

# PENNSYLVANIA BULLETIN

Volume 50  
Saturday, August 22, 2020 • Harrisburg, PA  
Number 34  
Pages 4225—4372

## Agencies in this issue

The Governor  
The General Assembly  
The Courts  
Department of Banking and Securities  
Department of Conservation and Natural Resources  
Department of Education  
Department of Environmental Protection  
Department of Health  
Department of Labor and Industry  
Patient Safety Authority  
Pennsylvania Gaming Control Board  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Architects Licensure Board  
State Board of Landscape Architects  
State Registration Board for Professional Engineers, Land Surveyors and Geologists  
**Detailed list of contents appears inside.**



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

**No. 549, August 2020**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

If information on mailing label is incorrect, please email changes to [info@pabulletin.com](mailto:info@pabulletin.com) or mail to:

**FRY COMMUNICATIONS, INC.**  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 45 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$87.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 2340  
(800) 334-1429 ext. 2340 (toll free, out-of-State)  
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2020 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE GOVERNOR

### Proclamations

Proclamation terminating the disaster emergency... 4233

## THE GENERAL ASSEMBLY

### COMMISSION ON SENTENCING

Virtual meetings scheduled..... 4234

### THE GENERAL ASSEMBLY

Recent actions during the 2020 regular session of the General Assembly..... 4234

## THE COURTS

### DISCIPLINARY BOARD OF THE SUPREME COURT

List of financial institutions ..... 4236

### LOCAL COURT RULES

#### York County

Amendment of local rules of criminal procedure; CP-67-AD-28-2020 ..... 4236

### SUPREME COURT

Financial institutions approved as depositories for fiduciary accounts; No. 200 disciplinary rules doc.. 4238

## EXECUTIVE AND INDEPENDENT AGENCIES

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications..... 4302

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Wild Resource Conservation Program public input .. 4302

### DEPARTMENT OF EDUCATION

#### Notices

Application by South University to operate a location in this Commonwealth..... 4303

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices..... 4303

Bid opportunity (2 Documents) ..... 4366  
 Citizens Advisory Council meeting cancellation .... 4366  
 Oil and Gas Technical Advisory Board virtual meeting..... 4367  
 Solid Waste Advisory Committee and Recycling Fund Advisory Committee annual joint virtual meeting ..... 4367

### DEPARTMENT OF HEALTH

#### Notices

Health Research Advisory Committee special virtual meeting ..... 4367  
 Rare Disease Advisory Council virtual meeting .... 4368

### DEPARTMENT OF LABOR AND INDUSTRY

#### Notices

Range of fees charged by utilization review organizations and peer review organizations for services performed under the Workers' Compensation Act.. 4368

### PATIENT SAFETY AUTHORITY

#### Notices

Virtual public meeting ..... 4369

### PENNSYLVANIA GAMING CONTROL BOARD

#### Proposed Rulemaking

Interactive gaming..... 4248

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Service of notice of motor carrier applications..... 4369  
 Telecommunications (8 Documents) .... 4369, 4370, 4371

### PHILADELPHIA PARKING AUTHORITY

#### Notices

Service of notice of motor carrier applications in the City of Philadelphia..... 4372  
 Service of reminder notice of citation complaints .... 4372

### STATE ARCHITECTS LICENSURE BOARD

#### Proposed Rulemaking

Digital signature and seal..... 4241

### STATE BOARD OF LANDSCAPE ARCHITECTS

#### Proposed Rulemaking

Digital signature and seal..... 4243

### STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

#### Proposed Rulemaking

Digital signature and seal..... 4245

---

Available Online at <http://www.pacodeandbulletin.gov>

---

# 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.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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

The *Pennsylvania Bulletin* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

**Subscription Information: (717) 766-0211**  
**General Information and Finding Aids: (717) 783-1530**

### 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).

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish information except as provided by 1 Pa. Code § 3.44:

#### § 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the [Legislative Reference] Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

## 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 2020.

### 4 Pa. Code (Administration)

#### Adopted Rules

1	902, 3586
7	3200, 4008
7a	3406

#### Statements of Policy

9	328, 546, 915, 1118, 1551
---	---------------------------

### 7 Pa. Code (Agriculture)

#### Adopted Rules

150	1836
-----	------

### 22 Pa. Code (Education)

#### Adopted Rules

2	4131
---	------

### 25 Pa. Code (Environmental Protection)

#### Adopted Rules

78A	3845
86	1508
87	1508
88	1508
89	1508
90	1508
93	3426
123	3714
261a	3581
262a	3581
263a	3581
264a	3581
265a	3581
806	1931

#### Proposed Rules

93	3724
96	3724
121	2633
129	2633
250	1011

#### Statements of Policy

16	3485
----	------

### 28 Pa. Code (Health and Safety)

#### Adopted Rules

26	1352
----	------

### 31 Pa. Code (Insurance)

#### Proposed Rules

168	798
-----	-----

### 34 Pa. Code (Labor and Industry)

#### Adopted Rules

91	792
93	792
95	792

#### Proposed Rules

65	3108
----	------

### 40 Pa. Code (Liquor)

#### Proposed Rules

5	1650
---	------

### 49 Pa. Code (Professional and Vocational Standards)

#### Adopted Rules

25	4133
33	3854
35	1838
43b	1354

#### Proposed Rules

9	4241
15	4243
25	1364
29	2743
37	4245
39	668

### 52 Pa. Code (Public Utilities)

#### Adopted Rules

54	3861
77	469

#### Proposed Rules

32	3585
----	------

#### Statements of Policy

41	1695
69	1652, 3598

### 55 Pa. Code (Human Services)

#### Statements of Policy

41	1695
----	------

### 58 Pa. Code (Recreation)

#### Adopted Rules

63	1526, 3892
69	1527
119	1246
135	2257
139	2258
141	2264, 2265, 2268, 2269, 2272
147	2273, 2274, 2276

#### Proposed Rules

51	3894
61	3895
63	1247
65	3896, 3898
131	1549
135	1372, 1549, 2279
139	1373
141	1379, 1380, 1384, 1385
147	1387, 1390
801a	4248
802a	4248
803a	4248
804a	4248
805a	4248
806a	4248
807a	4248
808a	4248
809a	4248
810a	4248
811a	4248
812a	4248
813a	4248
814a	4248

