HQ-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: June 24, 2019.

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

Permit No. 40120101R. Northampton Fuel Supply Co., Inc., (1 Horwith Drive, Northampton, PA 18067), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Hazle and Foster Townships and Jeddo Borough, **Luzerne County** affecting 1,013.0 acres, receiving stream: Black Creek, classified for the following uses: cold water and migratory fishes. Application received: June 17, 2019.

GP12 Permit No. GP12-40120101R. Northampton Fuel Supply Co., Inc., (1 Horwith Drive, Northampton, PA 18067), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40120101 in Hazle and Foster Townships and Jeddo Borough, **Luzerne County**. Application received: June 17, 2019.

Permit No. 13940201R5. Rossi Excavating Company, (10 Centtown Road, Beaver Meadows, PA 18216), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Banks Township, **Carbon County** affecting 11.5 acres, receiving stream: Wetzel Creek, classified for the following uses: cold water and migratory fishes. Application received: June 17, 2019.

Permit No. 54870102R6. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 106.1 acres, receiving stream: Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: June 18, 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

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

E6703219-003: South Heights Manor, LP., 160 Ram Drive, Hanover, PA 17331 in Hanover Borough, **York County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) place and maintain 0.008 acre of fill in a portion of a palustrine emergent (PEM) wetland; 2.) place and maintain 0.009 acre of fill in a palustrine emergent (PEM) wetland as well as construct and maintain a 97.0-foot long by 12.0-foot wide open-bottom box culvert over a UNT to Plum Creek (WWF, MF), impacting 0.032 acre of the watercourse as well as 0.400 acre of its accompanying floodway; 3.) install and maintain an 8.0-inch diameter utility line crossing beneath a UNT to Plum Creek (WWF, MF), impacting 0.001 acre of the watercourse as well as 0.003 acre of its accompanying floodway; 4.) construct and maintain a 94.0-foot long by 12.0-foot wide open-bottom box culvert over a UNT to Plum Creek (WWF, MF), impacting 0.030 acre of the watercourse as well as 0.052 acre of its accompanying floodway; 5.) install and maintain an 8.0-inch diameter utility line crossing beneath a UNT to Plum Creek (WWF, MF), impacting 0.001 acre of the watercourse as well as 0.006 acre of its accompanying floodway; and 6.) place and maintain 0.031 acre of fill in a portion of a palustrine emergent (PEM) wetland for the purpose of constructing a sixty-one (61) lot, residential subdivision and accompanying streets and utilities. The project is located in the southeast corner of the intersection of Westminster Avenue and Cooper Road, in Penn Township, York County. (Latitude: (39.7769), Longitude: (-76.9883)).

E0503119-001: PennDOT Engineering District 9-0, 1620 M. Juniata St., Hollidaysburg, PA 16648 in Broad

Top and Cumberland Valley Townships, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to (1) install and maintain a 38.33-foot × 48-foot bridge with riprap scour protection over Sandy Run (WWF, MF). The project proposed to permanently impact 105 linear feet of stream channel and temporarily impact 118 linear feet. This is all for the purpose of improving transportation safety and roadway standards. The project is located in Broad Top and Cumberland Valley Townships, Bedford County (40.1298°, -78.2483°).

E3403219-001: Mr. Bryan Wehler, 504 David Drive, Mechanicsburg, PA 17050 in Tuscarora Township, **Juniata County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a pond with intake and outfall structures, for the purpose of irrigation, fire suppression, and hydroelectric generation. The construction of the inlet will permanently impact approximately 5 linear feet of a UNT to Dougherty Run (HQ-CWF, MF) and the construction of the outfall swale will permanently impact 15 linear feet and 1,050 square feet of the floodway of a UNT to Dougherty Run (HQ-CWF, MF). An 8-inch HDPE pipe will convey water from the inlet structure to the pond. The site is located off of Linn Lane, approximately 0.5 mile north from the intersection with PA-35, in Tuscarora Township, Juniata County. Latitude: 40° 26' 3", Longitude: -76° 37' 37".

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department regional office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department regional office during the 30-day public comment period.

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Southwest Region: Bureau of Oil and Gas Management, 400 Waterfront Drive, Pittsburgh, PA 15222.

E63-07-016: Columbia Gas Transmission, LLC, 700 Louisiana Street Houston, TX 77002, Donegal Township, Washington County, ACOE Pittsburgh District.

Columbia Gas Transmissions, LLC is proposing to improve the existing access road to the Donegal Wells 3839 and 4757, off Cunningham Road. Improvements to the existing access road with consist of the replacement of three culvert that were historically installed on UNTs to Dutch Fork (HQ-WWF) and the placement of permanent fill of a wetland that formed on the existing access road.

Currently the road is impassible due to disturbance and degradation of the roadway at the three stream crossings and one wetland crossing.

The project was submitted as a Joint Permit Application to cover the permanent impacts to wetland 4757-W3 and the culvert replacement of Stream 3839-S3 and Stream 4757-S2.

<i>Resource</i>	<i>Latitude/Longitude</i>	<i>Area of Impact</i>
Wetland 4757-W3	Lat: N 40.141185 Long: W -80.454648	Permanent Filled: 8,199 sq. ft. Permanently Converted to Palustrine Emergent (PEM): 1,593 sq. ft.
Stream 3839-S3	Lat: N 40.139460 Long: W -80.451343	Permanent Watercourse Impact: 890 sq. ft. Permanent Floodway Impact: 3,804 sq. ft.
Stream 4757-S2	Lat: N 40.141297 Long: W -80.454811	Permanent Watercourse Impact: 557 sq. ft. Permanent Floodway Impact: 1,005 sq. ft.

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.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0052591 (Sewage)	Walnutport MHP 901 S Best Avenue Walnutport, PA 18088-9121	Northampton County Lehigh Township	Bertsch Creek (CWF) (2-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0085219 IW	PA DCNR 2200 Rosstown Road Lewisberry, PA 17339-9787	Warrington Township York County	Beaver Creek in Watershed(s) 7-F	Y
PA0087734 IW	Columbia Water Co. P.O. Box 350 220 Locust St. Columbia, PA 17512-0350	Hellam Township York County	Dugan Run in Watershed(s) 7-I	Y
PA0261360 SEW	Martin Leasing Inc. 303 W Middle Creek Road Lititz, PA 17543-9192	Elizabeth Township Lancaster County	Unnamed Tributary to Hammer Creek in Watershed(s) 7-J	Y
PA0084018 SEW	Fishing Creek Estates STP 2805 Old Post Road Suite 200 Harrisburg, PA 17110-3677	Middle Paxton Township Dauphin County	Fishing Creek (WWF) (7-C)	Y
PA0083747 IW	Weaver Lumber Mill Lebanon 1231 Mount Wilson Road Lebanon, PA 17042-4785	South Annville Township Lebanon County	Gingrich Run (TSF) (7-D)	Y
PA0086665 SEW	Brethren in Christ Church 720 Greenspring Road Newville, PA 17241-9694	North Hampton Township Cumberland County	Green Spring Creek (CWF) in Watershed(s) 7-B	Y
PA0085413 SEW	Lower Marsh Creek Presbyterian Church 1865 Knoxlyn Rd. Gettysburg, PA 17325-7359	Highland Township Adams County	Unnamed Tributary of Marsh Creek in Watershed(s) 13-D	Y

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>
PA0093556 (Sewage)	Bethel Court Plan STP 120 Commonwealth Drive Suite 101 Lemont Furnace, PA 15456-1003	Fayette County North Union Township	Unnamed Tributary of 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>
PA0024856 (Sewage)	Taylor Township STP P.O. Box 489 West Pittsburgh, PA 16160-0489	Lawrence County Taylor Township	Beaver River (20-B)	Yes
PA0090590 (Sewage)	Port O Call MHP 108 Bay Street Butler, PA 16002-4012	Butler County Penn Township	Unnamed Tributary to Glade Run (WWF) (20-C)	Yes
PA0222411 (Sewage)	Frank A. Leonard SFTF 20 Carey Farms Road Erie, PA 16511	Erie County Harborcreek Township	Lake Erie (15-A)	Yes
PAS328308 (Storm Water)	O-Tex Pumping Fenelton Facility 3990 Rogerdale Road Houston, TX 77042	Butler County Clearfield Township	Unnamed Tributary to the Buffalo Creek (HQ-TSF) (18-F)	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>
PA0038482 (Sewage)	Fox Township STP P.O. Box 186 116 Irishtown Road Kersey, PA 15846	Elk County Fox Township	Unnamed Tributary to the Daguscahonda Run (CWF) (17-A)	Yes
PA0037117 (Sewage)	Abraxas I P.O. Box 59 Marienville, PA 16239-0059	Forest County Howe Township	Unnamed Tributary to Branch and The (HQ-CWF) (16-F)	Yes

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

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

NPDES Permit No. PA0023698, Sewage, **Vanport Township Municipal Authority**, 285 River Avenue, Vanport, PA 15009.

This existing facility is located in Vanport Township, **Beaver County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing 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. 0990425, Sewage, Transfer, **Derrick Davis**, 2835 Mill Road, Doylestown, PA 18902-1654.

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

Description of Action/Activity: Transfer ownership from Michael Bird to Derrick Davis.

WQM Permit No. 1501417, Sewage, Renewal, **Nantmeal-Warwick Sewer Company, Inc.**, 26 East Main Street, Elverson, PA 19520.

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

Description of Action/Activity: Permit renewal for existing operation of wastewater treatment facility with land disposal of the French Creek Golf Club.

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: Low pressure system.

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 head works to accommodate weather flows.

WQM Permit No. WQG02151904, Sewage, **Franconia Township Sewer Authority**, P.O. Box 128, 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. 4619403, Sewage, **Upper Gwynedd & Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19442-5019.

This proposed facility is located in Towamecin Township, **Montgomery County**.

Description of Action/Activity: Rag Compactor Installation.

WQM Permit No. 0909401, Sewage, Amendment, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Upgrading suction lift pumps, motors and controls.

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

WQM Permit No. 0519401, Sewerage, **Broad Top Township Bedford County**, P.O. Box 57, Defiance, PA 16633.

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

Description of Proposed Action/Activity:

This Permit approves the construction of sewage facilities consisting of:

- Norweco Singular 960 (600 GPD rated capacity)
- Norweco Hydro-Kinetic Biofilm Reactor with dose chamber
- Appropriate pump to be located within Norweco Hydro-Kinetic Biofilm Reactor
- Norweco AT-1500 ultraviolet light disinfection

WQM Permit No. 2119201, Industrial Waste, **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055-4436.

This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity:

This permit approves the construction/operation of industrial wastewater facilities consisting of:

- Installation of a chemical feed system for a dechlorination chemical, liquid calcium thiosulfate (trade name Captor), with 295-gallon and 110-gallon XLHDPE storage tanks.
- Other appurtenances.

WQM Permit No. 2219201, Industrial Waste, **PA American Water Co.**, 800 W Hershey Park Drive, Hershey, PA 17033-2400.

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

Description of Proposed Action/Activity:

This permit approves the construction/operation of industrial wastewater facilities consisting of:

- Installation of a chemical feed system for a dechlorination chemical, liquid calcium thiosulfate (trade name Captor), with three (3) 55-gallon chemical storage drums.
- Other appurtenances.

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

WQM Permit No. 0419200, Industrial, SIC Code 4613, **Buckeye Partners, L.P.**, 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. 1607402 A-1, Sewage, **Redbank Valley Municipal Authority**, 243 Broad Street, New Bethlehem, PA 16242-1001.

This existing facility is located in New Bethlehem Borough, **Clarion County**.

Description of Proposed Action/Activity: Removal of existing comminutor and installation of fine screen at Grant Street pump station.

WQM Permit No. WQG02431901, Sewage, **Liberty Township, Mercer County**, 2873 Mercer-Butler Pike, Grove City, PA 16127.

This proposed facility is located in Liberty Township, **Mercer County**.

Description of Proposed Action/Activity: Sewer extension to service area near Mercer-Butler Pike, Amsterdam Road, Center Church Road, and Schmidt Road.

WQM Permit No. 6219409, Sewage, **Charles T Johnson**, 4297 Fox Hill Road, Russell, PA 16345-5515.

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

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

NPDES Permit No.	Permittee Name & Address	Municipality, County	Receiving Water(s)/Use(s)	TMDL Plan Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAI136131	Union Township Washington County 3904 Finleyville Elrama Road Finleyville, PA 15332-3011	Union Township Washington	Monongahela River (WWF), Mingo Creek (HQ-TSF), Peters Creek (TSF), and Piney Fork (TSF)	N	Y

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130017	PPL Electric Utilities Corporation Two North Ninth Street GENN 4 Allentown, PA 18101-1179	Carbon County	Franklin Township	UNT to Lehigh Canal (HQ-CWF, MF) Pohopoco Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450065	Ervine Miller P.O. Box 86 Wind Gap, PA 18091	Monroe	Ross Township	Ross Common Creek HQ, CWF—MF
PAD450071	Tannersville Point LLC P.O. Box 204 Palmerton, PA 18701	Monroe County	Pocono Township	Unnamed Pond, HQ, Pocono Creek, (HQ-CWF, MF)
PAD450081	Cornerstone Community Church 388 Polk Township Road Kunkletown, PA 18058	Monroe	Polk Township	Pohopoco 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>
PAD480037	Triple Net Investments XLIX, LLC c/o Mr. Joseph Correia 171 State Route 173 Suite 201 Asbury, NJ 08802-1365	Northampton	Forks Township	Bushkill Creek (HQ-CW, 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>
PAD520017	Blue Heron Woods Property Owners Association	Pike County	Blooming Grove Township Lackawaxen Township Palmyra Township	UNT to Decker Creek (HQ-CWF, MF) UNT to Blooming Grove Creek (HQ-CWF, MF) EV Wetlands

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD290002 Issued	Ilera Healthcare, LLC 625 Sussex Road Wynnewood, PA 19096	Fulton County	Taylor Township	Lick Branch (HW-CWF, MF) UNT Lick Branch (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD320002	Pennsylvania Department of Transportation District 10-0 2550 Oakland Avenue Indiana, PA 15701	Indiana County	White Township	McCarthy Run (CWF); UNT to McCarthy Run (CWF)

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

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

List of NPDES and/or Other General Permit Types.

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

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Goshen Township Chester County	PAC150144	ESKE Development, LLC 1390 Birmingham Road West Chester, PA 19382	Unnamed Tributary to East Branch of Chester TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Township Chester County	PAC150135	Hy-Tech Mushroom 155 Valley Road West Grove, PA 19390	Middle Branch of White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Garden Township Chester County	PAC150005	New Garden Township 1235 Newark Road Toughkenamon, PA 19374	Unnamed Tributary to East Branch White Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Caln Township Chester County	PAC150059	Micken Family Enterprises, LLC 1045 Boot Road Downingtown, PA 19335	Tributary to E Branch Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Nether Providence Township Delaware County	PAC230112	Jonathan Sutton Building C27 Wallingford Avenue Wallingford, PA 19086	Crum Creek Tributary No. 2; D.U. WWF-MF/CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<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>
Chester Heights Borough Delaware County	PAC230106	Wawa Inc. 2360 West Baltimore Pike Chester Heights, PA 19063	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Gwynedd Township Montgomery County	PAC460329	Pennsylvania Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Pottsgrove Township Montgomery County	PAC460293	Pennsylvania Department of Transportation District 6-0 7000 Geerdes Blvd King of Prussia, PA 19406-1525	Sprogels Run/ Sanatoga Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

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

<i>NPDES</i>				<i>Receiving Water/Use</i>
<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	
PAC130013	Lehighton (Ashfield) DG LLC Kirk Farrelly 361 Summit Blvd Ste 110 Birmingham, AL 35243	Carbon	East Penn Twp	Bergers Creek (TSF, MF)

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

<i>NPDES</i>				<i>Receiving Water/Use</i>
<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	
PAC400123	UGI Utilities Inc Paul Szykman 1 UGI Center Wilkes-Barre, PA 18711-0600	Luzerne	Hanover Twp	Warrior Creek (CWF, MF)

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

*Facility Location:
Municipality & County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC010108	Columbia Gas of PA 1600 Colony Road York, PA 17408	Rock Creek (WWF) Beaver Dam Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC210158	MidPenn Properties 4400 Deerpath Road Harrisburg, PA 17110	Trindle Spring Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC220159	Exelon Generation Co, LLC 2625 River Road P.O. Box 480 Middletown, PA 17057	Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Huntingdon Borough Huntingdon County Issued	PAC310010	Huntingdon Borough 530 Washington Street P.O. Box 592 Huntingdon, PA 16652	Juniata River (WWF)	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 814.627.1627
Cass Township Huntingdon County Issued	PAC310011	Casey Carowick 6109 Country Lane Todd, PA 16685	Little Trough Creek (TSF)	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 814.627.1627
East Manchester Township York County Issued	PAC670165	Hyperion Properties, Inc 570 Polaris Parkway Westerville, OH 43082	UNT Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
York Township York County Issued	PAC670178	Kehinde & Sholayida Adebayo 340 Country Ridge Road Red Lion, PA 17356	Inners Creek (CWF) Barshinger Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Newberry Township York County Issued	PAC670298	Fulton Financial Corporation One Penn Square Lancaster, PA 17604	Susquehanna River (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Manchester Township York County Issued	PAC670297	York County Solid Waste & Refuse Authority 2700 Blackbridge Road York, PA 17406-7901	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Newberry Township York County Issued	PAC670248	Golf Enterprises, Inc. d/b/a Valley Green Golf Course 4400 Deer Path Road Suite 100 Harrisburg, PA 17110-3908	Fishing Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Conewago Township York County Issued	PAC670300	Canal Road Associates, LLC 474 Mount Sidney Road Lancaster, PA 17602	Locust Run (TSF) UNT Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Manchester Township York County Issued	PAC670303	Keystone Custom Homes 227 Granite Run Drive Suite 100 Lancaster, PA 17601	UNT Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

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*Facility Location:
Municipality &
County*

Permit No.