815a .....	4248	19 .....	505
816a .....	4248	23 .....	535
817a .....	4248	27 .....	505
830a .....	4248	33 .....	505, 535
		37 .....	651
<b>Statements of Policy</b>		63 .....	2013
465b .....	4142	69 .....	657
<b>61 Pa. Code (Revenue)</b>		<b>Proposed Rules</b>	
<b>Adopted Rules</b>		1 .....	3823
876 .....	1528	3 .....	303
		9 .....	3823
<b>67 Pa. Code (Transportation)</b>		11 .....	3823
<b>Adopted Rules</b>		13 .....	3823
601 .....	545	17 .....	3823
		19 .....	304
<b>Proposed Rules</b>		21 .....	3823
55 .....	2746	25 .....	3823
<b>201 Pa. Code (Rules of Judicial Administration)</b>		<b>225 Pa. Code (Rules of Evidence)</b>	
<b>Adopted Rules</b>		<b>Adopted Rules</b>	
6 .....	2174	Article IX .....	2837
7 .....	2012		
		<b>231 Pa. Code (Rules of Civil Procedure)</b>	
<b>204 Pa. Code (Judicial System General Provisions)</b>		<b>Adopted Rules</b>	
<b>Adopted Rules</b>		200 .....	198, 306
27 .....	1344	400 .....	199
29 .....	3423	1000 .....	199
33 .....	1108	1915 .....	4019
71 .....	641, 1239, 2012, 2386	Part II .....	306
73 .....	2386		
81 .....	3011	<b>Proposed Rules</b>	
82 .....	2077, 2174	200 .....	3572, 4023
83 .....	197, 2013, 3571	400 .....	3573, 3575
85 .....	647, 4014	1915 .....	3826, 3834
89 .....	2387, 2388, 4014	1990 .....	4023
91 .....	647, 4014		
93 .....	647, 648, 651, 2388, 4014	<b>234 Pa. Code (Rules of Criminal Procedure)</b>	
		<b>Adopted Rules</b>	
<b>Proposed Rules</b>		1 .....	4123
71 .....	4012	5 .....	4124
81 .....	4013	10 .....	4123
83 .....	642, 2631		
85 .....	642	<b>Proposed Rules</b>	
89 .....	642	6 .....	3576
91 .....	642		
93 .....	642	<b>237 Pa. Code (Juvenile Rules)</b>	
303 .....	3203	<b>Adopted Rules</b>	
307 .....	3305	1 .....	4128
309 .....	3409	11 .....	4128
311 .....	3417	13 .....	2389
<b>207 Pa. Code (Judicial Conduct)</b>		<b>Proposed Rules</b>	
<b>Adopted Rules</b>		2 .....	3836
33 .....	7, 197, 1239	3 .....	3836
		5 .....	3838
<b>Proposed Rules</b>		6 .....	3838
51 .....	4017		
		<b>246 Pa. Code (Minor Court Civil Rules)</b>	
<b>210 Pa. Code (Appellate Procedure)</b>		<b>Adopted Rules</b>	
<b>Adopted Rules</b>		200 .....	2252
1 .....	505, 535	300 .....	2252
3 .....	505	400 .....	2252
5 .....	505	500 .....	2252
7 .....	505		
9 .....	505, 535	<b>Proposed Rules</b>	
11 .....	535	300 .....	3104
13 .....	505, 535		
15 .....	505	<b>249 Pa. Code (Philadelphia Rules)</b>	
16 .....	505	Unclassified .....	788, 1503, 3578
17 .....	505, 535		

4232

**252 Pa. Code (Allegheny County Rules)**

Unclassified ..... 307

914, 1114, 1115, 1116, 1350, 1503, 1504, 1505, 1506, 1647,  
1648, 1827, 1829, 2014, 2018, 2019, 2736, 2925, 3011,  
3106, 3308, 3579, 3710, 3711, 4031, 4236

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 199, 200, 667, 790, 904, 912, 913,



# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation Terminating the Disaster Emergency

August 6, 2020

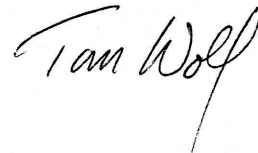
*Whereas*, on May 30, 2020, I proclaimed the existence of a disaster emergency in the Commonwealth due to a civil disturbance that affected several counties in the Commonwealth of Pennsylvania; and

*Whereas*, this civil disturbance posed an imminent threat of danger to the safety and welfare of the people in the affected areas; and

*Whereas*, immediate steps were taken to stabilize the affected areas, recovery operations commenced, and ongoing monitoring of conditions made at my direction have disclosed that the adverse impacts of the civil disturbance have been mitigated such that emergency conditions no longer exist.

*Now Therefore*, pursuant to the provisions of section 7301(c) of the Emergency Management Services Code, 35 Pa.C.S. § 7301(c), I do hereby proclaim the termination of the May 30, 2020, disaster emergency related to civil disturbance in the Commonwealth of Pennsylvania.

*Given* under my hand and the Seal of the Governor, at the city of Harrisburg, on this sixth day of August two thousand twenty, the year of the commonwealth the two hundred and forty-fifth.



Governor

[Pa.B. Doc. No. 20-1134. Filed for public inspection August 21, 2020, 9:00 a.m.]

# THE GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Virtual Meetings Scheduled

The Commission on Sentencing (Commission) will hold its third quarterly meetings on Thursday, September 10, 2020. Consistent with the novel coronavirus (COVID-19) precautions, the meetings will be held using Zoom Webinar, with limited opportunities for onsite participation at the Commission's State College Office, 204 East Calder Way, Suite 400, State College, PA 16801.

Thursday, September 10, 2020	9 a.m. Policy Meeting
	11 a.m. Quarterly Commission Meeting

All meetings of the Commission are open to the public. Individuals who wish to attend the Zoom meeting should register at <https://bit.ly/PCS2020SEPT>. Individuals who wish to attend in-person are asked to schedule their participation by contacting Cathy Dittman at [cwd2@psu.edu](mailto:cwd2@psu.edu) or (814) 863-5729.

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 20-1135. Filed for public inspection August 21, 2020, 9:00 a.m.]

## THE GENERAL ASSEMBLY

### Recent Actions during the 2020 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2020 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2020 General Acts of Regular Session Enacted—ACT 057 through 077</b>					
057	Jul 14	H1841	PN4011	Immediately*	Law and Justice (44 Pa.C.S.)—law enforcement background investigations and employment information
058	Jul 14	H1860	PN2940	60 days	Urban Redevelopment Law—formation of authorities, dissolution of city authorities and eminent domain
059	Jul 14	H1910	PN4012	Immediately*	Judicial Code (42 Pa.C.S.), Law and Justice (44 Pa.C.S.) and Municipalities (53 Pa.C.S.)—continuing education requirements, mental health evaluations and powers and duties of commission
060	Jul 14	H2045	PN2872	Immediately	Conveyance—Commonwealth Property in Ohio-pyle Borough, Fayette County
061	Jul 14	S0352	PN1607	60 days	Tax Exemption and Mixed-Use Incentive Program Act—enactment
062	Jul 14	S0934	PN1720	120 days	Human Services Code—right to enter and inspect
063	Jul 23	H0256	PN4054	60 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—offense of assault by prisoner, offense of institutional sexual assault and sexual offenses and tier system
064	Jul 23	H0632	PN4052	Immediately*	Vehicle Code (75 Pa.C.S.)—application for certificate of title by agent and odometer disclosure requirements
065	Jul 23	H0672	PN2004	60 days	Allowing Minors to Consent to Medical Care—mental health treatment and release of medical records
066	Jul 23	H0732	PN4118	Immediately*	Tax Reform Code of 1971—excluded transactions and local resource manufacturing tax credit
067	Jul 23	H0943	PN4053	Immediately	Consumer Prescription Drug Pricing and Freedom Disclosure Act—enactment

<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>
068	Jul 23	H1437	PN4124	Immediately*	Tax Reform Code of 1971—omnibus amendments
069	Jul 23	H1459	PN4149	Immediately*	Health and Safety (35 Pa.C.S.)—omnibus amendments
070	Jul 23	H2455	PN4059	Immediately	Administrative Code of 1929—COVID-19 emergency testing plan, reporting and water and sewer authorities in cities of the second class
071	Jul 23	H2484	PN4008	Immediately	Corporations and Unincorporated Associations (15 Pa.C.S.) and Decedents, Estates and Fiduciaries (20 Pa.C.S.)—investment of trust funds, nonjudicial settlement agreement and charitable trusts
072	Jul 23	S0320	PN0324	180 days	Decedents, Estates and Fiduciaries (20 Pa.C.S.)—omnibus amendments
073	Jul 23	S0836	PN1844	60 days	Public School Code of 1949—sudden cardiac arrest and electrocardiogram testing
074	Jul 23	S0927	PN1320	60 days	Vehicle Code (75 Pa.C.S.)—issuance and content of driver's license
075	Jul 23	S1125	PN1759	Immediately	Local Tax Collection Law—application of act, discounts, penalties and notice
076	Jul 23	S1188	PN1802	60 days	Local Tax Enabling Act—delegation of taxing powers and restrictions thereon and tax limitations
077	Jul 27	H2463	PN3713	Immediately	Administrative Code of 1929—access to public records during disaster declaration
<b>2020 Joint Resolutions of Regular Session Passed—JR 003 through 004</b>					
003	Jul 15	H0196	PN0168		Constitution of Pennsylvania—organizing the Judiciary into representative districts and residency requirements
004	Jul 15	S1166	PN1835		Constitution of Pennsylvania—prohibition against denial or abridgment of equality of rights because of race and ethnicity, action on concurrent orders and resolutions and disaster emergency declaration and management
<b>2020 Vetoes of Regular Session of Bills—Veto 010</b>					
010	Jul 14	H0836	PN3910		Terminating the March 6, 2020, Proclamation of Disaster Emergency issued under the hand and Seal of the Governor, Thomas Westerman Wolf

\* denotes an effective date with exceptions

#### Effective Dates of Statutes

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

#### Advance Copies of Statutes

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

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

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

[Pa.B. Doc. No. 20-1136. Filed for public inspection August 21, 2020, 9:00 a.m.]

# THE COURTS

## Title 255—LOCAL COURT RULES

### YORK COUNTY

#### Amendment of Local Rules of Criminal Procedure; CP-67-AD-28-2020

#### Administrative Order Amending York County Local Rules of Criminal Procedure 600

And Now, this 29th day of July, 2020 it is *Ordered* that York County Local Rule of Criminal Procedure 600 is amended as follows, effective August 31, 2020.

The District Court Administrator shall publish this order as may be required.

JOSEPH C. ADAMS,  
*President Judge*

#### York R.Crim.P. 600. Prompt Trial.

...

(C) No later than [ **five** ] **ten** business days prior to the first day of each week in which jury trials will be held, the district attorney shall provide to the district court administrator, in a format to be prescribed by the district court administrator, a written list of all cases the district attorney intends to call to trial in that week.

...

[Pa.B. Doc. No. 20-1137. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### List of Financial Institutions

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

SUZANNE E. PRICE,  
*Attorney Registrar*

#### FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

##### Bank Code A.

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

##### Bank Code B.

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

##### Bank Code C.

654 CACL Federal Credit Union  
618 Capital Bank, NA  
16 CBT Bank, a division of Riverview Bank  
136 Centric Bank  
**394 CFS BANK**  
623 Chemung Canal Trust Company  
599 Citibank, NA  
238 Citizens & Northern Bank  
561 Citizens Bank, NA  
206 Citizens Savings Bank  
576 Clarion County Community Bank  
660 Clarion FCU  
591 Clearview Federal Credit Union  
23 CNB Bank  
354 Coatesville Savings Bank  
223 Commercial Bank & Trust of PA  
21 Community Bank (PA)  
371 Community Bank, NA (NY)  
132 Community State Bank of Orbisonia  
**647 CONGRESSIONAL BANK**  
380 County Savings Bank  
617 Covenant Bank  
536 Customers Bank

##### Bank Code D.

339 Dime Bank (The)  
27 Dollar Bank, FSB

##### Bank Code E.

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

##### Bank Code F.

629 1st Colonial Community Bank  
158 1st Summit Bank  
31 F & M Trust Company—Chambersburg  
658 Farmers National Bank of Canfield  
205 Farmers National Bank of Emlenton (The)  
34 Fidelity Deposit & Discount Bank (The)  
**343 FIDELITY SAVINGS & LOAN  
ASSOCIATION OF BUCKS COUNTY**  
583 Fifth Third Bank  
661 First American Trust, FSB  
643 First Bank  
174 First Citizens Community Bank  
191 First Columbia Bank & Trust Company

539	First Commonwealth Bank	192	Merchants Bank of Bangor
504	First Federal S & L Association of Greene County	610	Meridian Bank
525	First Heritage Federal Credit Union	420	Meyersdale Branch, of Riverview Bank
42	First Keystone Community Bank	<b>294</b>	<b>MID PENN BANK</b>
51	First National Bank & Trust Company of Newtown (The)	<b>276</b>	<b>MIFFLINBURG BANK &amp; TRUST COMPANY</b>
48	First National Bank of Pennsylvania	457	Milton Savings Bank
426	First Northern Bank & Trust Company	<b>596</b>	<b>MOREBANK, A DIVISION OF BANK OF PRINCETON (THE)</b>
604	First Priority Bank, a division of Mid Penn Bank	<b>484</b>	<b>MUNCY BANK &amp; TRUST COMPANY (THE)</b>
<b>592</b>	<b>FIRST RESOURCE BANK</b>	<b>Bank Code N.</b>	
657	First United Bank & Trust	433	National Bank of Malvern
408	First United National Bank	168	NBT Bank, NA
151	Firsttrust Savings Bank	347	Neffs National Bank (The)
416	Fleetwood Bank	<b>434</b>	<b>NEW TRIPOLI BANK</b>
175	FNCB Bank	15	NexTier Bank, NA
291	Fox Chase Bank	636	Noah Bank
241	Franklin Mint Federal Credit Union	638	Norristown Bell Credit Union
639	Freedom Credit Union	666	Northern Trust Co.
58	Fulton Bank, NA	439	Northumberland National Bank (The)
		93	Northwest Bank
<b>Bank Code G.</b>		<b>Bank Code O.</b>	
499	Gratz Bank (The)	653	OceanFirst Bank
498	Greenville Savings Bank	489	OMEGA Federal Credit Union
		94	Orrstown Bank
<b>Bank Code H.</b>		<b>Bank Code P.</b>	
402	Halifax Branch, of Riverview Bank	<b>598</b>	<b>PARKE BANK</b>
244	Hamlin Bank & Trust Company	584	Parkview Community Federal Credit Union
362	Harleysville Savings Bank	40	Penn Community Bank
363	Hatboro Federal Savings	540	PennCrest Bank
463	Haverford Trust Company (The)	419	Pennian Bank
606	Hometown Bank of Pennsylvania	447	Peoples Security Bank & Trust Company
68	Honesdale National Bank (The)	99	PeoplesBank, a Codorus Valley Company
350	HSBC Bank USA, NA	556	Philadelphia Federal Credit Union
<b>364</b>	<b>HUNTINGDON VALLEY BANK</b>	448	Phoenixville Federal Bank & Trust
605	Huntington National Bank (The)	665	Pinnacle Bank
608	Hyperion Bank	79	PNC Bank, NA
<b>Bank Code I.</b>		449	Port Richmond Savings
365	InFirst Bank	667	Premier Bank
557	Investment Savings Bank	451	Progressive-Home Federal Savings & Loan Association
526	Iron Workers Savings Bank	637	Provident Bank
<b>Bank Code J.</b>		456	Prudential Savings Bank
70	Jersey Shore State Bank	491	PS Bank
127	Jim Thorpe Neighborhood Bank	<b>Bank Code Q.</b>	
488	Jonestown Bank & Trust Company	107	QNB Bank
659	JPMorgan Chase Bank, NA	560	Quaint Oak Bank
<b>72</b>	<b>JUNIATA VALLEY BANK (THE)</b>	<b>Bank Code R.</b>	
<b>Bank Code K.</b>		452	Reliance Savings Bank
651	KeyBank NA	220	Republic First Bank d/b/a Republic Bank
414	Kish Bank	628	Riverview Bank
<b>Bank Code L.</b>		<b>Bank Code S.</b>	
554	Landmark Community Bank	153	S & T Bank
542	Linkbank	316	Santander Bank, NA
78	Luzerne Bank	460	Second Federal S & L Association of Philadelphia
<b>Bank Code M.</b>		646	Service 1st Federal Credit Union
361	M & T Bank	458	Sharon Bank
386	Malvern Bank, NA	462	Slovenian Savings & Loan Association of Franklin-Conemaugh
510	Marion Center Bank	<b>486</b>	<b>SOMERSET TRUST COMPANY</b>
387	Marquette Savings Bank	633	SSB Bank
81	Mars Bank	<b>518</b>	<b>STANDARD BANK, PASB</b>
43	Marysville Branch, of Riverview Bank	440	SunTrust Bank
367	Mauch Chunk Trust Company	<b>122</b>	<b>SUSQUEHANNA COMMUNITY BANK</b>
511	MCS (Mifflin County Savings) Bank		
641	Members 1st Federal Credit Union		
555	Mercer County State Bank		