Applicant Name & Address

*Receiving
Water/Use*

*Contact Office &
Phone No.*

Shrewsbury Township
York County
Issued

PAC670077

Crescent, LLC
227 Granite Run Drive
Suite 100
Lancaster, PA 17601

South Branch
Codorus Creek
(WWF, MF)

York County
Conservation District
118 Pleasant Acres
Road
York, PA 17402
717.840.7430

City of York
York County
Issued

PAC670255

United Fiber & Data
Andrew Paxton
210 York Street
Suite 200
York, PA 17401

Codorus Creek
(WWF, MF)

York County
Conservation District
118 Pleasant Acres
Road
York, PA 17402
717.840.7430

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

*Facility Location and
Municipality*

Permit No.

Applicant Name and Address

*Receiving
Water/Use*

*Contact Office and
Phone No.*

Indiana Township

PAC020184

Fox Chapel IL—
All Investors, LLC
4423 Pheasant Ridge Road
Roanoke, VA 24014

Little Pine Creek
(TSF)

Allegheny County
Conservation District
River Walk Corporate
Centre
33 Terminal Way
Suite 325b
Pittsburgh, PA 15219
(412) 241-7645

McCandless
Township

PAC020422

North Allegheny School District
400 Hillvue Lane
Pittsburgh, PA 15237

Little Pine Creek
(TSF)

Allegheny County
Conservation District
River Walk Corporate
Centre
33 Terminal Way
Suite 325b
Pittsburgh, PA 15219
(412) 241-7645

Pine Township

PAC020401

Pine-Richland School District
702 Warrendale Road
Gibsonia, PA 15044

UNT to Pine Creek
(CWF)

Allegheny County
Conservation District
River Walk Corporate
Centre
33 Terminal Way
Suite 325b
Pittsburgh, PA 15219
(412) 241-7645

North Versailles
Borough
Wilmerding Borough

PAC020327

Baron Landscaping
610 Pitcairn Street
Wilmerding, PA 15148

Turtle Creek
(TSF)

Allegheny County
Conservation District
River Walk Corporate
Centre
33 Terminal Way
Suite 325b
Pittsburgh, PA 15219
(412) 241-7645

South Park Township

PAC020411

Alex E. Paris
Grading Company, Inc.
1595 Smith Township State
Road
Atlasburg, PA 15004

UNT to Piney Fork
Run (TSF)

Allegheny County
Conservation District
River Walk Corporate
Centre
33 Terminal Way
Suite 325b
Pittsburgh, PA 15219
(412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
South Fayette Township	PAC020389	Intercare Properties, Inc. 2370 Morrow Road Pittsburgh, PA 15241	Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Fayette Township	PAC020283	Pittsburgh Botanic Garden 799 Pinkerton Run Road Oakdale, PA 15071	Robinson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough	PAC020423	Taph, LLC 6021 Wallace Road Extension Suite 201 Wexford, PA 15090	Pine Creek (CWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Indiana Township	PAC020428	Plaza Drive, LP 375 Golfside Drive Wexford, PA 15090	Little Deer Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough	PAC020345	North Allegheny School District 400 Hillvue Lane Pittsburgh, PA 15237	UNT to Bear Run (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020330	Redo 1625, LP 429 Fourth Avenue Pittsburgh, PA 15219	UNT to Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Fayette Township	PAC020361	Mr. George J. Wagner P.O. Box 419 Sturgeon, PA 15082	Robinson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Collier Township	PAC020431	Mr. Rick Stambrosky P.O. Box 238 Presto, PA 15142	UNT to Robinson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Crescent Township South Heights Borough	PAC020402	M. A. Beech Corporation 801 West Main Street Carnegie, PA 15106	Ohio River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Pine Township	PAC020237	Brennan Road Development, LLC 1158 Dutilh Road Mars, PA 16046	Wexford Run to Pine Creek (CWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020387	City of Pittsburgh Department of Public Works 611 Second Avenue Pittsburgh, PA 15219	Monongahela River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020404	UPMC Presbyterian Hospital 200 Lothrop Street Pittsburgh, PA 15213	UNT to Monongahela River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Lincoln Borough	PAC020424	Port Vue Plumbing 3716 Liberty Way McKeesport, PA 15133	UNT to Monongahela River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Aleppo Township	PAC020376	Alderman Holdings 200 Deer Run, LLC 4 Foxhill Farm Road Sewickley, PA 15143	UNT to Jacks Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Duquesne	PAC020434	Greater Pittsburgh Community Food Bank 1 North Linden Street Duquesne, PA 15110	Monongahela River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020421	Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Municipality of Monroeville	PAC020406	AR Building Company, Inc. 310 Seven Fields Boulevard Suite 350 Seven Fields, PA 16046	Dirty Camp Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020435	Sampson—Morris Group 2500 Eldo Road Monroeville, PA 15146	Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Richland Township	PAC020413	East End Plumbing and Mechanical 501 South Main Street Pittsburgh, PA 15215	Crouse Run (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Fayette Township	PAC020400	Entech Princeton Place, LLC 207 Post Lane Belle Vernon, PA 15012	Robinson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
West Mifflin Borough	PAC020181A-1	Merante Properties, LLC 4740 Streets Run Road Pittsburgh, PA 15236	Streets Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Township of Pine	PAC020409	Township of Pine 230 Pearce Mill Road Wexford, PA 15090	North Branch of Pine Creek (CWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Robinson Township	PAC020366	Aiken Landings, LP 534 Washington Avenue Carnegie, PA 15106	UNT to Moon Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Upper Saint Clair Township	PAC020425	Upper Saint Clair Township 1820 McLaughlin Run Road Pittsburgh, PA 15241	UNT to Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Bellevue Borough	PAC020430	Northgate School District 591 Union Avenue Pittsburgh, PA 15202	UNT to Ohio River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Indiana Township	PAC020436	Independence Excavating 3826 Saxonburg Boulevard Cheswick, PA 15024	Deer Creek (CWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Marshall Township	PAC020447	Ericsson Drive Associates, LP 125 East Elm Street Suite 400 Conshocken, PA 19428	Brush Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Marshall Township	PAC020396	Springway Center, LLC 1900 Allegheny Building Pittsburgh, PA 15219	UNT to Sewickley Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Benezette Township Elk County	PAC680022	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Unnamed Tributary to Trout Run (CWF), Unnamed Tributary to Trout Run (CWF), Unnamed Tributary to Bennet Branch Sinnemahoning Creek (CWF), Unnamed Tributary to Bennet Branch Sinnemahoning Creek (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800
Snow Shoe Township Centre County	PAC680023	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Little Wolf Run (CWF), Unnamed Tributary to Beech Creek (CWF), Beech Creek (CWF), Sandy Run (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

General Permit Type—PAG-03

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Jackson Township Susquehanna County	PAG032258	Geo Schofield Co. Inc. 181 Snake Hill Road Jackson Twp, PA 18825	Tunkhannock Creek (CWF, MF)—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Chartiers Township Washington County	PAG036251	Wendell H. Stone Company dba Stone & Company, Inc. 606 McCormick Avenue Connellsville, PA 15425	Plum Run (WWF)—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Titusville City Crawford County	PAG038380	Ground Protection LLC 701 E Spring Street Bldg 63 Titusville, PA 16354-7815	Oil Creek (CWF)—16-E	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

General Permit Type—PAG-4

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Buckingham Township Bucks County	PAG040006	Derrick Davis 2835 Mill Road Doylestown, PA 18902-1654	Watson Creek (CWF, MF) 2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-8

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Upper Hanover Township Montgomery County	PAG080014	Upper Montgomery Joint Authority P.O. Box 6 Pennsburg, PA 18073	Upper Montgomery Joint Authority P.O. Box 6 Pennsburg, PA 18073	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Duvall Family Farms 1598 E. Graceville Road Everett, PA 15537 East Providence Township/ Bedford County	PAG09 PAG07 WMGR-099	Synagro 1605 Dooley Road P.O. Box B Whitefield, MD 21160	Same As Facility	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Four Oaks Farm 1290 S Breezewood Road Breezewood, PA 15533 East Providence Township/ Bedford County	PAG08 PAG07 WMGR-099	Synagro 1605 Dooley Road P.O. Box B Whiteford, MD 21160	Same As Facility	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 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>
Matt Nolt 131 Krumstown Road Myerstown, PA 17067	Lebanon	0	410.24	Broiler	NA	Approved
Jason Rudolph 2129 Grace Ave Lebanon, PA 17046	Lebanon	106.9	180.70	Pullets Beef	NA	Approved
Wen-Crest Farms 549 Schaeffer Road Lebanon, PA 17042	Lebanon	1,241.5	1,177.35	Broilers/ Beef	NA	Approved
Daryl Martin 204 Farmers Lane Myerstown, PA 17067	Lebanon	25	290.91	Layers Dairy Heifer Finishing Swine	NA	Approved
Leslie Burkholder 52 Burkholder Lane Fredericksburg, PA 17026	Lebanon	118.3	261.12	Layers Steer Swine	WWF	Approved
Malcolm Sonnen 101 Sonnens Rd Richland, PA 17087	Lebanon	15.3	242.08	Layers	N/A	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-

3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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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. 4519503, Public Water Supply.

Applicant **FEM Route 715 LLC
BPB Development GP, LLC**
(Brodheads ville MOB)
195 North St.
Suite 100
Teterboro, NJ 07608

[Borough or Township] Chestnuthill Township

County **Monroe**

Type of Facility PWS

Consulting Engineer Lawrence J. Marchetti PE
Smith Miller Associates
38 North Main Street
Pittston, PA 18643

Permit to Construct Issued June 25, 2019

Permit No. 3486567, Operations Permit, Public Water Supply.

Applicant **Palmeri & Sons, Inc.**
6887 South Delaware Drive
Martins Creek, Pa 18063

[Borough or Township] Forks Township

County **Northampton**

Type of Facility Finished Bulk Water Hauling System

Consulting Engineer N/A

Permit to Operate Issued 5/21/2019

Permit No. 3480055, Operations Permit, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hershey Park Dr.
Hershey, PA 17033

[Borough or Township] Hamilton Township

County **Monroe**

Type of Facility PWS

Consulting Engineer Mr. Scott Thomas PE
Project Manager Engineer
PAWC
852 Wesley Dr.
Mechanicsburg, PA 17055

Permit to Operate Issued May 28, 2019

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

Permit No. 2118513, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Municipality Silver Spring Township

County **Cumberland**

Responsible Official David Kauffman, Vice President
Engineering
852 Wesley Drive
Mechanicsburg, PA 17055

Type of Facility The plant will change from gaseous chlorine disinfection to sodium hypochlorite disinfection. Ultraviolet disinfection will also be installed to provide an additional 1-log treatment for Cryptosporidium in accordance with the recent Bin 2 classification of the Conodoguenet Creek at the point of taking under the Long Term 2 Enhanced Surface Water Treatment Rule. Additionally, the existing bulk chemical storage facility for ferric chloride, corrosion inhibitor, fluoride, sodium permanganate, sodium hydroxide, and calcium thiosulfate will be replaced. A second wash water tank will also be constructed to provide additional backwashing supply.

Consulting Engineer Diana M. Young, P.E.
Buchart-Horn, Inc.
445 West Philadelphia Street
York, PA 17401

Permit to Construct Issued 6/24/2019

Permit No. 3619504 MA, Minor Amendment, Public Water Supply.

Applicant **Elizabethtown Area Water Authority**

Municipality Mount Joy Township

County **Lancaster**

Responsible Official Del Becker, Authority Manager
211 West Hummelstown Street
Elizabethtown, PA 17022

Type of Facility Replacement of GWR 4-log chlorine contact piping at Well No. 3.

Consulting Engineer Peter Lusardi, P.E.
GHD, Inc.
1240 N Mountain Rd
Harrisburg, PA 17112

Permit to Construct Issued 6/21/2019

Permit No. 3619505 MA, Minor Amendment, Public Water Supply.

Applicant **Borough of Lititz**

Municipality Lititz Borough

County **Lancaster**
 Responsible Official **Todd Kauffman**
 Facilities Manager
 7 South Street
 Lititz, PA 17543

Type of Facility Replacement of the filter media and ion exchange media. Also, interior repainting of the filter and ion exchange units.

Consulting Engineer **Steven E. Riley, P.E.**
 Entech Engineering, Inc
 P.O. Box 32
 Reading, PA 19603

Permit to Construct Issued **6/24/2019**

Operation Permit No. 6718507 MA issued to: **Dover Borough (PWS ID No. 7670072)**, Dover Borough, **York County** on 6/28/2019 for facilities approved under Construction Permit No. 6718507 MA.

Operation Permit No. 2117512 MA issued to: **State Correctional Institution at Camp Hill (PWS ID No. 7210046)**, Lower Allen Township, **Cumberland County** on 6/25/2019 for facilities approved under Construction Permit No. 2117512 MA.

Operation Permit No. 0518503 MA issued to: **Saxton Borough Municipal Authority (PWS ID No. 4050021)**, Saxton Borough, **Bedford County** on 6/24/2019 for facilities approved under Construction Permit No. 0518503 MA.

Operation Permit No. 7670070 issued to: **Delta Borough Municipal Authority (PWS ID No. 7670070)**, Delta Borough, **York County** on 6/21/2019 for facilities approved under Construction Permit No. 7670070.

Operation Permit No. 5019503 issued to: **DDL Corporation (PWS ID No. 7500839)**, Carroll Township, **Perry County** on 6/21/2019 for facilities submitted under Application No. 5019503.

Operation Permit No. 2819503 MA issued to: **Antrim Township Municipal Authority Water System (PWS ID No. 7280063)**, Antrim Township, **Franklin County** on 6/21/2019 for facilities approved under Construction Permit No. 2819503 MA.

Transferred Comprehensive Operation Permit No. 7670024 issued to: **Liquid Management, LLC (PWS ID No. 7670024)**, Fairview Township, **York County** on 6/28/2019. Action is for a Change in Ownership for Cliff View Mobile Home Park, York County for the operation of facilities previously issued to Ernie Kerstetter.

Source Water Protection Program Approval issued to **New Oxford Municipal Authority**, 505 Water Works Road, **PWSID 7010025**, New Oxford Borough, **Adams County** on June 21, 2019.

Source Water Protection Program Approval issued to **Shoemakersville Borough Water System**, 115 East 9th Street, Shoemakersville, PA 19555, **PWSID 3060100**, Shoemakersville Borough, **Berks County** on June 3, 2019.

Source Water Protection Program Approval issued to **Fairfield Municipal Authority**, P.O. Box 705, Fairfield, PA 17320, **PWSID 7010005**, Fairfield Borough, **Adams County** on June 27, 2019.

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

Permit No. 6519503, Public Water Supply.

Applicant **Municipal Authority of the City of New Kensington**
 P.O. Box 577
 920 Barnes Street
 New Kensington, PA 15068

[Borough or Township] **City of New Kensington**
 County **Armstrong**
 Type of Facility **10 million gallon reservoir**
 Consulting Engineer **Gibson-Thomas Engineering Co., Inc.**
 1004 Ligonier Street
 P.O. Box 853
 Latrobe, PA 15650

Permit to Construct Issued **June 24, 2019**

Permit No. 6519504, Public Water Supply.