**Bank Code T.**

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

**Bank Code U.**

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

**Bank Code V.**

611	Victory Bank (The)
-----	--------------------

**Bank Code W.**

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

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

577	York Traditions Bank
-----	----------------------

**Bank Code Z.****PLATINUM LEADER BANKS**

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

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

*New**Name Change*

667	—First Federal Bank of the Midwest—Change to
667	—Premier Bank

*Platinum Leader Change*

58	—Fulton Bank—Remove
----	---------------------

*Correction**Removal*

[Pa.B. Doc. No. 20-1138. Filed for public inspection August 21, 2020, 9:00 a.m.]

**SUPREME COURT**

**Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 200 Disciplinary Rules Doc.**

**Order***Per Curiam*

*And Now*, this 10th day of August, 2020, it is hereby Ordered that the financial institutions named on the following list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

**FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS**

**Bank Code A.**

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

**Bank Code B.**

558	Bancorp Bank (The)
485	Bank of America, NA
662	Bank of Bird in Hand
415	Bank of Landisburg (The)
<b>664</b>	<b>BANK UNITED, NA</b>
642	BB & T Company
501	BELCO Community Credit Union
652	Berkshire Bank
663	BHCU
5	BNY Mellon, NA
<b>392</b>	<b>BRENTWOOD BANK</b>
495	Brown Brothers Harriman Trust Co., NA
161	Bryn Mawr Trust Company (The)

**Bank Code C.**

654	CACL Federal Credit Union
618	Capital Bank, NA
16	CBT Bank, a division of Riverview Bank
136	Centric Bank
<b>394</b>	<b>CFS BANK</b>
623	Chemung Canal Trust Company
599	Citibank, NA
238	Citizens & Northern Bank
561	Citizens Bank, NA
206	Citizens Savings Bank
576	Clarion County Community Bank
660	Clarion FCU
591	Clearview Federal Credit Union
23	CNB Bank
354	Coatesville Savings Bank
223	Commercial Bank & Trust of PA
21	Community Bank (PA)
371	Community Bank, NA (NY)
132	Community State Bank of Orbisonia
<b>647</b>	<b>CONGRESSIONAL BANK</b>
380	County Savings Bank
617	Covenant Bank
536	Customers Bank

**Bank Code D.**

339 Dime Bank (The)  
27 Dollar Bank, FSB

**Bank Code E.**

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

**Bank Code F.**

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

**Bank Code G.**

499 Gratz Bank (The)  
498 Greenville Savings Bank

**Bank Code H.**

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

**Bank Code I.**

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

**Bank Code J.**

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

**Bank Code K.**

651 KeyBank NA  
414 Kish Bank

**Bank Code L.**

554 Landmark Community Bank  
542 Linkbank  
78 Luzerne Bank

**Bank Code M.**

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

**Bank Code N.**

433 National Bank of Malvern  
168 NBT Bank, NA  
347 Neffs National Bank (The)  
**434 NEW TRIPOLI BANK**  
15 NextTier Bank, NA  
636 Noah Bank  
638 Norristown Bell Credit Union  
666 Northern Trust Co.  
439 Northumberland National Bank (The)  
93 Northwest Bank

**Bank Code O.**

653 OceanFirst Bank  
489 OMEGA Federal Credit Union  
94 Orrstown Bank

**Bank Code P.**

**598 PARKE BANK**  
584 Parkview Community Federal Credit Union  
40 Penn Community Bank  
540 PennCrest Bank  
419 Pennian Bank  
447 Peoples Security Bank & Trust Company  
99 PeoplesBank, a Codorus Valley Company  
556 Philadelphia Federal Credit Union  
448 Phoenixville Federal Bank & Trust  
665 Pinnacle Bank  
79 PNC Bank, NA  
449 Port Richmond Savings  
667 Premier Bank

451 Progressive-Home Federal Savings & Loan Association  
 637 Provident Bank  
 456 Prudential Savings Bank  
 491 PS Bank

**Bank Code Q.**

107 QNB Bank  
 560 Quaint Oak Bank

**Bank Code R.**

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

**Bank Code S.**

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

**Bank Code T.**

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

**Bank Code U.**

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

**Bank Code V.**

611 Victory Bank (The)

**Bank Code W.**

**119 WASHINGTON FINANCIAL BANK**  
 121 Wayne Bank  
 631 Wells Fargo Bank, NA

553 WesBanco Bank, Inc.  
 494 West View Savings Bank  
 473 Westmoreland Federal S & L Association  
 476 William Penn Bank  
 272 Woodlands Bank  
**573 WOORI AMERICA BANK**  
 630 WSFS (Wilmington Savings Fund Society), FSB

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

577 York Traditions Bank

**Bank Code Z.****PLATINUM LEADER BANKS**

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

**IOLTA EXEMPTION**

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

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

*New**Name Change*

667—First Federal Bank of the Midwest—Change to 667—Premier Bank

*Platinum Leader Change*

58—Fulton Bank—Remove

*Correction**Removal*

[Pa.B. Doc. No. 20-1139. Filed for public inspection August 21, 2020, 9:00 a.m.]



# PROPOSED RULEMAKING

## STATE ARCHITECTS LICENSURE BOARD

### [ 49 PA. CODE CH. 9 ] Digital Signature and Seal

The State Architects Licensure Board (Board) proposes to add §§ 9.140 and 9.141a (relating to definitions; and digital signature) and amend § 9.141 (relating to requirement) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

Subsection 6(a) of the Architects Licensure Law (act) (63 P.S. § 34.6(a)) authorizes the Board to establish reasonable rules and regulations to carry out the provisions of the act. Further, section 12 of the act (63 P.S. § 34.12) provides the requirement that every architect utilize a seal approved by rules and regulations promulgated by the Board.

#### *Background and Need for this Proposed Rulemaking*

Subsection 12(a) of the act requires each licensee to obtain a seal of a design authorized by the Board and to stamp all work product issued by the licensee with that seal. The Board has promulgated § 9.141 to set standards for licensee use of the seal, including the requirement in § 9.141(b)(2) that the licensee also sign the document. However, these regulations were developed when the seal was applied by means of a metal embosser or a rubber stamp; they did not contemplate that a seal or signature could be placed electronically through the personal use of computer technology by placing an image of the seal or signature on a document and did not contemplate that a document could be signed digitally other than by placing an image of the signature on the document. With such technology now available, the National Council of Examiners in Engineering and Surveying (NCEES), the National organization of engineering and land surveying licensing boards, has addressed its use in paragraph H of section 240.20 (relating to seals) of its Model Rules ([https://ncees.org/wp-content/uploads/Model\\_Rules\\_2019\\_web.pdf](https://ncees.org/wp-content/uploads/Model_Rules_2019_web.pdf)). Additionally, the Uniform Electronic Transactions Act (UETA) has been adopted by many states, including the Commonwealth. In the Commonwealth, UETA was enacted as the Electronic Transactions Act (73 P.S. §§ 2260.101—2260.5101). The Board has adopted definitions and provisions consistent with the Electronic Transactions Act for these regulations. Other state agencies must comply with the Electronic Transactions Act under section 303(a) (73 P.S. § 2260.303(a)) in that they may not deny the legal effect or enforceability of a seal solely because it is in electronic form.

This proposed rulemaking will allow licensees to use digital signatures and seals to increase electronic commerce and electronic communications, increase electronic filing of documents, help establish uniformity of rules and standards regarding the authentication and integrity of electronic records and promote public confidence in the integrity and reliability of electronic records. The Board believes that it is appropriate to amend its regulations to

make it clear that licensees are permitted to take advantage of this technology and to set standards for its use.

#### *Description of Proposed Amendments*

This proposed rulemaking adds § 9.140 to provide definitions for the newly-used terms “digital seal,” “digital signature,” “electronic,” “handwritten signature,” “sole control” and “verification.” The definitions of these terms are consistent with the same terms as defined by other northeastern states’ professional licensure regulatory bodies, the Uniform Electronic Transactions Act, the Electronic Transactions Act, the Digital Signature and Electronic Authentication Law and the Electronic Signatures in Global and National Commerce Act. The profession makes a distinction between electronic versus digital signatures. An electronic signature may include scanned images of handwritten signatures or typed notations such as “/s/ Jane Doe” without any authentication or encryption system included. Consistent with NCEES Model Rules, the Board proposes digital signatures and seals because the digital approach more properly describes a system applied to an electronic document that uses specific technical processes to provide significant added signer authentication, document authentication, document encryption (if necessary) and efficiency.

Additionally, the Board proposes to amend § 9.141(a) to require a licensee to include on the licensee’s seal the legend “registered architect” together with a reference to the Commonwealth, which is already noted on the Board’s web site in reference to required seal design. This proposed rulemaking also amends existing § 9.141(a) to remove the word “metal” regarding the type of seal each licensee is required to obtain. Removing this term aligns this section with the other design Board requirements for a seal.

Next, this proposed rulemaking amends § 9.141(b)(2) by adding “or digital” to clarify that architects are permitted to use either a facsimile or digital seal on all subsequent pages of final or complete documents.

Also, this proposed rulemaking adds § 9.141(b)(5) to require, as does the Model Rule, that a licensee must (i) physically place the seal and handwritten signature in ink, (ii) digitally place the seal and handwrite the signature in ink, or (iii) digitally place the seal and a digital signature.

Finally, this proposed rulemaking adds § 9.141a, which provides the heart of the regulation by requiring, as does the Model Rule, that documents signed using a digital signature and seal must have an electronic authentication process attached to or logically associated with the document and that this signature and seal must be unique to the licensee, capable of verification, under the sole control of the licensee, and linked to the document in such a manner that the digital signature and seal are invalidated if any data in the document is changed. Subsection (c) adopts language from the Model Rule 240.20 by requiring that any hard copy printed from the transmitted document file must bear the digital facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial signing of the file and that any alterations will cause the signature to be voided.

#### *Fiscal Impact and Paperwork Requirements*

Because the use of digital signatures and seals are voluntary rather than mandatory, this proposed rule-

making would not have a fiscal impact on, or create additional paperwork for, the regulated community, the general public, or the Commonwealth and its political subdivisions.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 11, 2020, 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 Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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 shall 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.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Counsel, Department of State, by mail at P.O. Box 69523, Harrisburg, PA 17106-5923 or by e-mail at RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-4111 (Digital Signature and Seal) when submitting comments.

PHILIP M. LEINBACH, RA,  
*President*

**Fiscal Note:** 16A-4111. No fiscal impact; (8) recommends adoption.

### **Annex A**

## **TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

### **PART I. DEPARTMENT OF STATE**

#### **Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

#### **CHAPTER 9. STATE ARCHITECTS LICENSURE BOARD**

#### **ARCHITECT'S SEAL OF LICENSURE**

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

#### **§ 9.140. Definitions.**

The following words and terms, when used in this section and §§ 9.141 and 9.141a, have the following meanings, unless the context clearly indicates otherwise:

*Digital seal*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to seal the document.

*Digital signature*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

*Electronic*—Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

*Handwritten signature*—The scripted name or legal mark of an individual, written by that individual and executed or adopted with the present intention to authenticate a writing in a permanent form.

*Sole control*—A situation in which only the licensee decides when and where the seal is applied.

*Verification*—Confirmation that a signature is actually from the licensee whose name and license number appears on the document.

#### **§ 9.141. Requirement.**

(a) A licensee shall, upon licensure, obtain a [ **metal** ] seal, of the design authorized by the Board, bearing the licensee's name and license number and the legend, [ **"Architect."** ] **"Registered Architect" together with a reference to the Commonwealth of Pennsylvania.** A stamp design identical to the prescribed seal may be obtained and used in lieu of, or in conjunction with, a seal.

(b) The following rules govern the use of an architect's seal:

(1) An architect may use [ **his** ] **the architect's** seal and signature only when the work being sealed and signed was prepared by the architect or under the architect's personal supervision, direction and control.

(2) When an architect issues final or complete documents to a client for the client's records, or when an architect submits final or complete documents to public or governmental agencies for final review, the seal and signature of the architect who prepared or who personally supervised the preparation of the documents, along with the date of issuance, shall be prominently displayed on the first page of all documents. Facsimile **or digital** seals shall appear on all subsequent pages of plans.