Applicant **Municipal Authority of the City of New Kensington**
 P.O. Box 577
 920 Barnes Street
 New Kensington, PA 15068

[Borough or Township] **Lower Burrell Township**
 County **Armstrong**
 Type of Facility **Braeburn water storage tank**
 Consulting Engineer **Gibson-Thomas Engineering Co., Inc.**
 1004 Ligonier Street
 P.O. Box 853
 Latrobe, PA 15650

Permit to Construct Issued **June 24, 2019**

Operations Permit issued to: **Central City Water Authority**, 314 Central Avenue, Central City, PA 15542, **(PWSID # 4560032)** Shade Township, **Somerset County** on June 24, 2019 for the operation of facilities approved under Construction Permit # 5618501MA.

Operations Permit issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, **(PWSID # 5020039)** Shaler Township, **Allegheny County** on June 19, 2019 for the operation of facilities approved under Construction Permit # 0219515MA.

Operations Permit issued to: **Creswell Heights Joint Water Authority**, 3961 Jordan Street, South Heights, PA 15081, **(PWSID # 5040063)** Crescent Township, **Beaver County** on June 18, 2019 for the operation of facilities approved under Construction Permit # 0419505.

Permit No. 3019502MA, Minor Amendment

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

[Borough or Township] **Jefferson Township**
 County **Greene**
 Type of Facility **East Greene North meter vault**

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

Permit to Construct June 19, 2019
Issued

Permit No. 6519507MA, Minor Amendment.

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

[Borough or Township] Bell Township

County **Westmoreland**

Type of Facility George R. Sweeney WTP

Consulting Engineer Gibson-Thomas Engineering Co.,
Inc.
1004 Ligonier Street
P.O. Box 853
Latrobe, PA 15650

Permit to Construct June 18, 2019
Issued

Permit No. 1119502MA, Minor Amendment. Public
Water Supply.

Applicant **Lilly Borough Water
Authority**
421 Main Street
Lilly Borough, PA 15938

[Borough or Township] Lilly Borough and Washington
Township

County **Cambria**

Type of Facility Farmers Turnpike and Park
Road waterline project

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

Permit to Construct June 28, 2019
Issued

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

Operation Permit issued to Bradford City Water Authority, PWSID No. 6420014, Bradford Township, McKean County. Permit Number 4292501-MA2 issued June 25, 2019 for the operation of the Foster Hollow Water Storage Tank. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on June 1, 2019.

Operation Permit issued to SRF Enterprises, LLC, PWSID No. 6430041, Liberty Township, Mercer County. Permit Number 4317502 issued June 25, 2019 for the operation of the water system serving Liberty Acres Mobile Home Park. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on June 14, 2019.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Exeter Township	4975 DeMoss Road Reading, PA 19606	Berks

Plan Description: Approval is granted for a special study for Exeter Township, Berks County. The plan is entitled Act 537 Plan Update Special Study. The plan provides for the transfer in ownership of the collection, conveyance and treatment facilities from Exeter Township to Pennsylvania-American Water Company. The NPDES and Water Quality Management Part II permits must be transferred from Exeter Township to Pennsylvania-American Water Company. The Department's review of the official plan has not identified any significant impacts resulting from this proposal. The DEP Code Numbers for this plan are B1-06932-ACT and Application No. 844569.

Southwest Regional Office, Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Huntingdon Twp.	11279 Center Highway North Huntingdon, PA 15642	Westmoreland

Plan Description:

The Project proposes for the North Huntingdon Township Municipal Authority's upgrades to the Falcon Ridge Pump Station (peak hourly flow of 138,446 (gpd); peak daily flow of 425,984 (gpd) and average daily flow of 106,496 (gpd) and the existing force main; and an extension of sanitary sewers to service existing homes along Barnes Lake Road in North Huntingdon Township, Westmoreland County. The submission is consistent with the planning requirements in Chapter 71 of the Department's regulations.

BIOSOLIDS INDIVIDUAL PERMITS

(PABIG, SSN AND PABIS)

The Department has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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.

Pennsylvania Department of Environmental Protection, Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

PABIS3501. Municipal Authority of the Borough of Bedford, 244 West Penn Street, Bedford, PA 15522, **Bedford County**, Bedford Borough, is approved to beneficially use their biosolids on the Natali Brohers Farm at 2031 Centennial Road in Colerain Twp, Bedford County.

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.

2797 Fair Road Property, 2797 Fair Road, South Manheim Township, **Schuylkill County**. LaBella Associ-

ates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Mr. Francis Courtney, 2797 Fair Road, Auburn, PA 17922, submitted a revised Final Report concerning remediation of site soil and groundwater contaminated with Benzene, Cumene, Ethylbenzene, MTBE, Naphthalene, Toluene, 1,2,4-Trimethyl benzene, and 1,3,5-Trimethyl benzene from heating oil 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.

Compression Polymers Group, 801 East Corey Street, Scranton City, **Lackawanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, Harrisburg, PA 17104, on behalf of CPG International Inc., 801 East Corey Street, Scranton, PA 18505, submitted a Final Report concerning remediation of site soil and groundwater contaminated by a release of hydraulic fluid at a commercial plastics manufacturing facility. The report is intended to document remediation of the site to meet a combination of Residential and Nonresidential Statewide Health Standards.

Former Dixie Cup Facility, 415 South 24th Street, Wilson Borough, **Northampton County**. EarthRes Group, 6912 Old Easton Road, Pipersville, PA 18947, on behalf of Wilson Park LTD, 2957 Fairfield Drive, Allentown, PA 18103, submitted a remedial investigation report and cleanup plan concerning remediation of soil and groundwater at this former industrial and manufacturing site contaminated with metals, volatile organic compounds, semi-volatile organic compounds, and polychlorinated biphenyls. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

F.L. Smithe Machine Company Inc., 899 Plank Road, Suite 1, Duncansville Borough, **Blair County**. Mountain Research LLC, 825 25th St., Altoona, PA 16601, on behalf of Barry-Wehmiller Company Inc., 8020 Forsyth Boulevard, St. Louis, MO 63105 submitted a Risk Assessment, Cleanup Plan, and Final Report concerning remediation of site groundwater contaminated with volatile and semi-volatile organic compounds. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

T & R Trucking Hatch Hill Road Accident, 70 Wild Goose Lane, New Albany, Albany Township, **Bradford County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of T & R Trucking, 334 Bell Drive, Saegertown, PA 16433, has submitted a Site Characterization and Final Report concerning remediation of site soil contaminated with produced fluid. The report is intended to document remediation of the site to meet the Statewide Health Standard.

The Standard at State College, 330 West College Avenue, Borough of State College, **Centre County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of The Standard at State College, LLC, 315 Oconee Street, Athens, GA 30601, has submitted a Combined Remedial Investigation Report/Final Report and Cleanup Plan concerning remediation of site soils contaminated with heating oil. The Combined Remedial Investigation Report/Final Report and Clean Up plan are intended to document remediation of the site to meet the Site-Specific Standard.

Showalter Transport, LLC Cleanup, State Route 35 near Sand Hill Road, Selinsgrove, Penn Township, **Snyder County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Showalter Transport, LLC, P.O. Box 209, McAllisterville, PA 17049, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil and anti-freeze. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Evans Delivery Company Spill Cleanup, Interstate 80 at MM 189.8E, Loganton, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Evans Delivery Company, 702 S. Reading Ave, Boyertown, PA 19512, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Faluda Express Diesel Fuel Cleanup, Hoyt Farm Property, 3208 Wyalusing New Albany Road, New Albany Borough, **Bradford County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Faluda Express LLC, 11517 SW 175 Terrace, Miami, FL 33157, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Hakes Grocery & Filling Station, 898 East Canal Road, Dover, PA 17315, Conewago Township, **York County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Douglas P. France, Esq., France Paskey, 2675 Eastern Boulevard, York, PA 17402, Twofold Properties, LLC, 1805 Loucks Road, Suite 800, York, PA 17408, Gregory S. Chelap, Esq., Skarlatoszonarich LLC, 17 South Second Street, 6th Floor, Harrisburg, PA 17101, and Randy & Ricky Hake, 898 East Canal Road, Dover, PA 17315 submitted Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The report and plan did not demonstrate attainment of the Site-Specific or Nonresidential Statewide Standard and was disapproved by the Department on June 25, 2019.

Birdsboro Power LLC/Former Armorcast Tank Foundry Land Transfer Parcel/Soil, 1 Armorcast Road, Birdsboro, PA 19508, Birdsboro Borough, **Berks County**. AMO Environmental Decisions, Inc., 4327 Point Pleasant Pike, P.O. Box 410, Danboro, PA 18916, on behalf of Birdsboro Power LLC, 21 Armorcast Road, Birdsboro, PA 19508, submitted a Final Report concerning remediation of site soil contaminated with benzo(a)pyrene, antimony, lead, manganese, nickel, zinc and Aroclor 1260. The Final Report demonstrated attainment of the Non-residential Statewide Health Standard and was approved by the Department on June 25, 2019.

Birdsboro Power LLC/Former Armorcast Tank Foundry/Groundwater, 1 Armorcast Road, Birdsboro, PA 19508, Birdsboro Borough, **Berks County**. AMO Environmental Decisions, Inc., 4327 Point Pleasant Pike, P.O. Box 410, Danboro, PA 18916, on behalf of Birdsboro Power LLC, 21 Armorcast Road, Birdsboro, PA 19508, submitted a Final Report concerning remediation of site groundwater contaminated with Benzo(a)pyrene, Lead, Manganese, Vanadium, PCBs, Benzo(b)fluoranthene, Benzo(k)fluoranthene, Benzo(ghi)perylene and Chrysene. The Final Report demonstrated attainment of the Non-residential Statewide Health Standard and was approved by the Department on June 25, 2019.

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

Seneca Resources Company, LLC March 2019 E08-L Pad. Sole Mate Road, Jones Township, **Elk County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Seneca Resources Company, LLC, 5800 Corporate Boulevard, Suite 300, Pittsburgh, PA 15237, submitted a Final Report concerning the remediation of site soil contaminated with Aluminum, Barium, Boron, Iron, Lithium, Manganese, Selenium, Strontium, Vanadium, Zinc, and Chloride. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 24, 2019.

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

HO Mart 1, 242 Church Street, Montrose Borough, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Hinds Oil, 54 Church Street, Montrose, PA 18801, submitted a Final Report concerning remediation of releases of leaded gasoline from underground storage tanks to soil and groundwater. The report was intended to document remediation of the site to meet Statewide Health Standards but was disapproved by DEP on June 20, 2019.

WR 79 Mitchell Well Pad, 483 South Bailey Road, Franklin Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company LLC, 917 SR 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of a release of brine from an aboveground storage (frac) tank to soil. The report documented remediation of the site to meet a combination of Background and Statewide Health and was approved by DEP on June 27, 2019.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Quality Carriers, Inc., 102 Pickering Way, Exton, PA 19341. License No. PA-AH 0630. Effective Jun 27, 2019.

Daniels Sharpsmart, Inc., 111 W. Jackson Blvd., Chicago, IL 60604. License No. PA-AH 0864. Effective Jun 27, 2019.

Transporter Licenses Reissued

Quality Carriers, Inc., 102 Pickering Way, Exton, PA 19341. License No. PA-AH 0630. Effective Jun 27, 2019.

Daniels Sharpsmart, Inc., 111 W. Jackson Blvd., Chicago, IL 60604. License No. PA-AH 0864. Effective Jun 27, 2019.

Transporter Licenses Expired

Wade Salvage, Inc., 382 Jackson Rd, Atco, NJ 08004. License No. PA-AH S246. Effective Jul 1, 2019.

Transporter Licenses Voluntarily Terminated

South Penn Resources, LLC, 570 East Main Street, Uniontown, PA 15401. License No. PA-AH 0844. Effective Jul 10, 2018.

RENEWAL OF MUNICIPAL WASTE GENERAL PERMITS

Renewal of General Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 (relating to authorization for general permit)).

Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGM038SC001A. Agri Marketing, Inc. dba USA Gypsum, 1368 West Route 897, Denver, PA 17517, located in West Cocalico Township, **Lancaster County**. The Department of Environmental Protection has issued a renewal of General Permit No. WMGM038SC001A to Agri Marketing, Inc. This general permit authorizes the processing and beneficial use of untreated and unpainted gypsum wallboard products generated at residential homes and commercial construction sites, or manufacturing facilities. The resultant processed materials may be beneficially used as (i) a component of mushroom growing media, (ii) a soil additive material, (iii) a soil amendment, (iv) a component or ingredient in a manufacturing process, (v) an animal bedding material, (vi) an ingredient in the production of mulch, (vii) a bulking agent, and (viii) an ingredient in cement, concrete, grout, asphalt or flowable backfill mixtures for construction purposes. This renewal was issued on June 26, 2019.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issued Under the Solid Waste Management Act of July 7, 1980, P.L. 380, (35 P.S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

General Permit No. WMGM030SW001. Beaver County Department of Solid Waste Management, 469 Constitution Boulevard, New Brighton, PA 15066. A Determination of Applicability for coverage under the General Permit WMGM030 was issued for the Beaver County Yard Waste Compost Facility, 1080 Doyle Drive, Beaver, PA 15009 in Brighton Township, **Beaver County**. This general permit is for the composting of yard waste on sites between 5 and 15 acres and beneficial use of the compost. This permit was issued by the Regional Office on June 27, 2019.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may

contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

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

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.

GP3-06-03183: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on June 24, 2019, for portable nonmetallic mineral processing equipment, including 3 crushers and 2 screens, under GP3, at the Conestoga Landfill in New Morgan Borough, **Berks County**.

GP11-06-03183: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on June 24, 2019, for five non-road engines under GP11, to operate portable nonmetallic mineral processing equipment, at the Conestoga Landfill in New Morgan Borough, **Berks County**.

GP1-67-03159: Precision Custom Components LLC (500 Lincoln Street, P.O. Box 15101, York, PA 17405-7101) on June 25, 2019, for two existing natural gas-fired boilers, under GP1, at the heavy-walled equipment manufacturing facility located in York City, **York County**. The general permit was renewed.

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

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

GP9-49-327E: Herndon Reload Co. (386 Pennsylvania Avenue, Herndon, PA 17830) on June 25, 2019, for the authorization to construct and temporarily operate a 2010 manufactured 6 liter model QSM11-G4 Cummins S/N 275DQHAA rated at 470 bhp equipped with an oxidation catalyst for carbon monoxide (CO) control, pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at the Herndon Reload facility located in the Borough of Herndon, **Northumberland 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.

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.

36-05015I: Dart Container Corporation of PA (60 East Main Street, Leola, PA 17540) on June 27, 2019, for the construction of three (3) new Polypropylene (PP) extrusion and thermoforming lines at building # 4 at the

Leola Plant in Upper Leacock Township, **Lancaster County**. As part of the project, two (2) of the existing Polystyrene (PS) lines in building # 4 will be removed. Also, as part of the proposed project, the facility will be authorized to implement an Alternate Operating Scenario (AOS) which will allow the remaining PS extruders in building # 4 the option of switching to producing PP products.

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

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

AMS IP19-000043: MIPC, LLC (G Street and Hunting Park Ave, Philadelphia, PA 19124) issued on June 26, 2019 for the following: (1) Increase the facility's gasoline or light petroleum products throughput from 243,000,000 to 306,600,000 gallons per year, and to (2) install a new ethanol unloading skid, and install a new Vapor Recovery Unit (VRU) primary control device to control emissions from Truck Loading Rack P03. The potential emissions from the gasoline and light petroleum product loading and ethanol unloading skid will be limited to less than 14.34 tons per rolling 12-month period of VOCs, the potential Hazardous Air Pollutant (HAP) emissions from the facility will be limited to 10 tons per rolling 12-month period of individual HAPs, and 25 tons per rolling 12-month period of combined HAPs. The potential total emissions increase from the project will be 8.93 tons of VOC per year. The plan approval will contain operating, monitoring, testing, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

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.

46-0020J: Superior Tube Co. Inc. (3900 Germantown Pike, Collegeville, PA 19426-3112) On June 24, 2019, for an increase in the allowable hydrogen fluoride emissions from an existing pickling and passivation operation at their location in Lower Providence Township, **Montgomery County**.

46-0013E: Clemens Food Group (P.O. Box 902, 2700 Clemens Rd., Hatfield, PA 19440-0902) On June 27, 2019, for the removal and replacement of existing control devices mechanical dynamic precipitator (Source ID: C08), reverse jet scrubber (Source ID: C09), and biofiltration bed (Source ID: C10) on the WWTP Sludge Dryer (Source ID: 102) with new control devices (e.g., venturi scrubber (Source ID: C11) and packed tower scrubber (Source ID: C12), located in Hatfield Township, **Montgomery County**.