(3) When an architect's signature is applied, it shall be applied near or across the seal, but not in a location that obliterates the license number.

(4) An architect may not affix or permit a seal and signature to be affixed to a document if the architect's license has lapsed, or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of the act or this chapter.

**(5) When a licensee seals and signs architectural documents, one of the following methods must be used:**

**(i) Physical placement of a seal and a handwritten signature in permanent ink containing the name of the licensee.**

**(ii) Digital placement of a seal and a handwritten signature in permanent ink containing the name of the licensee.**

**(iii) Digital placement of a seal and a digital signature containing the name of the licensee.**

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

**§ 9.141a. Digital signature and seal.**

(a) Drawings, reports, and documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.

(4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

(b) Drawings, reports, and documents that are sealed with a digital seal must have an electronic authentication process attached to or logically associated with the electronic document. The digital seal must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.

(4) Linked to a document in such a manner that the digital seal is invalidated if any data in the document is changed.

(c) Any hard copy printed from the transmitted electronic file shall bear the facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Any alterations to the file shall cause the signature to be voided.

[Pa.B. Doc. No. 20-1140. Filed for public inspection August 21, 2020, 9:00 a.m.]

## STATE BOARD OF LANDSCAPE ARCHITECTS

### [ 49 PA. CODE CH. 15 ] Digital Signature and Seal

The State Board of Landscape Architects (Board) proposes to add §§ 15.32a and 15.33a (relating to definitions; and digital signature and seal) and amend § 15.33 (relating to seals) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

Section 4(9) of the Landscape Architects' Registration Law (act) (63 P.S. § 904(9)) authorizes the Board to promulgate regulations, not inconsistent with the act, that it deems necessary and proper to carry into effect the powers conferred by the act.

#### *Background and Need for this Proposed Rulemaking*

Subsection 9(a) of the act (63 P.S. § 909(a)) requires each registrant to obtain a seal of a design authorized by the Board and to stamp all work product issued by the registrant with that seal. The Board promulgated § 15.36(c) (relating to permitted practices), which requires a registrant to sign the documents which arise out of professional services. However, these regulations were developed when the seal was applied by means of a metal

embosser or a rubber stamp; they did not contemplate that a seal or signature could be placed electronically through the personal use of computer technology by placing an image of the seal or signature on a document and did not contemplate that a document could be signed digitally other than by placing an image of the signature on the document. With such technology now available, the National Council of Examiners in Engineering and Surveying (NCEES), the National organization of engineering and land surveying licensing boards, has addressed its use in paragraph H of section 240.20 (relating to seals) of its Model Rules ([https://ncees.org/wp-content/uploads/Model\\_Rules\\_2019\\_web.pdf](https://ncees.org/wp-content/uploads/Model_Rules_2019_web.pdf)). Additionally, the Uniform Electronic Transactions Act (UETA) has been adopted by many states, including the Commonwealth. In the Commonwealth, UETA was enacted as the Electronic Transactions Act (73 P.S. §§ 2260.101—2260.5101). The Board has adopted definitions and provisions consistent with the Electronic Transactions Act for these regulations. Other state agencies must comply with the Electronic Transactions Act under section 303(a) (73 P.S. § 2260.303(a)) in that they may not deny the legal effect or enforceability of a seal solely because it is in electronic form.

This proposed rulemaking will allow licensees to use digital signatures and seals to increase electronic commerce and electronic communications, increase electronic filing of documents, help establish uniformity of rules and standards regarding the authentication and integrity of electronic records and promote public confidence in the integrity and reliability of electronic records. The Board believes that it is appropriate to amend its regulations to make it clear that registrants are permitted to take advantage of this technology and to set standards for its use.

#### *Description of Proposed Amendments*

This proposed rulemaking adds § 15.32a to provide definitions for the newly-used terms “digital seal,” “digital signature,” “electronic,” “sole control,” “verification” and “work product” as well as a definition for “handwritten signature” so as to differentiate this from digital signature. The definitions of these terms are consistent with the same terms as defined by other northeastern states’ professional licensure regulatory bodies, the UETA, the Electronic Transactions Act, the Digital Signature and Electronic Authentication Law and the Electronic Signatures in Global and National Commerce Act. The profession makes a distinction between electronic versus digital signatures. An electronic signature may include scanned images of handwritten signatures or typed notations such as “/s/ Jane Doe” without any authentication or encryption system included. Consistent with NCEES Model Rules, the Board proposes digital signatures and seals because the digital approach more properly describes a system applied to an electronic document that uses specific technical processes to provide significant added signer authentication, document authentication, document encryption (if necessary) and efficiency.

This proposed rulemaking amends § 15.33(c) for clarification that the seal must also include the registrant’s name, registration number, registered landscape architect and a reference to the Commonwealth. The amendment aligns with the sample of the visual depiction of the seal as provided in § 15.33(c).

Additionally, this proposed rulemaking amends § 15.33 by adding subsection (e), requiring that a registrant must (i) physically place the seal and handwritten signature in

ink, (ii) digitally place the seal and handwrite the signature in ink, or (iii) digitally place the seal and a digital signature.

Finally, this proposed rulemaking adds § 15.33a, which provides the heart of the regulation by requiring, as does the Model Rule, that documents signed using a digital signature and seal must have an electronic authentication process attached to or logically associated with the document and that this signature and seal must be unique to the registrant, capable of verification, under the sole control of the registrant, and linked to the document in such a manner that the digital signature and seal are invalidated if any data in the document is changed. Subsection (c) adopts language from Model Rule 240.20 by requiring that any hard copy printed from the transmitted document file must bear the digital facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial signing of the file and that any alterations will cause the signature to be voided.

#### *Fiscal Impact and Paperwork Requirements*

Because the use of digital signatures and seals are voluntary rather than mandatory, this proposed rulemaking would not have a fiscal impact on, or create additional paperwork for, the regulated community, the general public, or the Commonwealth and its political subdivisions.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 11, 2020, 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 Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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 shall 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.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Counsel, State Board of Landscape Architects, by mail at P.O. Box 69523, Harrisburg, PA 17106-5923 or by e-mail at RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-6112 (Digital Signature and Seal), when submitting comments.

DAVID B. MORGAN, RLA,  
Chairperson

**Fiscal Note:** 16A-6112. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

#### PART I. DEPARTMENT OF STATE

#### Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

#### CHAPTER 15. STATE BOARD OF LANDSCAPE ARCHITECTS

#### ADMINISTRATION

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

#### § 15.32a. Definitions.

The following words and terms, when used in this section and §§ 15.33 and 15.33a, have the following meanings, unless the context clearly indicates otherwise:

*Digital seal*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to seal the document.

*Digital signature*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

*Electronic*—Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

*Handwritten signature*—The scripted name or legal mark of an individual, written by that individual and executed or adopted with the present intention to authenticate a writing in a permanent form.

*Sole control*—A situation in which only the registrant decides when and where the seal is applied.

*Verification*—Confirmation that a signature is actually from the registrant whose name and license number appears on the document.

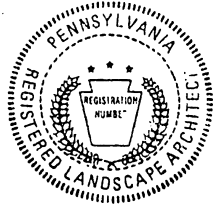
*Work product*—Drawings, specifications, plans, models and other deliverable documents representing the professional practice of landscape architecture.