09-0240: Mazza Iron & Steel LLC (60 Solar Dr., Fairless Hills, PA 19030) On June 27, 2019, for the installation of an Electric Powered Metal Shredder and Ferrous and Non-Ferrous metal recovery operations at an existing facility located in Falls Township, **Bucks County**.

09-0223: Morton Salt Inc (12 Solar Dr., Fairless Hills, PA 19030) On June 27, 2019, for the installation of a fluid

bed dryer and associated high-efficiency multi-cyclone, as well as additional salt processing and packaging equipment at an existing salt processing and packaging facility located in Falls Township, **Bucks County**.

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

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

18-00005E: Dominion Transmission, Inc. (925 White Oakes Boulevard, Bridgeport, WV 26330) on June 21, 2019, for the construction and operation of a 11,015 brake-horsepower (bhp) natural gas-fired turbine/compressor engine (Source P111) and a 791 bhp natural gas-fired emergency generator (Source P203) at their Finnefrock Compressor Station located in Leidy Township, **Clinton County**. The plan approval has been extended.

47-00014D: United States Gypsum Company (86 PPL Road, Danville, PA 17821) was issued an extension of the plan approval authorization for an additional 180 days from June 24, 2019 to December 21, 2019, to allow for the evaluation of the board kiln dryer (Source ID P114) for compliance with the applicable regulatory requirements and continued operation pending issuance of an operating permit. The source is located at their facility in Derry Township, **Montour County**. The plan approval has been extended.

55-00001E: Panda Hummel Station LLC (5001 Spring Valley Road, Suite 1150 West, Dallas, TX 75244) on June 6, 2019, to extend the authorization an additional 180 days to December 7, 2019 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. This facility is located in Shamokin Dam Borough, **Snyder County, PA**.

55-00001G: Panda Hummel Station LLC (5001 Spring Valley Road, Suite 1150, West Dallas, TX 75244) on June 6, 2019, to extend the authorization an additional 180 days to December 7, 2019 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. This facility is located in Shamokin Dam Borough, **Snyder County, PA**.

41-00025C: Lycoming County Resource Management Services (P.O. Box 187, Montgomery, PA 17752) on June 25, 2019, to extend the authorization an additional 180 days to December 24, 2019 in order to continue the compliance demonstration evaluation and permit operation pending issuance of an operating permit for the facility. Plan Approval 41-00025C for the construction of Fields 11 and 12 at the landfill in Brady Township, **Lycoming County** has been extended.

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

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

24-009H: Domtar Paper Company, LLC (100 Center Street, Johnsonburg, PA 15845) on June 26, 2019, effective June 30, 2019, has issued a plan approval extension for the conversion of two (2) existing 297 MMBtu/hr capacity coal-fired boilers (with natural gas and # 2 fuel oil backup) to natural gas-fired boilers (with # 2 fuel oil backup) in Johnsonburg Borough, **Elk County**. This will expire on December 31, 2019. This is a Title V facility.

43-384A: Davis Alloys MFG LLC (295 E High St. Ext., Sharpsville, PA 16150) on June 21, 2019, has issued

a plan approval extension to add a control device to the Melt Shop section at your facility in Sharpsville Borough, **Mercer County**. This will expire on November 30, 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.

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

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

41-00025C: Lycoming County Resource Management Services (P.O. Box 187, Montgomery, PA 17752) on June 18, 2019, for the Lycoming County Landfill located in Brady Township, **Lycoming County**. The Title V permit was renewed.

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

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

TVOP-26-00495: Gans Energy, LLC (198 Butler Street, Springdale, PA 15144) In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on June 19, 2019, DEP issued a renewed Title V Operating Permit to Dominion Energy Transmission, Inc for the continued operation of an electrical power plant, known as the Gans Power Station, located in Springhill Township, **Fayette County**. The proposed renewed TVOP also incorporates the applicable requirement of a Significant Permit Modification to include the 25 Pa. Code § 121.7 in the permit.

The station is a simple cycle, pipeline natural gas-fired, combustion gas turbine (CGT) power station. The main sources at this facility are two, NG-fired, 355 MMBtu/hr, heat input, turbine engines powering 44 MW electrical output, electrical generators and a cooling tower.

Annual potential emissions from the Gans Power Station are 136.6 tons of CO, 99.9 tons of NO_x, 12.3 tons of VOC, 10.0 tons of PM₁₀, 10.0 tons of PM_{2.5}, and 6.1 tons of SO₂. Gans also has potential annual emissions of 0.8 ton of formaldehyde and 1.2 ton of the sum of all HAPs combined, and 124,098 tons of CO_{2e}. No emission or equipment changes have been approved by this action. Emission sources at the station have applicable requirements under 40 CFR Part 60, GG—Standards of Performance for Stationary Gas Turbines, Parts 72—77—Acid Rain Program requirements, and Part 97, Subparts AAAAA, BBBBB, and CCCCC—CSAPR NO_x and SO₂ Trading Programs and 25 Pa. Code Chapters 121—145. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 70, 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.

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.

38-03057: Porterfield Scheid Funeral Directors & Cremation Services, LTD (980 Isabel Drive, Lebanon, PA 17042-7482) on June 25, 2019, for the human crematory at the facility located in North Cornwall Township, **Lebanon County**. The State-only permit was renewed.

05-05028: Texas Eastern Transmission LP (5400 Westheimer Court, Houston, TX 77056-5353) on June 25, 2019, for the Bedford natural gas transmission station located in Bedford Township, **Bedford County**. The State-only permit was renewed.

22-03057: Dayton Parts LLC (1300 North Cameron Street, Harrisburg, PA 17103-1010) on June 25, 2019, for the truck parts manufacturing facility located in Harrisburg City, **Dauphin County**. The State-only permit was renewed.

28-03043: Novae Corporation (6 Novae Parkway, Markle, IN 46770-9087) on June 26, 2019, for the trailer manufacturing facility located in Washington Township, **Franklin County**. The State-only permit was renewed.

67-03018: Penn Mar Castings, Inc. (500 Broadway, Hanover, PA 17331-2001) on June 26, 2019, for the gray and ductile iron foundry located in Hanover Borough, **York County**. The State-only permit was renewed.

36-03078: HP Acquisition Corporation (1780 Rohrerstown Road, Lancaster, PA 17601-2320) on June 25, 2019, for the customized metal foil manufacturing facility located in East Hempfield Township, **Lancaster County**. The State-only permit was renewed.

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

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

63-00930: Woodruff Partners, LLP (2820 Washington Road, McMurray, PA 15317) Natural Minor Operating Permit on June 25, 2019, the Department of Environmental Protection (DEP) authorized an initial State-only operating permit for a pet crematory and is located in North Strabane Township, **Washington County**. The permit included the conditions of plan approval 63-00930A. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

11-00523: Jigging Technologies, LLC (950 Riders Road, Johnstown, PA 15906) on June 27, 2019, a Synthetic Minor State Only Operating Permit (SOOP) renewal to Jigging Technologies to authorize the continued operation of their Riders Slag Processing Plant located in East Taylor Township, **Cambria County**.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

25-00917: Performance Castings, LLC (242 East 16th St., Erie, PA 16503), on June 25, 2019, the Department issued the renewal of the State-Only Operating Permit of a gray iron foundry located in Erie City, **Erie County**. Air contamination sources at this facility are units that include an electric induction furnace, shell core machines, and binders, and operations that include inoculation, charge handling, pouring casting, casting cooling, casting shakeout, grinding, and shot blasting. The facility is Natural Minor for permitting purposes and an area source for MACT purposes. As an iron foundry, the facility has been subject to 40 CFR 63 Subpart ZZZZZ, which pertains to NESHAP for Iron and Steel Foundries Area

Sources. In this renewal, a previously permitted core oven is removed from the operating permit.

25-01021: Team Hardinger Transportation (1314 West 18th Street, Erie, PA 16502-1517). On June 25, 2019, the Department re-issued the State Operating Permit for the coating operation which is located in the City of Erie, **Erie County**. The facility's primary emission sources include a surface coating booth equipped with dry filters for overspray. Coatings are applied with HVLP and electrostatic spray guns. The booths are heated with an air make-up unit rated at 5.3 MMBtu/hr. The heater is fired with natural gas. The facility has an emission limit of 10 TPY for VOC emissions in any 12-month rolling period. The facility is an area source of emissions. The operating permit contains requirements from plan approval 25-1021A, applicable emission restrictions, testing requirements, monitoring requirements, reporting requirements, work practice requirements, and additional requirements in accordance with the Clean Air Act.

37-00314: Natural Sand Company, Inc.—Plain Grove Road Plant (4783 Harlansburg Road, Slippery Rock, PA 16057). On June 25, 2019, the Department re-issued the referenced permit for this specialty soil processing operation in Plain Grove Township, **Lawrence County**. The primary emissions from this facility are from various conveyors, a pug mill mixer manufactured by McLanahan, scalping screens manufactured by Link Belt, a Barber-Green pug mill mixer (125-ton capacity), a radial stacker, a bucket elevator, a screw auger, storage bins, a 10,000-gallon tank for polymer wax solution, and a 250-gallon tank for "Grass Greenzit." In addition, the source consists of a dryer manufactured by ACS/AEDCO which has a baghouse to control particulate emissions from the drying process and a vertical shaft impact crusher. The potential emissions from the facility were calculated based on 1,200 hours of operation (PM₁₀ less than 5 TPY. The potential emissions from the dryer based on 1,200 hours of operations are 9.10 TPY CO and 1.58 TPY NO_x with much smaller amounts of VOC, PM, and SO_x emissions based on the use of natural gas or propane. Since typically dryer usage is much less than 1,200 hours, the actual emissions from combustion are much less.

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.

09-00027: Fres-co Systems USA, Inc. (3005 State Road, Telford, PA 18969-1033), On June 19, 2019, for an Administrative Amendment for their facility located in West Rockhill Township, **Bucks County**. The facility is primarily involved in commercial printing. In accordance with 25 Pa. Code § 127.542 (a)(3), the Department has opened for cause TVOP-09-00027 to remove Condition # 004 for Source 031 Superior Boiler because the source testing condition was inadvertently included in the 2017 Permit renewal. The Department has also added Source No. 705 Ethyl Acetate 10,000-gallon storage tank which was previously exempted from Plan Approval by a Request For Determination No. 7114. There are no other

modifications to the Operating Permit. The Operating Permit will retain its original expiration date of June 20, 2023.

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

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

67-05082: David Edward Furniture, Inc. (252 North Franklin Street, Red Lion, PA 17356-1503) on June 24, 2019, for the wood furniture manufacturing facility located in Red Lion Borough, **York County**. The State-only permit was administratively amended in order to reflect a change ownership, and to correct the citation of 123.22 requirements.

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

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

49-00018: Arcos Industries, LLC (394 Arcos Drive, Mount Carmel, PA 17851), on June 11, 2019, an administrative amendment for the change in responsible official for the facility. The facility is located in Mount Carmel Township, **Northumberland County**.

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

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

03-00253: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). The Department on June 19, 2019, issued an administrative amendment of the State Operating Permit for the Parkwood Mine Coal Prep Plant to incorporate the change of responsible official into the permit. The facility is located in Plumcreek Township, **Armstrong County**.

10-00265: Iron Mountain Information Management LLC/Boyers (P.O. Box 6, 1137 Branchton Road, Boyers, PA 16020-0006). The Department on June 27, 2019, issued an administrative amendment of the State Operating Permit for the facility to incorporate the applicable requirements of plan approval 10-265E and GP9-10-265D. The facility is located in Cherry Township, **Butler County**.

10-00310: Air Products and Chemicals Incorporated Butler Plant (300 Schaffner Rd., Lyndora, PA 16045). The Department on June 17, 2019, issued an administrative amendment of the State Operating Permit for the industrial gas facility to incorporate the change of responsible official and the permit contact into the permit. The facility is located in Butler Township, **Butler County**.

24-00161: Greentree Landfill Gas Company (5087 Junction Rd., Lockport, NY 14094). The Department on June 18, 2019, issued an administrative amendment of the State Operating Permit for the Greentree Booster Compressor Brockway Plant to incorporate the change of responsible official and permit contact into the permit. The facility is located in Horton Township, **Elk County**.

32-00375: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). The Department on June 19, 2019, issued an administrative amendment of the State Operating Permit for the Lowry Deep Mine to

incorporate the change of responsible official into the permit. The facility is located in White Township, **Indiana County**.

32-00397: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). The Department on June 19, 2019, issued an administrative amendment of the State Operating Permit for the Heilwood Mine Coal Prep Plant to incorporate the change of responsible official into the permit. The facility is located in Pine Township, **Indiana County**.

32-00398: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). The Department on June 19, 2019, issued an administrative amendment of the State Operating Permit for the Knob Creek Coal Prep Plant to incorporate the change of responsible official into the permit. The facility is located in Young Township, **Indiana County**.

32-00432: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). The Department on June 19, 2019, issued an administrative amendment of the State Operating Permit for the Coral Graceton Coal Prep Plant to incorporate the change of responsible official into the permit. The facility is located in Center Township, **Indiana County**.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

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

15-00155: USSC Acquisition Corp. (150 Gordon Dr., Uwchlan Twp., PA 19341-1304) On June 27, 2019, for a non-Title V, State-Only, Synthetic Minor operating permit for their facility located in Uwchlan Township, **Chester County**. USSC manufactures seating for first responder transit vehicles, and extreme duty military vehicles, as well as water mist fire suppressions systems for vehicles. The operating permit was revoked because of the relocation of significant sources to another facility, including two cut-and-sew glue booths, two commercial line glue booths, two paint booths, one touch-up booths and two parts washers, at the facility.

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

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940.

25-00029: Erie Coke Corporation (925 East Bay Drive, Erie, PA 16507). On July 1, 2019, the Department denied a re-issuance of a Title V Permit for the foundry coke producing plant in the City of Erie, **Erie County**. The current permit expired on February 28, 2018. The denial of the operating permit is authorized under 25 Pa. Code § 127.422. The facility's major emission sources include 2 coke oven gas-fired boilers (1 rated at 60 million Btu/hr and 1 at 77.2 million Btu/hr), coke oven batteries A and B, by-product recovery processes, and wastewater treatment. The facility is a major facility due to its potential to emit CO, NO_x, SO_x, HAPs and VOCs.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

30831303 and NPDES No. PA0013511. Cumberland Contura, LLC, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Wayne Township, **Greene County** and related NPDES permit for installation of seventeen (17) GOB ventilation boreholes. No additional discharges. The application was considered administratively complete on April 17, 2018. Application received November 28, 2017. Permit issued June 27, 2019.

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

Permit No. 32830113 and NPDES No. PA0605778. Beilchick Brothers, P.O. Box 7, Heilwood, PA 15745, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Buffington Township, **Indiana County**, affecting 410.5 acres. Receiving streams: unnamed tributaries to/and Mardis Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 31, 2019. Permit issued: June 27, 2019.

Permit No. 56030106 and NPDES No. PA0249513, Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, permit renewal for the continued operation and restoration of a bituminous surface mine in Summit Township, **Somerset County**, affecting 353 acres. Receiving streams: unnamed tributaries to/and Casselman River and unnamed tributaries to/and Elk Lick Creek, classified for the following uses: warm water fishes and cold-water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 12, 2019. Permit issued: June 28, 2019.

Permit No. 56753048 and NPDES No. PA0119954. Gray Mining Co., Inc., 1134 Stoystown Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Quemahoning and Stonycreek Townships, **Somerset County**, affecting 155.5 acres. Receiving stream: Stonycreek River, classified for the following use: warm water fishes. The first downstream potable water supply

intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received: January 28, 2019. Permit issued: June 28, 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 blasting in Highland Township, **Clarion County**. Receiving streams: Four unnamed tributaries to Reed Run and Reed Run. Application received: April 29, 2019. Permit issued: June 26, 2019.

Noncoal Permits Issued

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500.

30120601 and NPDES Permit No. PA0252263. Fayette Coal & Coke (195 Enterprise Lane, Connellsville, PA 15425). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Monongahela Township, **Greene County**, affecting 52.5 acres. Receiving streams: unnamed tributaries to Little Whiteley Creek, Goose Run and Little Whiteley Creek, classified for the following use: WWF. Carmichaels Water Authority and SW PA Water Authority are potable water supply intakes within 10 miles downstream from the point of discharge. Renewal application received: January 25, 2018. Renewal application issued: June 25, 2019.

PAM313003. Shirey Farms (9590 Route 536, Punxsutawney, PA 15767). General NPDES permit renewal for stormwater discharge associated with mining activities on an existing small noncoal (Industrial Mineral), Permit No. 03080801, located in Redbank Township, **Armstrong County** affecting 2.0 acres. Receiving streams: unnamed tributary to Redbank Creek. Application received: June 4, 2018. GP-104 renewal permit issued: July 1, 2019.