#### § 15.33. Seals.

(a) An approved seal or stamp will be required for a registrant for the purpose of signing and sealing drawings, preliminary documents, specifications and contract documents **or other work product**.

(b) Only one registered landscape architect's name may be used per seal. However, more than one seal or stamp may appear on drawings, specifications and documents **or other work product**.

(c) A registrant shall be required to obtain the authorized seal or a rubber stamp, **bearing the registrant's name and registration number and the legend "Registered Landscape Architect" together with a reference to the Commonwealth of Pennsylvania.** A sample seal is as follows:



### Landscape Architect

(d) A licensee who fails to obtain a seal or rubber stamp will be subject to disciplinary action and penalties under section 11(b) of the act (63 P.S. § 911(b)).

**(e) When a registrant seals and signs landscape architectural documents, one of the following methods must be used:**

**(1) Physical placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.**

**(2) Digital placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.**

**(3) Digital placement of a seal and a digital signature containing the name of the registrant.**

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

#### § 15.33a. Digital signature and seal.

(a) Drawings, reports, and documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be:

- (1) Unique to the registrant.
- (2) Capable of verification.
- (3) Under the sole control of the registrant.

(4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

(b) Drawings, reports, and documents that are sealed with a digital seal must have an electronic authentication process attached to or logically associated with the electronic document. The digital seal must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.

(4) Linked to a document in such a manner that the digital seal is invalidated if any data in the document is changed.

(c) Any hard copy printed from the transmitted electronic file shall bear the facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Any alterations to the file shall cause the signature to be voided.

[Pa.B. Doc. No. 20-1141. Filed for public inspection August 21, 2020, 9:00 a.m.]

## STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

[ 49 PA. CODE CH. 37 ]

### Digital Signature and Seal

The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) proposes to add §§ 37.56a and 37.60 (relating to definitions; and digital signature and seal) and amend §§ 37.57—37.59 (relating to registration number; seal; and use of seal) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

Subsection 4(1) of the Engineer, Land Surveyor and Geologist Registration Law (act) (63 P.S. § 151(1)) authorizes the Board to promulgate regulations, not inconsistent with the act, that it deems necessary and proper to carry into effect the powers conferred by the act.

#### *Background and Need for this Proposed Rulemaking*

Subsection 7(a) of the act (63 P.S. § 154(a)) requires each licensee to obtain a seal of a design authorized by the Board and to stamp all work product issued by the licensee with that seal. The Board has promulgated §§ 37.58 and 37.59 to set standards for licensee use of the seal, including the requirement at § 37.59(2) that the licensee also sign the document. However, these regulations were developed when the seal was applied by means of a metal embosser or a rubber stamp; they did not contemplate that a seal or signature could be placed digitally through the personal use of computer technology by placing an image of the seal or signature on a document and did not contemplate that a document could be signed digitally other than by placing an image of the signature on the document. With such technology now available, the National Council of Examiners in Engineering and Surveying (NCEES), the National organization of engineering and land surveying licensing boards, has addressed its use in paragraph H of section 240.20 (relating to seals) of its Model Rules ([https://ncees.org/wp-content/uploads/Model\\_Rules\\_2019\\_web.pdf](https://ncees.org/wp-content/uploads/Model_Rules_2019_web.pdf)).

Additionally, the Uniform Electronic Transactions Act (UETA) has been adopted by many states, including the Commonwealth. In the Commonwealth, UETA was enacted as the Electronic Transactions Act (73 P.S. §§ 2260.101—2260.5101). The Board has adopted definitions and provisions consistent with the Electronic Transactions Act for these regulations. Other state agencies must comply with the Electronic Transactions Act under section 303(a) (73 P.S. § 2260.303(a)) in that they may not deny the legal effect or enforceability of a seal solely because it is in electronic form.

This proposed rulemaking will allow licensees to use digital signatures and seals to increase electronic commerce and electronic communications, increase electronic filing of documents, help establish uniformity of rules and standards regarding the authentication and integrity of electronic records and promote public confidence in the integrity and reliability of electronic records. The Board believes that it is appropriate to amend its regulations to

make it clear that licensees are permitted to take advantage of this technology and to set standards for its use.

#### *Description of Proposed Amendments*

This proposed rulemaking adds § 37.56a to provide definitions for the newly-used terms “digital seal,” “digital signature,” “electronic,” “sole control” and “verification,” as well as a definition for “handwritten signature” so as to differentiate this from digital signature. The definitions of these terms are consistent with the same terms as defined by other northeastern states’ professional licensure regulatory bodies, the UETA, the Electronic Transactions Act, the Digital Signature and Electronic Authentication Law and the Electronic Signatures in Global and National Commerce Act. The profession makes a distinction between electronic versus digital signatures. An electronic signature may include scanned images of handwritten signatures or typed notations such as “/s/ Jane Doe” without any authentication or encryption system included. Consistent with NCEES Model Rules, the Board proposes digital signatures and seals because the digital approach more properly describes a system applied to an electronic document that uses specific technical processes to provide significant added signer authentication, document authentication, document encryption (if necessary) and efficiency.

This proposed rulemaking amends § 37.57 for clarification that the registrant will be assigned a unique registration number upon their application being approved by the Board, not upon simply applying with the Board. This amendment is necessary in that there may be certain circumstances where an applicant will apply for licensure and be provisionally denied for various reasons. An application must be approved before the registration number is assigned.

This proposed rulemaking amends § 37.58(b) for clarification that the seal must also include a reference to the Commonwealth. The amendment aligns the section with the visual depictions of the seals as provided in § 37.58(a).

Additionally, this proposed rulemaking amends § 37.59 to add “or digital” in paragraph (2) to clarify that both facsimile or digital seals must appear on all subsequent pages of the final documents; and add paragraph (7) requiring that a licensee must (i) physically place the seal and handwritten signature in ink, (ii) digitally place the seal and handwrite the signature in ink, or (iii) digitally place the seal and a digital signature.

Finally, this proposed rulemaking adds § 37.60, which provides the heart of the regulation by requiring, as does the Model Rule, that documents signed using a digital signature and seal must have an electronic authentication process attached to or logically associated with the document and that this signature and seal must be unique to the licensee, capable of verification, under the sole control of the licensee, and linked to the document in such a manner that the digital signature and seal are invalidated if any data in the document is changed. Subsection (c) adopts language from the Model Rule 240.20 by requiring that any hard copy printed from the transmitted document file must bear the digital facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial signing of the file and that any alterations will cause the signature to be voided.

#### *Fiscal Impact and Paperwork Requirements*

Because the use of digital signatures and seals are voluntary rather than mandatory, this proposed rule-

making would not have a fiscal impact on, or create additional paperwork for, the regulated community, the general public, or the Commonwealth and its political subdivisions.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 11, 2020, 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 Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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 shall 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.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Counsel, State Registration Board for Professional Engineers, Land Surveyors and Geologists, by mail at P.O. Box 69523, Harrisburg, PA 17106-5923 or by e-mail at RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-4712 (Digital Signature and Seal), when submitting comments.