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

Permit No. 52090301C2 and NPDES Permit No. PA0224791. Dingmans Ferry Stone, Inc., (P.O. Box 686, Dingmans Ferry, PA 18328), renewal of NPDES permit for discharge of treated mine drainage in Delaware Township, **Pike County**, receiving stream: unnamed tributary to Hornbeck's Creek. Application received: October 12, 2018. Renewal issued: June 27, 2019.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500.

02194003. Hilltop Energy, Inc. (6978 Lindentree Road NE, Mineral City, OH 44656). Blasting activity permit for construction/demolition located in Robinson Township, **Allegheny County** with an expiration date of December 31, 2021. Blasting permit issued: June 24, 2019.

63194105. Wampum Hardware Company (636 Paden Road, New Galilee, PA 16141). Blasting activity

permit for the construction/demolition of the Trumbull Redd Pad, located in Fallowfield Township, **Washington County** with an expiration date of December 31, 2019. Blasting permit issued: June 19, 2019.

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

Permit No. 06194118. Douglas Explosives, Inc., (2052 Philipsburg Bigler Highway, Philipsburg, PA 16866), construction blasting for Berks 61 Warehouse in Muhlenberg Township, **Berks County** with an expiration date of December 30, 2019. Permit issued: June 24, 2019.

Permit No. 40194112. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Fairmount Township Shale Pit in Fairmount Township, **Luzerne County** with an expiration date of July 30, 2021. Permit issued: June 26, 2019.

Permit No. 48194109. Valley Rock Solutions, LLC, (P.O. Box 246, Macungie, PA 18062), construction blasting for Lehigh Valley Flex Project in Hanover Township, **Northampton County** with an expiration date of June 21, 2020. Permit issued: June 26, 2019.

Permit No. 52194104. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting for Hemlock Farms in Blooming Grove Township, **Pike County** with an expiration date of June 20, 2021. Permit issued: June 26, 2019.

Permit No. 46194107. Valley Rock Solutions, LLC, (P.O. Box 246, Macungie, PA 18062), construction blasting for Zern Tract Retention Basin in Douglass Township, **Montgomery County** with an expiration date of June 21, 2020. Permit issued: June 27, 2019.

Permit No. 54194103. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for New Castle Industrial in Blythe Township, **Schuylkill County** with an expiration date of June 25, 2020. Permit issued: June 27, 2019.

Permit No. 67194110. J Roy's, Inc., (P.O. Box 125, Bowmansville, PA 17507), construction blasting for 670 York Haven Road in Newberry Township, **York County** with an expiration date of June 19, 2020. Permit issued: June 28, 2019.

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

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

E02-1786, Eastman Chemical Resins, Inc., P.O. Box 545, West Elizabeth, PA 15088, Jefferson Hills Borough, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Place and maintain fill in 40 linear feet of Tributary 39551 to the Monongahela River. For the purpose of constructing a junction box to receive flows from Tributary 39551 of the Monongahela River via a 36" concrete pipe, and stormwater runoff via a 24" concrete pipe that will permanently impact 40 linear feet of Tributary 39551 and eliminate potential impacts to surface water. Located at the Eastman Chemical Resins facility in Jefferson Hills, (Glassport PA Quadrangle, Latitude 40° 15' 56.2"; Longitude -79° 54' 17.5") in Jefferson Hills Borough, Allegheny County.

E26051-384, Pennsylvania Department of Transportation, District 12, 825 North Gallatin Avenue Extension, Uniontown, PA 15401, Washington Township, **Fayette County**, Pittsburgh ACOE District.

Has been given consent to:

Remove the existing 20.3' wide two-span, closed spandrel arch culvert with two approximately 7' spans and 7' under clearance carrying SR 4046 over Lutz Run (WWF) with a drainage area of 2.42 square miles; construct and maintain a 48.81' long single span aluminum box culvert with an approximately 17' span and 7 ft under clearance in the same location. The project will permanently impact 80' of Lutz Run (WWF) and temporarily impact 120' of Lutz Run (WWF). No compensatory mitigation is required.

E32-523, Pennsylvania Department of Transportation, District 10-0, 550 Oakland Avenue, Indiana, PA 15701, White Township, **Indiana County**, Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain a 156' long extension to the existing 200' long 48" reinforced concrete pipe enclosure conveying SR 286 over an unnamed tributary to McCarthy Run (CWF) with a drainage area less than 100 acres; the enclosure extension results in the permanent fill of 175' of open stream channel.

2. Remove the existing 18' by 64' concrete slab bridge having a minimum underclearance of 6.9' conveying SR 422 over McCarthy Run (CWF) with a drainage area of 2.74 square miles; construct and maintain a 23' by 75' replacement box culvert having a minimum underclearance of 8.5' in the same location.

3. Remove the existing 61' long 18" pipe conveying SR 286 over a second UNT to McCarthy Run (CWF) with a drainage area less than 100 acres and construct and maintain an 82' long 18" replacement pipe in the same location.

4. Place and maintain fill in 0.057 acre of EV PEM wetland.

5. Construct and maintain roadway associated stormwater facilities and temporarily impact 0.005 acre of EV PEM wetland and 689' of stream for the purpose of constructing these encroachments.

6. Wetland mitigation will occur via debiting of 0.057 acre of PEM wetland credit from the PennDOT District 10-0 Indiana County Wetland Bank. Stream mitigation will occur onsite.

E65052-999, Pennsylvania Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17106, Penn Township and North Huntingdon Township, **Westmoreland County**, Pittsburgh ACOE District.

Has been given consent to:

1. Fill 746-linear feet of UNT to Brush Creek (TSF);

2. Construct and maintain a 621-linear foot relocated UNT to Brush Creek (TSF); and

3. Extend a 48" RCP enclosure 44-linear feet which conveys a UNT to Brush Creek.

For the purpose of repairing a slope failure and enclosure along the Pennsylvania Turnpike between MP 64.39 and 64.60. As part of this project, there will be 813 linear feet of permanent stream impacts and 516 linear feet of temporary impacts. 1.06 acre of permanent floodway impact will occur. Mitigation is proposed in the form of a relocated watercourse on-site and various plantings and stream enhancements.

The project site is located on the Pennsylvania Turnpike between MP 64.39 and MP 64.60. (Irwin, PA USGS topographic quadrangle; N: 40°, 20', 56.9"; W: -79°, 41', 14.8"; Sub-basin 19A; USACE Pittsburgh District), in Penn & North Huntingdon Townships, Westmoreland County.

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

E4129-123: Seneca Resources Corporation, LLC, 51 Zents Boulevard, Brookville, PA 15825, Lewis Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate and maintain the Hagerman Run Retaining Wall Project. This project was completed under Emergency Permit EP4129-18-003, and consisted of installation and repairs of an existing retaining wall. The project resulted in 190.0 linear feet of permanent stream impacts to Hagerman Run (HQ-CWF), 290.0 linear feet of temporary stream impacts to Hagerman Run (HQ-CWF), 142 square feet of permanent floodway impacts, and 2,791 square feet of temporary floodway impacts (Trout Run, PA Quadrangle, Latitude: N 41° 25' 06.54", Longitude: W 77° 02' 48.12") all for the purpose of repairing a retaining wall for Marcellus shale development.

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 # ESX18-059-0038

Applicant Name Greylock Production, LLC

Contact Person Travis Wendel

Address 101 Heritage Run Road, Suite 1

City, State, Zip Indiana, PA 15701

County Greene

Township(s) Greene Township

Receiving Stream(s) and Classification(s) UNTs to Frosty Run (TSF)/Frosty Run (TSF)

ESCGP-3 # ESG18-059-0027

Applicant Name EQT Production Company

Contact Person Todd Klaner

Address 2400 Ansys Drive, Suite 200

City, State, Zip Canonsburg, PA 15317

County Greene

Township(s) Morris Township

Receiving Stream(s) and Classification(s) Unnamed Tributaries 23801, 85726, 76293 to Browns Creek, Browns Creek

ESCGP-3 # ESG13-125-0091 Renewal
 Applicant Name Range Resources Appalachia, LLC
 Contact Person Karl Matz
 Address 3000 Town Center Blvd
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) Hopewell Township
 Receiving Stream(s) and Classification(s) UNT to Brush Run (HQ-WWF)

ESCGP-3 # ESX18-059-0036
 Applicant Name Greylock Production, LLC
 Contact Person Travis Wendel
 Address 101 Heritage Run Road, Suite 1
 City, State, Zip Indiana, PA 15701
 County Greene
 Township(s) Cumberland Township
 Receiving Stream(s) and Classification(s) UNTs to South Branch Muddy Creek (WWF), South Branch Muddy Creek (WWF)/Muddy Creek (WWF)

ESCGP-3 # ESX17-059-0011 Major Revision
 Applicant Name CNX Gas Company, LLC
 Contact Person Adam White
 Address 1000 Consol Energy Drive
 City, State, Zip Canonsburg, PA 15317
 County Greene County
 Township(s) Richhill Township
 Receiving Stream(s) and Classification(s) UNTs to Owens Run (WWF), Owens Run (WWF), UNTs to Enlow Fork (TSF and WWF), and Enlow Fork (TSF)/Wheeling Creek Watershed
 Secondary Receiving Water—Wheeling Creek (WWF)

ESCGP-3 # ESX17-129-0004 Renewal
 Applicant Name Huntley & Huntley Energy Exploration, LLC
 Contact Person Brian Dillemath
 Address 501 Technology Drive, Suite 1200
 City, State, Zip Canonsburg, PA 15317
 County Westmoreland County
 Township(s) Upper Burrell Township
 Receiving Stream(s) and Classification(s) NTs to Chartiers Run (TSF) and Chartiers Run (TSF)/Allegheny River Watershed
 Secondary Receiving Water—Chartiers Run (TSF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-3 # ESG290819005-00
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins

Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Bradford
 Township(s) Monroe and Overton Twps.
 Receiving Stream(s) and Classification(s) Deep Hollow (HQ-MF), Satterlee Run (HQ-MF), UNT to Ladds Creek (CWF, MF)
 Secondary: South Branch Towanda Creek (CWF)

ESCGP-3 # ESG291219001-00
 Applicant Name Seneca Resources Company, LLC
 Contact Person Doug Kepler
 Address 5800 Corporate Drive; Suite 300
 City, State, Zip Pittsburgh, PA 15237
 County Cameron
 Township(s) Shippen Twp
 Receiving Stream(s) and Classification(s) Right Branch Cooks Run (EV, MF)
 Secondary: Cooks Run (EV, MF)

ESCGP-3 # ESG290819008-00
 Applicant Name Chief Oil & Gas LLC
 Contact Person Jeffrey J. Deegan
 Address 1720 Sycamore Road
 City, State, Zip Montoursville, PA 17754
 County Bradford
 Township(s) Franklin Twp.
 Receiving Stream(s) and Classification(s) Carbon Run (EV, MF)
 Secondary: Schrader Creek (EV, MF)

ESCGP-3 # ESG295819017-00
 Applicant Name Susquehanna Gathering Company 1, LLC
 Contact Person Paul Corrigan
 Address 1000 Noble Energy Drive, 5th Floor
 City, State, Zip Canonsburg, PA 15317
 County Susquehanna
 Township(s) New Milford Twp.
 Receiving Stream(s) and Classification(s) Deacon Brook (CWF)
 Secondary: Mitchell Creek (CWF)

ESCGP-3 # ESX29-115-18-0063
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Susquehanna
 Township(s) Auburn Twp.
 Receiving Stream(s) and Classification(s) Benninger Creek (CWF-MF)

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
19-06-011	East Penn Manufacturing Company P.O. Box 147 Lyon Station, PA 19536-0147 Attn: Mario Logozzo	Berks	Richmond Township	1 AST storing sulfuric acid	25,380 gallons

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:

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

Camp Morasha, Storage Tank ID # 64-51709, State Route 247, Buckingham Township, **Wayne County**, Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, submitted a Remedial Action Completion Report on behalf of Camp Morasha, Inc., 1118 Avenue J, Brooklyn, NY 11230-3606, concerning remediation of groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Residential Statewide Health Standards.

Fast Fill, Storage Tank ID # 13-07749, 24 Blakeslee Boulevard Drive (Route 443), Leighton Borough, **Carbon County**, Synergy Environmental, 15 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Vista Fuels LLC, RR1, Box 58-16, Andreas, PA 18221 submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline and diesel. The plan is intended to document the remedial actions for meeting the Statewide Health Standards.

Canadensis Gulf Station, Storage Tank ID # 45-16982, Route 390 & Route 447, Barrett Township,

Monroe County, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of W.S. Peeney, Inc., 1745 West Main Street, Stroudsburg, PA 18360, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting the Statewide Health Standards.

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, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline and kerosene. The report is intended to document the remedial actions for meeting Site Specific Standards.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Speedway 6738, Storage Tank Primary Facility ID # 22-15491, 5575 Allentown Boulevard, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**, EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18017, on behalf of Speedway, LLC, 500 Speedway Drive, Enon, OH 45323, 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.

Sheetz Store # 116, Storage Tank Primary Facility ID # 28-29531, 215 West Baltimore Street, Greencastle, PA 17225, Greencastle Borough, **Franklin County**, Enviro-Trac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sheetz, Incorporated, 351 Sheetz Way, Claysburg, PA 16625, 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 and the Site-Specific Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

BFS Carmichaels, Storage Tank Primary Facility ID # 30-23878, 375 South State Route 88, Carmichaels, PA 15320, Carmichaels Borough, **Greene County**, Letterle and Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Bruceton Farm Service, Inc., 116 Shannon Drive, Morgantown, WV 26508, 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.

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

Joe's Service Station, Storage Tank Primary Facility ID # 43-90087, 1808 Perry Highway, Springfield Township, **Mercer County**, Letterle & Associates, Inc., 191 Howard Street, Suite 108, Franklin, PA 16323, on behalf of Joe's Service Station, 1808 Perry Highway, Volant, PA 16156, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline constituents including: benzene, toluene, ethylbenzene, xylenes, cumene, methyl tertiary butyl ether, naphthalene, trimethylbenzenes (1,2,4- and 1,3,5-). The report is intended to document remediation of the site to meet the Site-Specific 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:

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

Former Egan Oil, Storage Tank ID # 40-28631, 871 Exeter Avenue, Exeter Borough, **Luzerne County**. Quad Three Group, 37 North Washington Avenue, Wilkes-Barre, PA 18701, on behalf of K3 Development LLC, 133 Philadelphia Avenue, West Pittston, PA 18643, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The combined Site Characterization Report and Remedial Action Plan was not acceptable to meet the residential, non-use aquifer Statewide Health Standards and was disapproved by DEP on June 24, 2019.

Quinn's Café, Storage Tank ID # 35-20617, 224 Main Street, Archbald Borough, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of DK & DK LLC, 224 Main Street, Archbald, PA 18403, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action

Plan was acceptable to meet Statewide Health Standards and was approved by DEP on June 24, 2019.

Gas N Goods, Storage Tank ID # 45-12376, 5677 Hamilton South, Hamilton Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Gas N Goods Inc., P.O. Box 342, Sciota, PA 18354, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of a combination of Site-Specific and Statewide Health Standards and was approved by DEP on June 25, 2019.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Conestoga Heating and Plumbing Supply, Storage Tank Primary Facility ID # 36-00875, 340 West Roseville Road, Lancaster, PA 17601, Lancaster City, **Lancaster County**. Reliance Environmental, Inc., 235 North 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 leaded gasoline and unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the Residential Statewide Health Standard in soil and groundwater and was approved by the Department on June 14, 2019.

Five Gables Amoco, Storage Tank Primary Facility ID # 05-11046, 5869 Business 220, Bedford, PA 15522, Bedford Township, **Bedford County**, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Bedford Valley Petroleum, Bedford, PA submitted a revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was not acceptable to meet the combination of Statewide Health Standards and Site-Specific Standards and was disapproved by the Department on June 21, 2019.

Sheetz No 560, Storage Tank Primary Facility ID # 36-34063, 1978 Baltimore Pike, Gettysburg, PA 17325-7012, Mount Joy Township, **Adams County**, EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sheetz, Inc., 5700 6th Avenue, Altoona, PA 16602-1111 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with diesel fuel and unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the Residential Statewide Health Standards and was approved by the Department on June 28, 2019.

Rutter's Farm Store No. 18, Storage Tank Primary Facility ID # 67-26956, 725 Arsenal Road, York, PA 17402, Springettsbury Township, **York County**, United Environmental Services, Inc., 1143 Long Run Road, 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 and the Site-Specific Standard. The Remedial Action Plan was acceptable to meet a combination of Statewide Health Standard and Site-Specific Standard and was approved by the Department on July 1, 2019.

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

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 Remedial

Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by DEP on June 27, 2019.

Phoenix Quick Stop, Storage Tank Primary Facility ID # 61-14660, 4046 Butler Street, Clinton Township, **Venango County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Harper Oil Company, P.O. Box 1128, Oil City, PA 16301 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Xylenes, Cumene, Naphthalene, MTBE, 1,2,4 Trimethylbenzene, 1,3,5 Trimethylbenzene. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by DEP on June 28, 2019.

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of June 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>
AccuStar Labs	929 Mount Zion Road Lebanon, PA 17046	Laboratory Analysis
Tina Artigliere	P.O. Box 4475 Reading, PA 19606	Testing
Fred Bainbridge	207 Linden Street Minersville, PA 17954	Testing
Terry Bechtold	2460 Devlin Court North Huntingdon, PA 15642	Testing
William Boni	5135 Interboro Avenue Pittsburgh, PA 15207	Testing & Mitigation
Rob Bruno Boro Environmental	501 Sharp Avenue Glenolden, PA 19036	Testing
Randall Burgess	P.O. Box 75 Perkiomenville, PA 18074	Testing
Carl Distenfeld	4326 Crestview Road Harrisburg, PA 17112	Laboratory Analysis
Scott Feeser	P.O. Box 343 East Berlin, PA 17316	Testing
Thomas Hollingsworth	8020 Mine Street Fogelsville, PA 18501	Mitigation
William Kail	549 McCombs Road Venetia, PA 15367	Testing
Chris Kessler	950 Cape Horn Road York, PA 17402	Testing
Jeremy Ling	4900 Carlisle Pike, # 277 Mechanicsburg, PA 17050	Mitigation
Robert Mallon	P.O. Box 419 South Heights, PA 15081	Mitigation
Thomas Moore	421 Redgate Road Sewickley, PA 15143	Testing
Denise Moran	4 Oak Lane Williamstown, NJ 08094	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Jonathan Musselman Musselman Home Inspection	470 Creekview Drive Harleysville, PA 19438	Testing
Ronald Neugebauer, Jr. 5 Star Radon Mitigation, Inc.	101 Bertley Ridge Drive Coraopolis, PA 15108	Mitigation
Omega Radon	5135 Interboro Avenue Pittsburgh, PA 15207	Mitigation
Jerry Petrill	290 Forbes Trail Road Greensburg, PA 15601	Testing
Gerald Petrone	152 Orchard Drive McMurray, PA 15317	Testing
Eric Rode	290 South Mill Road Milton, PA 17847	Testing
Troy Rudy	P.O. Box 4214 Lancaster, PA 17604	Testing
David Sabo	353 Livingston Road West Mifflin, PA 15122	Testing
Richard Sandt	1200 East Main Street, # 198 Palmyra, PA 17078	Testing
Michael Stender	8020 Mine Street Fogelsville, PA 18051	Mitigation
Eugene Spoehr, Jr.	6301 Hilltop Drive Brookhaven, PA 19015	Testing
TCS Industries, Inc.	4326 Crestview Road Harrisburg, PA 17112	Laboratory Analysis
Dale Thorson	800 Antietam Drive Douglassville, PA 19518	Testing
Lawrence Transue	2305 Lone Cedar Drive Easton, PA 18040	Testing
Dennis Vaughan	473 Route 402 Hawley, PA 18428	Testing
Roger Weaver	P.O. Box 275 White Haven, PA 18661	Testing
David Weikel	14501 George Carter Way, # 110 Chantilly, VA 20151	Testing
Eric Zigga	835 Murray Street Throop, PA 18512	Mitigation

**Public Meeting and Hearing Regarding a Draft
NPDES Permit to Authorize the Discharge of
Stormwater Associated with Industrial Activities to
Waters of the Commonwealth**

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

The Department of Environmental Protection will host a public hearing regarding a revised draft National Pollution Discharge Elimination System (NPDES) permit (Permit No. PA0276120) to authorize the discharge of stormwater associated with industrial activities to waters of the Commonwealth from a biosolids processing facility to be constructed on the property located at 2100 Block of Pen Argyl Road in Pen Argyl, Northampton County, by Slate Belt Heat Recovery Center, LLC, 435 Williams Court, Suite 100, Baltimore, MD 21220.

The public meeting and hearing will be held on August 12, 2019, from 6 to 9:30 pm at Wind Gap Middle School, 1620 Teels Rd, Pen Argyl, PA 18072. The Department is holding the public meeting and hearing in response to

requests from the public concerning stormwater discharges to surface waters from the proposed project. The purpose of the meeting will be to answer questions and receive public comment regarding the draft NPDES permit.

The draft NPDES Permit is for a new discharge of stormwater into an unnamed tributary to Little Bushkill Creek, a designated high quality cold water fishery, and Waltz Creek, a designated cold water fishery.

The Department published notice in the *Pennsylvania Bulletin* on September 29, 2018 and July 13, 2019 and solicited written comment concerning draft concentration limits to be imposed through the permit. The Department requests that individuals wishing to testify at the hearing notify Colleen Connolly, Community Relations Coordinator, coconnollypa.gov. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who notify the Department in advance will be given priority on the agenda.

The Department requests that attendees limit their testimony to no more than 5 minutes per person so that

all individuals have the opportunity to participate. Relinquishing time to others will not be allowed. Also, the Department requests that comments stay within the scope of the meeting, particularly comments related to draft NPDES Permit No. PA0276120. Written copies of anticipated oral testimony are requested and can be submitted at the meeting.

A copy of the draft permit, fact sheet, and application can be viewed at DEP's Northeast Regional Office in Wilkes-Barre, PA. Those wishing to make an appointment to view the documents can do so between the hours of 8 a.m.—4 p.m. by calling 570-826-2511.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact Colleen Connolly or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

**Proposed State Water Quality Certification
Required by Section 401 of the Clean Water Act,
General Permit Registration and ESCGP-3
for the Hill Top Pipeline**

*Southwest Region: Waterways & Wetlands Program, 400
Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E.,
Program Manager, 412.442.4149*

WQ30052-025, Equitrans, L.P. (Applicant), 2200 Energy Drive; Canonsburg, PA 15317. Hill Top Pipeline (Project), in Cumberland Township, **Greene County**, in the ACOE Pittsburgh District. The proposed pipeline project starts approximately 0.1 mile south of Liveasy Road, Cumberland Township, Greene County (Masontown, PA Quadrangle N: 39° 51' 41.6"; W: -79° 56' 31.97") and ends at the future Hill Top Energy Center Power Plant approximately 0.4 mile east of Thomas Road, Cumberland Township, Greene County (Carmichaels, PA Quadrangle N: 39° 53' 33.17"; W: -79° 55' 55.17").

Equitrans will report the project to Federal Energy Regulatory Commission (FERC) in its annual blanket activities report, as authorized under a blanket construction certificate (FERC Docket No. CP96-532-000) dated October 20, 1998.

On March 12, 2019, Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

In addition, the Applicant submitted a General Permit Registration Package, seeking acknowledgement from the Department, of the Applicant's use of General Permits No. 5 and 8 [GP053000219-006 and GP083000219-006], to construct and maintain several utility line stream crossings and temporary road crossings, respectively, in accordance with the Department's Chapter 105 rules and regulations.

On March 13, 2019, the Department received an application for an ESCGP-3 [File no. ESG-00-059-19-0002] after it was deemed to be complete by the Greene County Conservation District.

The Project, as proposed, includes approximately 15,400 LF long, 12" pipeline for the purpose of transporting natural gas from the existing Equitrans, L.P. D497 transmission line to the future Hill Top Energy Center

Power Plant. The Project, as proposed, will require approximately 43.2 acres of earth disturbance and impacts to 385 feet of UNTs to Monongahela River (WWF), UNTs to Little Whiteley Creek (WWF), UNTs to Pegs Run (WWF) and an UNT to Glade Run (WWF), 1.10 acre of floodway, 0.04 acre of temporary PEM wetland impacts, and 0.12 acre of permanent PEM wetland impacts. Mitigation will include restoring the disturbed area back to its original condition and elevation and stabilizing the disturbed area.

The Department is proposing to issue a State water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Dana Drake, P.E., Program Manager, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final State water quality certification, the Department will consider all relevant and timely comments, suggestions or objections submitted to the Department within 30 days of this notice. Comments should be directed to Dana Drake, P.E., Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

Proposed State Water Quality Certification

Required by Section 401 of the Clean Water Act, General Permit Registration and ESCGP-3 for the JP-40 Pipeline Replacement

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E., Program Manager; 412.442.4149.

WQ65052-003, Dominion Energy Transmission, Inc. (Applicant), 5000 Dominion Boulevard; Glen Allen, VA 23060. JP-40 Pipeline Replacement (Project), in Salem, Hempfield, and Penn Townships, **Westmoreland County**, in the ACOE Pittsburgh District. The proposed project starts at State Route 22 (Slickville, PA Quadrangle N: 40°, 20', 43.019"; W: 79°, 35', 17.825") and ends at Gas Company Lane (Greensburg, PA Quadrangle N: 40°, 24', 1.835"; W: 79°, 33', 17.716").

The Applicant will report the project to Federal Energy Regulatory Commission (FERC) in its annual blanket

activities report as authorized under blanket construction certificate (FERC Docket No. CP82-537-000 dated November 3, 1982).

On June 28, 2019, Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

In addition, the Applicant submitted a General Permit Registration Package, seeking acknowledgement from the Department, of the Applicant's use of General Permits No. 5 and 8 [GP056500219-028 and GP086500219-006], to construct and maintain several utility line stream crossings and temporary road crossings, respectively, in accordance with the Department's Chapter 105 rules and regulations.

On April 24, 2019, the Department received an application for an ESCGP-3 Permit [File No. ESG 00 129 19 002], after it was deemed to be complete by the Westmoreland Conservation District.

The Project, as proposed, includes the removal and replacement of approximately 3.9 miles of the 20-inch JP-40 (three segments) and 6-inch JP-57 pipelines, and two drip locations for the purpose of upgrading existing infrastructure to comply with Federal pipeline safety standards.

The Project, as proposed, will require approximately 46 acres of earth disturbance, and impacts to 772 linear feet of Beaver Run (HQ-CWF), UNTs to Beaver Run (HQ-CWF), and UNTs to Brush Creek (TSF), 2.067 acres of floodway, 0.073 acre of temporary PEM and PUB wetland impacts, and 0.234 acre of permanent PEM wetland impacts. Mitigation will include restoring the disturbed area back to its original condition and elevation and stabilizing the disturbed area.

The Department is proposing to issue a State water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of

all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Dana Drake, P.E., Program Manager, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby. Prior to issuance of the final State water

quality certification, the Department will consider all relevant and timely comments, suggestions or objections submitted to the Department within 30 days of this notice. Comments should be directed to Dana Drake, P.E., Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

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

Request for Informal Conference

Allegheny Mineral Corporation, Allegheny Mineral 57 Mine, Surface Mining Application No. 37160301, Slippery Rock Township, **Lawrence County**: Knox District Mining Office has received a request for an informal conference concerning the application for the Allegheny Mineral 57 Mine. An informal conference has been scheduled for July 30, 2019 from 6 p.m. to 8 p.m. at the Moraine State Park Regional Office No. 2, 195 Park Road, Prospect, PA 16052. A brief informational overview provided by Allegheny Mineral Corporation will begin at 5:30 p.m. A copy of the application, plans, and other data concerning the permit are available at the Lawrence County Conservation District, 430 Court Street, New Castle, PA 16101 and at the Knox District Mining Office during regular business hours of 8 a.m. to 4 p.m., Monday through Friday.

Request for Comments on the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Little Lost Creek Subwatershed in Juniata County, PA

The Department of Environmental Protection will accept comments on the proposed TMDLs developed for a subwatershed of Little Lost Creek in Juniata County, PA. The TMDLs were established in accordance with the requirements of Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included impaired stream segments in this watershed. The listings of these waterbodies were due to aquatic life impairments caused by excessive siltation and nutrients from crop-related agriculture.

Currently, there are no State or Federal instream numerical water quality criteria for siltation or phosphorus. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDLs set allowable loadings of sediment and phosphorus in the impaired section of the Little Lost Creek Subwatershed. The sediment loading was allocated among cropland, hay/pasture land and streambank source sectors present in the subwatershed. The phosphorus loading was allocated among cropland, hay/pasture land, streambank and farm animal source sectors present in the subwatershed. Data used in establishing the TMDL was generated using the "Model My Watershed" program, which is part of Stroud Water Research Center's WikiWatershed Initiative.

The following table shows the estimated current sediment and phosphorus loadings for the subwatershed. The TMDLs and percent reductions necessary to meet the TMDLs are also identified.

Summary of TMDL Based Load Reductions in the Little Lost Creek Subwatershed

<i>POLLUTANT</i>	<i>EXISTING LOAD (lbs./yr.)</i>	<i>EXISTING LOAD (lbs./day)</i>	<i>TMDL (lbs./yr.)</i>	<i>TMDL (lbs./day)</i>	<i>PERCENT REDUCTION</i>
Sediment	2,435,189	6,672	1,977,816	5,419	19%
Phosphorus	5,866	16	4,685	13	20%

The proposed TMDL document can be viewed at: <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/LittleLostCreekTMDL.pdf>.

Otherwise, a copy of the proposed TMDL may be requested by contacting Michael Morris, Water Program Specialist, Bureau of Clean Water, Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105, (717) 772-5670, michamorri@pa.gov.

Written comments will be accepted at the above address. Comment submissions must be postmarked within 30 days after publication of this notice in the July 13, 2019 issue of the *Pennsylvania Bulletin*. The Department will consider all written comments submitted within the deadline prior to submitting the final TMDL to EPA for approval.

[Pa.B. Doc. No. 19-1063. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final TGD: Substantive Revision

DEP ID: 563-2000-602. Title: Beneficial Use of Biosolids at Active Mine Sites. **Description:** This guidance provides clarification and direction to Department staff, permittees and their consultants on the nature and scope of the Mining Program's review of proposals for beneficial use of biosolids for land reclamation at coal surface mine sites, coal refuse reprocessing sites, coal refuse disposal sites and noncoal mine sites. This policy was updated to include new and updated definitions and additional details on the approval process, specifically, regarding calculating application rates for mine reclamation. The title was changed to refer to "biosolids" instead of "sewage sludge" in accordance with the Department naming convention now in use.

Contact: Questions regarding this TGD can be directed to Michael Plazek at miplazek@pa.gov or (717) 787-4814.

Effective Date: July 13, 2019

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1064. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 02(1710)102.1, Abandoned Mine Reclamation Project, Renton Mine Fire, Plum Borough, Allegheny County. The principal items of work and approximate quantities include: clearing and grubbing, 1 lump sum; excavation and backfill, 800,000 cubic yards; grading, 19,880 cubic yards; alkaline addition, 3,000 tons; temporary gas line relocation, invoice; permanent gas line relocation, invoice; establish water supply, 1 lump sum; water, 5,000 per 1,000 gallons; ditch excavation, 500 cubic yards; rolled erosion control products, 2,675 square yards; rock lining with filter material, 350 square yards; rifle shooting range restoration including backstops and berms, 6,775 cubic yards, targets, 88 linear feet, shelters, 2 each, agricultural limestone, 9.5 tons, and commercial fertilizer: phosphate, 19,000 pounds; and seeding, 24 acres.

This bid issues on July 12, 2019, and bids will be opened on August 8, 2019, at 2 p.m. 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 of Environmental Protection 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.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1065. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board Meeting

The Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board, established under the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act (35 P.S. §§ 872.1—872.40), will hold its next meeting on Tuesday, July 23, 2019, starting at 10:30 a.m. in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Items to be discussed at the meeting include program status updates, and current and upcoming activities.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact John Krahel, Clerk Supervisor of Prescription Drug Monitoring Program Office, Department of Health, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 836-3623, 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. 19-1066. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, July 19, 2019, from 10 a.m. to 1 p.m. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment. The meeting will be held in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

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 Naomi Zeiset, Acting Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, 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. 19-1067. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Realty Transfer Tax; 2018 Common Level Ratio; Real Estate Valuation Factors

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2018. These factors are the mathematical reciprocals of the actual common level ratio (CLR). For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from July 1, 2019, to June 30, 2020. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102 (relating to acceptance of documents)).

<i>County</i>	<i>CLR Factor</i>
Adams	.91
Allegheny	1.16
Armstrong	2.42
Beaver	4.59
Bedford	1.13
Berks	1.61
Blair	0.99
Bradford	3.19
Bucks	10.64
Butler	10.75
Cambria	4.20
Cameron	2.80
Carbon	2.58
Centre	3.92
Chester	2.03
Clarion	4.88
Clearfield	8.20
Clinton	1.21
Columbia	4.41
Crawford	3.26
Cumberland	1.07
Dauphin	1.51
Delaware	1.77
Elk	2.90
Erie	1.11
Fayette	1.40
Forest	5.32
Franklin	9.01
Fulton	2.98
Greene	1.40
Huntingdon	4.29
Indiana	0.94
Jefferson	2.64
Juniata	8.00
Lackawanna	9.43
Lancaster	1.15

<i>County</i>	<i>CLR Factor</i>
Lawrence	1.25
Lebanon	1.08
Lehigh	1.19
Luzerne	0.99
Lycoming	1.42
McKean	1.20
Mercer	4.52
Mifflin	2.41
Monroe	5.65
Montgomery	2.03
Montour	1.44
Northampton	3.51
Northumberland	4.83
Perry	1.04
Philadelphia	1.01
Pike	5.03
Potter	3.21
Schuylkill	2.67
Snyder	7.04
Somerset	2.85
Sullivan	1.54
Susquehanna	3.47
Tioga	1.51
Union	1.43
Venango	1.08
Warren	3.46
Washington	1.11
Wayne	1.17
Westmoreland	6.94
Wyoming	6.29
York	1.22

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-1068. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following is the property available for sale by the Department.

Ulster Township, Bradford County, near the southwest corner of Route 220 (Main Street) and T-714. The parcel

contains 2,405 square feet (or 0.055 acre) of unimproved land. The estimated fair market value is \$900.

Interested public agencies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Jeffrey M. Wenner, PE, District Right-of-Way Administrator, Department of Transportation, P.O. Box 218, Montoursville, PA 17754.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 19-1069. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following is the property available for sale by the Department.

Ulster Township, Bradford County, near the northeast corner of Route 220 (Main Street) and SR 1022 (Bridge Street). The parcel contains 10,687 square feet (or 0.245 acre) of unimproved land. The estimated fair market value is \$1,200.

Interested public agencies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Jeffrey M. Wenner, PE, District Right-of-Way Administrator, Department of Transportation, P.O. Box 218, Montoursville, PA 17754.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 19-1070. Filed for public inspection July 12, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Proposed Disadvantaged Business Enterprise Goal Methodology for Participation in Federal Aviation Administration Funded Contracts for Fiscal Years 2020—2022

The Department of Transportation (Department) is providing notice of its proposed Federal Aviation Administration Disadvantaged Business Enterprise Goal Methodology for Federal Fiscal Years 2020—2022.

The proposed methodology used in determination of the goals is available for inspection during normal business hours at the Department of Transportation, Bureau of Equal Opportunity, 400 North Street, 5th Floor, Harrisburg, PA 17120-0041, (717) 787-5891, (800) 468-4201.

The document can also be viewed online at <http://www.padbegoals.org/>. The document will be available for inspection for 30 days from the date of this notice. The Department will accept written comments on the methodology during this period. Comments, questions or suggestions regarding this notice may be directed in writing to Katherine Peters, Director, Bureau of Equal Opportunity, at the previously listed address.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 19-1071. Filed for public inspection July 12, 2019, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Fish and Boat Commission v. Department of Environmental Protection and University Area Joint Authority, Permittee; EHB Doc. No. 2019-068-C

The Fish and Boat Commission has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0234028 to the University Area Joint Authority for its facility known as advanced water treatment building located in College Township, Centre County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 19-1072. Filed for public inspection July 12, 2019, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Diana McCarthy and Lori Kidd v. Department of Environmental Protection and Concord Ventures, LP, Permittee; EHB Doc. No. 2019-065-L

Diana McCarthy and Lori Kidd have appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PAC230062 to Concord Ventures, LP for discharges of stormwater associated with construction activities located in Concord Township, Delaware County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 19-1073. Filed for public inspection July 12, 2019, 9:00 a.m.]

FISH AND BOAT COMMISSION

Mentored Youth Fishing Program; Catfish

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director has designated July 20, 2019, from 12 p.m. to 11 p.m. and July 21, 2019, from sunrise to 11 p.m. as Mentored Youth Fishing Days for catfish. The water included in the Mentored Youth Fishing Days for Catfish Program (Program) on July 20 and 21, 2019, is the Boathouse Pond portion of North Park Lake, McCandless Township, Allegheny County.

The Executive Director has also designated August 3, 2019, from 12 p.m. to 11 p.m. and August 4, 2019, from sunrise to 11 p.m. as Mentored Youth Fishing Days for catfish. The water included in the Program on August 3 and 4, 2019, is the Children's Fishing Pond, Nockamixon State Park, Haycock Township, Bucks County. This designation under 58 Pa. Code § 65.20 is effective upon publication of this notice in the *Pennsylvania Bulletin*.

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and be accompanied by a youth (less than 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Fish and Boat Commission (Commission). Youth anglers must obtain a 2019 mentored youth permit or a voluntary youth license from the Commission and be accompanied by a licensed adult angler to participate.

Although this water will be open to adult anglers, only youth anglers with a 2019 voluntary youth license or mentored youth permit may possess two catfish (combined species) with no minimum length. Adult anglers are prohibited from possessing catfish. Other Commonwealth inland regulations will apply. It is unlawful to fish in the water designated as part of the Program except in compliance with the requirements of 58 Pa. Code § 65.20 when participating in the Program.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 19-1074. Filed for public inspection July 12, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Beacon Health Options of Pennsylvania, Inc.

Anthem, Inc., an Indiana corporation, has filed an application to acquire control of Beacon Health Options of Pennsylvania, Inc., a Pennsylvania domiciled risk-assuming preferred provider organization. The filing was received on June 28, 2019, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1075. Filed for public inspection July 12, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

The Prudential Insurance Company of America; Rate Increase Filing for Several LTC Forms (PRUD-131979968)

The Prudential Insurance Company of America is requesting approval to increase the premium an aggregate 69.1% on 1,969 policyholders of the following LTC policy forms: GRP 98720, GRP 98721 and GRP 98722. These forms are known as the ILTC-1 series.

Unless formal administrative action is taken prior to September 26, 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. 19-1077. Filed for public inspection July 12, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Baltimore Life Insurance Company; Rate Increase Filing for Form 5812S (PA) (MILL-131857009)

Baltimore Life Insurance Company is requesting approval to increase the premium an aggregate 173% on 94 policyholders of LTC policy form 5812S (PA).

Unless formal administrative action is taken prior to October 3, 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. 19-1076. Filed for public inspection July 12, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

The Prudential Insurance Company of America; Rate Increase Filing for Several LTC Forms (PRUD-131980358)

The Prudential Insurance Company of America is requesting approval to increase the premium an aggregate 51.6% on 333 policyholders of the following LTC policy forms: GRP 112687 and GRP 112685. These forms are known as the ILTC-2 series.

Unless formal administrative action is taken prior to September 26, 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. 19-1078. Filed for public inspection July 12, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

The Prudential Insurance Company of America; Rate Increase Filing for Several LTC Forms (PRUD-131980364)

The Prudential Insurance Company of America is requesting approval to increase the premium an aggregate 43.4% on 1,364 policyholders of the following LTC policy forms: GRP 113172 (ED 05/2009), GRP 113172, GRP 113570 and GRP 113570 (ED 2009). These forms are known as the ILTC-3 series.

Unless formal administrative action is taken prior to September 26, 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. 19-1079. Filed for public inspection July 12, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

The Prudential Insurance Company of America; Rate Increase Filing for Several LTC Forms (PRUD-131980367)

The Prudential Insurance Company of America is requesting approval to increase the premium an aggregate 34.5% on 228 policyholders of the following LTC policy forms: GRP 113570 (ED 05/2009) and GRP 113172 (ED 05/2009). These forms are known as the ILTC-3R series.

Unless formal administrative action is taken prior to September 26, 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. 19-1080. Filed for public inspection July 12, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held as follows. Failure by the appellants to appear at the scheduled hearings may result in dismissal with prejudice.

The hearings will be held in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Ross McGinnis; Penn National Mutual Casualty Insurance Company; File No. 19-118-237249; Doc. No. P19-06-010; August 7, 2019, 9:30 a.m.

Appeal of Shannon Leonard; State Farm Mutual Automobile Insurance Company; File No. 19-115-237584; Doc. No. P19-06-011; August 8, 2019, 10 a.m.

Following the hearings and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearings and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearings or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearings and require an auxiliary aid, service or other accommodation to participate in the hearings, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1081. Filed for public inspection July 12, 2019, 9:00 a.m.]

OFFICE OF THE STATE FIRE COMMISSIONER

Application for the Fire Company and Emergency Medical Service Grant Program

This notice provides information about the Fire Company and Emergency Medical Service Grant Program (Program) as amended by the act of June 30, 2016 (P.L. 432, No. 60) (Act 60). Fire, Rescue and Emergency Medical Service companies seeking grants under Act 60 shall submit completed applications no later than 4 p.m. on October 18, 2019. Written instructions, guidelines for the 2019-2020 Program and grant applications will be

available on the Office of State Fire Commissioner's web site at www.osfc.pa.gov no later than September 4, 2019.

BRUCE TREGO,
Commissioner

[Pa.B. Doc. No. 19-1082. Filed for public inspection July 12, 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 29, 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.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-2019-3011112. E D Transportation, LLC (835 Kerper Street, Philadelphia, Philadelphia County, PA 19111) for the right to begin to transport, as a common carrier, by motor vehicles, persons in paratransit service whose limited mobility prevents them from owning or operating a motor vehicle, between points in the City and County of Philadelphia.

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-2019-3011095. Meta Movers, LLC (13 Holt Street, Pittsburgh, Allegheny County, PA 15203) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

Application of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

A-2019-3011169. Donald A. Fix, Jr., t/a Hindman Moving & Storage (4920 Buttermilk Hollow Road, West Mifflin, PA 15122) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, at A-00112441, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1083. Filed for public inspection July 12, 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 29, 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. MSG Enterprises, LLC, t/a GeoMark Luxury Limousine; Docket No. C-2019-3010800

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 MSG Enterprises, LLC, t/a GeoMark Luxury Limousine, (respondent) is under suspension effective June 07, 2019 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1041 North 6th Street, Whitehall, PA 18052.
3. That respondent was issued a Certificate of Public Convenience by this Commission on March 02, 2011, at A-6412840.
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 \$500.00 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 \$500.00 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-6412840 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: 6/19/2019

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. 19-1084. Filed for public inspection July 12, 2019, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Authorization of Wheelchair Accessible Taxicab Medallions; Doc. No. 19-001

Order

By the Authority:

The Authority is the sole regulator of all taxicab, limousine and transportation network services in Philadelphia.¹ The purpose of this Order is to authorize the sale of new taxicab medallions.² The Authority is currently authorized to issue and sell 4 new taxicab medallions, which would replace 4 previously authorized medallions that became nontransferable.³

¹ See the Act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended, and the Act of Nov. 4, 2016, (P.L. 1222, No. 164), 53 Pa.C.S. Chapters 57A and 57B, (the "Act").

² See 53 Pa.C.S. §§ 5711(c)(2) and 5717(a) (relating to power of authority to issue certificates of public convenience, additional certificates and medallions).

³ Id.

Background:

1. The General Assembly has explicitly provided that a medallion subject to the cancellation of its corresponding certificate of public convenience (“CPC”) be available for sale by its owner for a period of 6 months.⁴

2. In the event such a medallion remains unsold upon the conclusion of a statutory sale period, the medallion becomes nontransferable and cannot be reissued or transferred to anyone.⁵

3. On April 27, 2017, Philadelphia wheelchair-accessible vehicle (“WAV”) taxicab medallions⁶ WP-1609 and WP-1610⁷ became nontransferable as to the owner when it failed to sell the medallions within six months from the date the corresponding CPC, as to both medallions, was cancelled.⁸

4. On May 4, 2017, Philadelphia WAV taxicab medallions WP-1621 and WP-1631⁹ became nontransferable as to the owner when it failed to sell the medallions within six months from the date the corresponding CPC, as to both medallions, was cancelled.¹⁰

5. Therefore, to maintain a full complement of the medallion taxicabs permitted and authorized to operate in Philadelphia, the Authority will replace the nontransferable medallions by issuing new medallions.¹¹

*Therefore,**It Is Ordered That:*

6. The Director of the Authority’s Taxicab and Limousine Division (“TLD”), or her designee (the “Director”), is authorized to administer the sale of the following:

a) A previously authorized, but now unissued medallion to be identified by the number “1692”;

b) A previously authorized, but now unissued medallion to be identified by the number “1693”;

c) A previously authorized, but now unissued medallion to be identified by the number “1694”; and

⁴ See 53 Pa.C.S. § 5711(b) (relating to licensing rights). See also *Metro Trans. Co. v. Phila. Parking Auth.*, 105 A.3d 855, 2014 Pa. Commw. Unpub. LEXIS 691 (Pa. Cmwlth. Dec. 3, 2014).

⁵ *Id.*

⁶ See 52 Pa. Code § 1011.2 (relating to definitions); see also 53 Pa.C.S. § 5717(c).

⁷ Pursuant to Authority Order No. 15-003 issued and entered on March 7, 2015, the Authority authorized the sale of new medallions WP-1609 and WP-1610 pursuant to 53 Pa.C.S. § 5711(c), in which each were designated a wheelchair-accessible vehicle (“WAV”) medallion in perpetuity. These WAV medallions were successfully sold to Matzah Taxi, LLC on May 20, 2015, closings were completed on August 24, 2015 and they were placed into taxicab service on November 6, 2015.

⁸ Matzah Taxi, LLC’s CPC No. 1033849-01 was cancelled, as to both medallions WP-1609 and WP-1610, pursuant to orders entered on October 12, 2016 under TLD Docket Nos. C-16-07-032 and C-16-07-033. The orders became effective on October 27, 2016. On October 17, 2016 and December 2, 2017, the TLD issued notices to Matzah Taxi, LLC advising that it had six months from the effective date of the CPC cancellations to sell the medallions or they would become nontransferable. Matzah Taxi, LLC neither appealed the TLD orders nor sold the medallions. According to the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, there are no liens filed against these medallions in accordance with 13 Pa.C.S. (relating to Uniform Commercial Code). See 52 Pa. Code § 1013.21 (relating to notice of medallion lien).

⁹ Pursuant to Authority Order No. 15-003 issued and entered on March 7, 2015, the Authority authorized the sale of new medallions WP-1621 and WP-1631 pursuant to 53 Pa.C.S. § 5711(c), in which each were designated a wheelchair-accessible vehicle (“WAV”) medallion in perpetuity. These WAV medallions were successfully sold to Download Taxi, LLC on June 3, 2015 and November 30, 2016, respectively, closings were completed on August 24, 2015 and they were placed into taxicab service on November 6, 2015.

¹⁰ Download Taxi, LLC’s CPC No. 1033984-01 was cancelled, as to both medallions WP-1621 and WP-1631, pursuant to orders entered on October 20, 2016 under TLD Docket Nos. C-16-07-084 and C-16-07-085. The orders became effective on November 4, 2016. On October 28, 2016 and November 30, 2016, the TLD issues notices to Download Taxi, LLC advising that it had six months from the effective date of the CPC cancellations to sell the medallions or they would become nontransferable. Download Taxi, LLC neither appealed the TLD orders nor sold the medallions. According to the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, there are no liens filed against these medallions in accordance with 13 Pa.C.S. (relating to Uniform Commercial Code). See 52 Pa. Code § 1013.21 (relating to notice of medallion lien).

¹¹ See 53 Pa.C.S. § 5717(a) (relating to additional certificates and medallions). See also, *Metro Trans. Co.* at *17.

d) A previously authorized, but now unissued medallion to be identified by the number “1695”.

7. Each of the 4 medallions authorized for sale by this Order is hereby designated a WAV medallion, in perpetuity.

8. Each of the medallions authorized for sale by this Order will be identified by the letters “WP” (Wheelchair Philadelphia), which shall precede the unique number assigned to the medallion.

9. Each medallion authorized by this Order will be sold separately by sealed competitive bid, as provided by the Authority’s regulations.¹²

10. Each sealed bid¹³ for a medallion must be filed with the TLD Clerk, by hand delivery, at the TLD’s headquarters at 2415 South Swanson Street, Philadelphia, PA 19148.

11. In order to be considered filed, a medallion bid must be time stamped by the TLD’s Clerk.

12. The Clerk may only time stamp a medallion bid as follows:

a) Between 8:30 a.m. and 4:30 p.m. on the business day preceding the date of the scheduled medallion sale; or

b) Between 8:30 a.m. and 9:30 a.m. on the day of the scheduled medallion sale.

13. The upset price for each medallion will be \$10,000. The Board does not set this minimum bid based upon an understanding of fair market value, but as a basis to permit the market to set the appropriate value of this class of medallion and to facilitate more of this vital form of transportation service to the riding public.

14. The Director may, in her discretion, remove any medallion from a scheduled bid opening date. In this case, the sale of that medallion may be rescheduled for sale as provided in this Order.

15. The Director may, in her discretion, remove any medallion from a scheduled bid opening date and place the medallion before this Board for a new sale authorization, pursuant to such terms and conditions as the Board may then impose.

16. The sealed bids for the medallions will be opened by the Director at the TLD’s headquarters at 10:00 a.m. at 2415 South Swanson Street, Philadelphia, PA 19148 as follows:

a) On September 18, 2019: Medallion Nos. WP-1692, WP-1693, WP-1694 and WP-1695.

17. Medallions scheduled for bid on September 18, 2019 but rescheduled by the Director, may be scheduled for sale on October 16, 2019.

18. Upon removal of a medallion from a scheduled bid date, the Director shall promptly identify the alternate bid date, if applicable, that will apply to that medallion as provided for in this Order on the Authority’s Internet website and through a notice published in the *Pennsylvania Bulletin*.

19. The mandatory closing date for every medallion assigned to a successful bidder is 60 days from the date of the successful bid at the scheduled sale, unless extended by the Director for good cause. The Director may not extend the closing date beyond 40 days from the mandatory closing date. In the event the closing on the sale of a medallion authorized by this Order does not occur within

¹² See 52 Pa. Code §§ 1013.31–37 (relating to Subchapter C. medallion sales by the Authority); see also 53 Pa.C.S. § 5717 (relating to additional certificates and medallions).

¹³ See 53 Pa. Code § 1013.35 (relating to procedures for bidding).

100 days of the successful bid at the scheduled sale, this authorization to sell that medallion is voided pending further order of the Board.

20. The contact person for this Order is Christine A. Kirlin, Esq., Director, Taxicab and Limousine Division, (215) 683-9653.

21. The Executive Director shall cause this Order to be deposited with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 19-1085. Filed for public inspection July 12, 2019, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Authorization of Wheelchair Accessible Taxicab Medallions; Doc. No. 19-002

Order

By the Authority:

The Authority is the sole regulator of all taxicab, limousine and transportation network services in Philadelphia.¹ The purpose of this Order is to authorize the sale of new taxicab medallions.² The Authority is currently authorized to issue and sell 44 new taxicab medallions, which includes 29 authorized medallions that were not sold at previously scheduled sales due to lack of participation and 15 new medallions that were authorized for sale and issuance as of June 1, 2019.³

*Therefore,
It Is Ordered That:*

1. The Director of the Authority's Taxicab and Limousine Division ("TLD"), or her designee (the "Director"), is authorized to administer the sale of 44 new Philadelphia taxicab medallions currently authorized by the Act.

2. Each of the 44 medallions authorized for sale by this Order is hereby designated a wheelchair-accessible vehicle taxicab ("WAV") medallion,⁴ in perpetuity.

3. Each of the medallions authorized for sale by this Order will be identified by the letters "WP" (Wheelchair Philadelphia), which shall precede the unique number assigned to the medallion.

4. Each medallion authorized by this Order will be sold separately by sealed competitive bid, as provided by the Authority's regulations.⁵

5. Each sealed bid⁶ for a medallion must be filed with the TLD Clerk, by hand delivery, at the TLD's headquarters at 2415 South Swanson Street, Philadelphia, PA 19148.

6. In order to be considered filed, a medallion bid must be time stamped by the TLD's Clerk.

7. The Clerk may only time stamp a medallion bid as follows:

- a) Between 8:30 a.m. and 4:30 p.m. on the business day preceding the date of the scheduled medallion sale; or
- b) Between 8:30 a.m. and 9:30 a.m. on the day of the scheduled medallion sale.

8. The upset price for each medallion will be \$10,000. The Board does not set this minimum bid based upon an understanding of fair market value, but as a basis to permit the market to set the appropriate value of this class of medallion and to facilitate more of this vital form of transportation service to the riding public.

9. The Director may, in her discretion, remove any medallion from a scheduled bid opening date. In this case, the sale of that medallion may be rescheduled for sale as provided in this Order.

10. The Director may, in her discretion, remove any medallion from a scheduled bid opening date and place the medallion before this Board for a new sale authorization, pursuant to such terms and conditions as the Board may then impose.

11. The sealed bids for the medallions will be opened by the Director at the TLD's headquarters at 10:00 a.m. at 2415 South Swanson Street, Philadelphia, PA 19148 as follows:

a) On September 18, 2019: Medallion Nos. WP-1662, WP-1663, WP-1664, WP-1665, WP-1666, WP-1667, WP-1668 and WP-1669.

b) On September 25, 2019: Medallion Nos. WP-1670, WP-1671, WP-1673, WP-1674, WP-1675, WP-1676, WP-1677, WP-1678, WP-1679, WP-1680, WP-1681 and WP-1682.

c) On October 2, 2019: Medallion Nos. WP-1683, WP-1684, WP-1685, WP-1686, WP-1687, WP-1688, WP-1689, WP-1690, WP-1691, WP-1696, WP-1697 and WP-1698.

d) On October 9, 2019: Medallion Nos. WP-1699, WP-1700, WP-1701, WP-1702, WP-1703, WP-1704, WP-1705, WP-1706, WP-1707, WP-1708, WP-1709 and WP-1710.

12. Medallions scheduled for bid on September 18, 2019 but rescheduled by the Director, may be scheduled for sale on October 16, 2019.

13. Medallions scheduled for bid on September 25, 2019, but rescheduled by the Director, may be scheduled for sale on October 23, 2019.

14. Medallions scheduled for bid on October 2, 2019, but rescheduled by the Director, may be scheduled for sale on October 30, 2019.

15. Medallions scheduled for bid on October 9, 2019, but rescheduled by the Director, may be scheduled for sale on November 6, 2019.

16. Upon removal of a medallion from a scheduled bid date, the Director shall promptly identify the alternate bid date, if applicable, that will apply to that medallion as provided for in this Order on the Authority's Internet website and through a notice published in the *Pennsylvania Bulletin*.

17. The mandatory closing date for every medallion assigned to a successful bidder is 60 days from the date of the successful bid at the scheduled sale, unless extended by the Director for good cause. The Director may not extend the closing date beyond 40 days from the mandatory closing date. In the event the closing on the sale of a medallion authorized by this Order does not occur within

¹ See the Act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended, and the Act of Nov. 4, 2016, (P.L. 1222, No. 164), 53 Pa.C.S. Chapters 57A and 57B, (the "Act").

² See 53 Pa.C.S. §§ 5711(c)(2) and 5717(a) (relating to power of authority to issue certificates of public convenience, additional certificates and medallions).

³ *Id.*

⁴ See 52 Pa. Code § 1011.2 (relating to definitions); see also 53 Pa.C.S. § 5717(c).

⁵ See 52 Pa. Code §§ 1013.31–37 (relating to Subchapter C. medallion sales by the Authority); see also 53 Pa.C.S. § 5717 (relating to additional certificates and medallions).

⁶ See 53 Pa. Code § 1013.35 (relating to procedures for bidding).

100 days of the successful bid at the scheduled sale, this authorization to sell that medallion is voided pending further order of the Board.

18. The contact person for this Order is Christine A. Kirlin, Esq., Director, Taxicab and Limousine Division, (215) 683-9653.

19. The Executive Director shall cause this Order to be deposited with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 19-1086. Filed for public inspection July 12, 2019, 9:00 a.m.]

PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

Department of Education, Petitioner, v. Joe Cox, Jr., Respondent; PSPC Doc. No. DI-16-007

Notice to Joe Cox, Jr.:

On January 7, 2016, the Pennsylvania Department of Education instituted a formal administrative action against you by filing an Order to Show Cause before the Professional Standards and Practices Commission ("Commission"), seeking the imposition of professional discipline pursuant to section 2070.9e of the Educator Discipline Act. Pursuant to 1 Pa. Code § 33.31 and Pa.R.C.P. Rule 430, the Commission has issued an Order authorizing service of process upon you by publication.

Notice

An Order to Show Cause has been filed against you which could result in the imposition of professional discipline. Discipline, as defined by the Educator Discipline Act, includes the following actions: a private or public reprimand; the suspension, revocation or surrender of a certificate or eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider or contracted educational provider staff member; or supplemental sanctions. See 24 P.S. § 2070.1b.

If you wish to defend against the Order to Show Cause filed against you or to present evidence to mitigate any discipline 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 Commission at the address below.

Your response and/or request for a hearing should be sent to:

Shane F. Crosby, Executive Director
Professional Standards and Practices Commission
333 Market Street, 14th Floor
Harrisburg, PA 17126-0333
Telephone: (717) 787-6576

A copy of your response should also be sent to the Office of Chief Counsel, Pennsylvania Department of Education, 333 Market Street, 9th Floor, Harrisburg, PA 17126-0333.

Please be advised that you are entitled to be represented by legal counsel, at your expense, throughout this process. You may be entitled to legal representation at no

cost through your local teacher's union. All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

YOUR RESPONSE MUST BE RECEIVED BY THE COMMISSION WITHIN THIRTY (30) DAYS AFTER THE DATE OF THIS NOTICE. IF YOU FAIL TO FILE A RESPONSE OR TO REQUEST A HEARING WITHIN THIRTY (30) DAYS, ALL OF THE FACTUAL ASSERTIONS STATED IN THE ORDER TO SHOW CAUSE MAY BE CONSIDERED ADMITTED AND DISCIPLINE MAY BE IMPOSED WITHOUT A HEARING. ADDITIONALLY, IF YOU FAIL TO RESPOND AND/OR MAINTAIN A CURRENT ADDRESS WITH THE DEPARTMENT AND COMMISSION, DISCIPLINE MAY BE IMPOSED BY THE COMMISSION WITHOUT FURTHER NOTICE TO YOU AND WITHOUT THE NEED FOR YOUR PRESENCE.

SHANE F. CROSBY,
Executive Director

[Pa.B. Doc. No. 19-1087. Filed for public inspection July 12, 2019, 9:00 a.m.]

PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

Department of Education, Petitioner, v. Jeanette Willix, Respondent; PSPC Doc. No. DI-12-179

Notice to Jeanette Willix:

On July 17, 2018, the Pennsylvania Department of Education instituted a formal administrative action against you by filing an Order to Show Cause before the Professional Standards and Practices Commission ("Commission"), seeking the imposition of professional discipline pursuant to section 2070.9e of the Educator Discipline Act. Pursuant to 1 Pa. Code § 33.31 and Pa.R.C.P. Rule 430, the Commission has issued an Order authorizing service of process upon you by publication.

Notice

An Order to Show Cause has been filed against you which could result in the imposition of professional discipline. Discipline, as defined by the Educator Discipline Act, includes the following actions: a private or public reprimand; the suspension, revocation or surrender of a certificate or eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider or contracted educational provider staff member; or supplemental sanctions. See 24 P.S. § 2070.1b.

If you wish to defend against the Order to Show Cause filed against you or to present evidence to mitigate any discipline 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 Commission at the address below.

Your response and/or request for a hearing should be sent to:

Shane F. Crosby, Executive Director
Professional Standards and Practices Commission
333 Market Street, 14th Floor
Harrisburg, PA 17126-0333
Telephone: (717) 787-6576

A copy of your response should also be sent to the Office of Chief Counsel, Pennsylvania Department of Education, 333 Market Street, 9th Floor, Harrisburg, PA 17126-0333.

Please be advised that you are entitled to be represented by legal counsel, at your expense, throughout this process. You may be entitled to legal representation at no cost through your local teacher's union. All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

YOUR RESPONSE MUST BE RECEIVED BY THE COMMISSION WITHIN THIRTY (30) DAYS AFTER THE DATE OF THIS NOTICE. IF YOU FAIL TO FILE A RESPONSE OR TO REQUEST A HEARING WITHIN THIRTY (30) DAYS, ALL OF THE FACTUAL ASSERTIONS STATED IN THE ORDER TO SHOW CAUSE MAY BE CONSIDERED ADMITTED AND DISCIPLINE MAY BE IMPOSED WITHOUT A HEARING. ADDITIONALLY, IF YOU FAIL TO RESPOND AND/OR MAINTAIN A CURRENT ADDRESS WITH THE DEPARTMENT AND COMMISSION, DISCIPLINE MAY BE IMPOSED BY THE COMMISSION WITHOUT FURTHER NOTICE TO YOU AND WITHOUT THE NEED FOR YOUR PRESENCE.

SHANE F. CROSBY,
Executive Director

[Pa.B. Doc. No. 19-1088. Filed for public inspection July 12, 2019, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on August 1, 2019, at 2:30 p.m. at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. These projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for September 6, 2019, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is August 12, 2019.

For further information contact Jason Oyler, General Counsel and Secretary, (717) 238-0423, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

Supplementary Information

The public hearing will cover the following projects:

Projects Scheduled for Action

1. Project Sponsor: Aqua Pennsylvania, Inc. Project Facility: Eagle Rock Utilities Water System, North Union Township, Schuylkill County, PA. Application for groundwater withdrawal of up to 0.163 mgd (30-day average) from Well ER-8.
2. Project Sponsor and Facility: Chester Water Authority, East Nottingham Township, Chester County, PA. Application for consumptive use of up to 60.000 mgd (peak day).
3. Project Sponsor and Facility: Chief Oil & Gas, LLC (Loyalsock Creek), Forksville Borough, Sullivan County, PA. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20150903).
4. Project Sponsor and Facility: Dillsburg Area Authority, Carroll Township, York County, PA. Application for groundwater withdrawal of up to 0.220 mgd (30-day average) from Well 4.
5. Project Sponsor: Dover Township. Project Facility: Dover Township Water Department, Dover Township, York County, PA. Application for renewal of groundwater withdrawal of up to 0.350 mgd (30-day average) from Well 9 (Docket No. 19880205).
6. Project Sponsor and Facility: Duncannon Borough, Penn Township, Perry County, PA. Application for groundwater withdrawal of up to 0.037 mgd (30-day average) from Well 7.
7. Project Sponsor and Facility: Elk Mountain Ski Resort, Inc. (Unnamed Tributary to East Branch Tunkhannock Creek), Herrick Township, Susquehanna County, PA. Modification to change from peak day to 30-day average for surface water withdrawal and consumptive use limits (Docket No. 20031003).
8. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (Loyalsock Creek), Plunketts Creek Township, Lycoming County, PA. Application for surface water withdrawal of up to 2.000 mgd (peak day).
9. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, PA. Application for renewal of consumptive use of up to 2.622 mgd (peak day) (Docket No. 19890106).
10. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 1.728 mgd (30-day average) from Well UN-33 (Docket No. 19890106).
11. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 1.678 mgd (30-day average) from Well UN-34 (Docket No. 19890106).
12. Project Sponsor and Facility: Pennsylvania State University, College Township, Centre County, PA. Application for renewal of groundwater withdrawal of up to 1.728 mgd (30-day average) from Well UN-35 (Docket No. 19890106).
13. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Wappasening Creek), Windham Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20150910).

14. Project Sponsor and Facility: Rockdale Marcellus, LLC (Lycoming Creek), McIntyre Township, Lycoming County, PA. Application for surface water withdrawal of up to 2.000 mgd (peak day).

15. Project Sponsor and Facility: Seneca Resources Company, LLC (Marsh Creek), Delmar Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20150908).

16. Project Sponsor and Facility: XTO Energy Inc. (West Branch Susquehanna River), Chapman Township, Clinton County, PA. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20150911).

Project Scheduled for Action Involving a Diversion

17. Project Sponsor and Facility: Chester Water Authority, East Nottingham Township, Chester County, PA. Application for an out-of-basin diversion of up to 60.000 mgd (peak day) from the Susquehanna River and Octoraro Reservoir.

Opportunity to Appear and Comment

Interested parties may appear at the hearing to offer comments to the Commission on any previously listed business required to be subject of a public hearing. The

presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing room will begin at 2 p.m. and Commission staff will be available for questions prior to the commencement of the hearing. Guidelines for the public hearing are posted on the Commission's web site, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any previously listed business required to be subject of a public hearing may also be mailed to Jason Oyler, Secretary, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through www.srbc.net/about/meetings-events/public-hearing.html. Comments mailed or electronically submitted must be received by the Commission on or before August 12, 2019, to be considered.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: June 28, 2019

ANDREW D. DEHOFF,
Executive Director

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