FRANCIS J. STANTON, Jr., PE,  
*President*

**Fiscal Note:** 16A-4712. No fiscal impact; (8) recommends adoption.

#### **Annex A**

### **TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

#### **PART I. DEPARTMENT OF STATE**

#### **Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

#### **CHAPTER 37. STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS**

#### **REGISTRATION NUMBER AND SEAL**

*(Editor’s Note:* The following section is proposed to be added and printed in regular type to enhance readability.)

#### **§ 37.56a. Definitions.**

The following words and terms, when used in this section and §§ 37.59 and 37.60, have the following meanings, unless the context clearly indicates otherwise:

*Digital seal*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to seal the document.

*Digital signature*—An electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

*Electronic*—Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

*Handwritten signature*—The scripted name or legal mark of an individual, written by that individual and executed or adopted with the present intention to authenticate a writing in a permanent form.

*Sole control*—A situation in which only the registrant decides when and where the seal is applied.

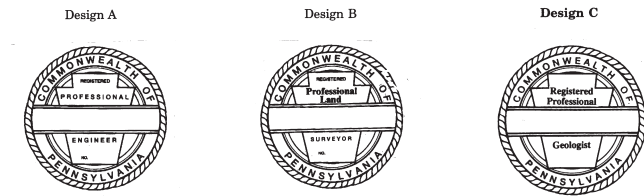
*Verification*—Confirmation that a signature is actually from the registrant whose name and registration number appears on the document.

**§ 37.57. Registration number.**

Upon [ **registering with** ] **approval of an application for registration by** the Board, each registrant will be assigned a unique registration number.

**§ 37.58. Seal.**

(a) A registrant shall obtain, at the registrant’s own expense, a seal in the design authorized by the Board. The following are Board authorized seals for “Registered Professional Engineer” (Design A), “Registered Professional Land Surveyor” (Design B), and “Registered Professional Geologist (Design C):



(b) The seal shall contain the legend “Registered Professional Engineer,” “Registered Professional Land Surveyor,” or “Registered Professional Geologist” and the registrant’s name and registration number **together with a reference to the Commonwealth of Pennsylvania.**

(c) The seal shall be 1 3/4 inch in diameter. The diameter of a pocket seal may be reduced to 1 1/2 inch if the design is in the same relative proportions in subsection (a).

(d) A registrant may use a rubber stamp or computer image which is a facsimile of the seal, if the registrant first obtains a seal in accordance with this section.

**§ 37.59. Use of seal.**

The following rules govern the proper use of a registrant’s seal:

(1) A registrant may use [ **his** ] **the registrant’s** seal and signature only when the work being sealed and signed was prepared by the registrant or under the registrant’s complete direction and control.

(2) When a registrant issues final or complete documents to a client for the client’s records, or when a registrant submits final or complete documents to public or governmental agencies for final review, the seal and signature of the registrant who prepared or who directed

and controlled the preparation of the documents, along with the date of issuance, shall be prominently displayed on the first page of all documents. Facsimile **or digital** seals shall appear on all subsequent pages of plans or plats.

(3) When multiple registrants prepare or direct and control the preparation of documents, each registrant’s seal and signature shall appear on the first page of the documents, or on the first page of the identifiable portion or section of the documents, which were prepared or directed and controlled by that registrant, if the respective registrants’ direction and control can be reasonably segregated.

(4) When a registrant’s signature is applied, it shall be applied near or across the seal, but not in a location that obliterates the registration number.

(5) A registrant may not affix or permit a seal and signature to be applied to a document after the expiration of the registrant’s licensure status, or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of the act or this chapter.

(6) In the case of a temporary permit issued to an engineering, land surveying or geology registrant of another state, the registrant shall use the seal of the registrant’s home state and shall affix his signature and a copy of the temporary permit to work performed in this Commonwealth.

**(7) When a registrant seals and signs engineering, surveying or geology documents, one of the following methods must be used:**

**(i) Physical placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.**

**(ii) Digital placement of a seal and a handwritten signature in permanent ink containing the name of the registrant.**

**(iii) Digital placement of a seal and a digital signature containing the name of the registrant.**

*(Editor’s Note: The following section is proposed to be added and printed in regular type to enhance readability.)*

**§ 37.60. Digital signature and seal.**

(a) Drawings, reports, and documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document. The digital signature must be:

- (1) Unique to the registrant.
- (2) Capable of verification.
- (3) Under the sole control of the registrant.

(4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

(b) Drawings, reports, and documents that are sealed with a digital seal must have an electronic authentication process attached to or logically associated with the electronic document. The digital seal must be:

- (1) Unique to the licensee.
- (2) Capable of verification.
- (3) Under the sole control of the licensee.

(4) Linked to a document in such a manner that the digital seal is invalidated if any data in the document is changed.

(c) Any hard copy printed from the transmitted electronic file shall bear the facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Any alterations to the file shall cause the signature to be voided.

[Pa.B. Doc. No. 20-1142. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 801a—817a AND 830a ]

### Interactive Gaming

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. § 13B02 (relating to regulatory authority), proposes to add Chapters 801a—817a and 830a regarding governing interactive gaming to read as set forth in Annex A.

#### *Purpose of the Proposed Rulemaking*

This proposed rulemaking establishes the regulatory oversight structure for the conduct of interactive gaming in this Commonwealth.

#### *Explanation*

Subpart L of 58 Pa. Code (relating to interactive gaming) establishes the regulations necessary for the Board to issue interactive gaming certificates slot machine licensees and qualified gaming entities who wish to offer interactive gaming, as well as the licensing of the principals and key employees of the certificateholders and other entities involved. In addition, Subpart O of 58 Pa. Code (relating to fantasy contests) provides rules for player accounts, licensed operator duties and restrictions, and accounting and internal controls governing the conduct of interactive gaming. Finally, Subpart L addresses advertising, compulsive and problem gambling, and self-exclusion of players from interactive gaming in this Commonwealth.

Subpart L establishes a broad regulatory oversight structure for interactive gaming. Section 801a.2 (relating to definitions) provides definitions of terms used throughout Subpart L for the conduct of interactive gaming.

Chapters 802a—808a of this proposed rulemaking establish the categories of certificates and licenses based upon the statutory criteria for the issuance of interactive gaming certificates and licensure in 4 Pa.C.S. Chapter 13B (relating to interactive gaming). Slot machine licensees, and out-of-state entities who are deemed to be qualified gaming entities, may apply for issuance of interactive gaming certificates to offer one or more of the three forms of interactive gaming (peer-to-peer, non-peer-to-peer slots, and non-peer-to-peer table games). The categories of entities subject to licensure include interactive gaming operators, interactive gaming manufacturers, interactive gaming suppliers, interactive gaming service providers, and the principals and key employees of these entities.

Chapter 809a (relating to interactive gaming platform requirements) establishes the technical requirements for the interactive gaming platform provided by interactive

gaming certificateholders or interactive gaming operators. Chapter 810a (relating to interactive gaming testing and controls) establishes the procedures for the testing and control aspects of the interactive gaming platform.

Chapter 811a (relating to interactive gaming accounting and internal controls) establishes the requirements and procedures for the revenue accounting and reporting of interactive gaming as well as other reporting requirements. Chapter 812a (relating to interactive gaming player accounts) sets forth the requirements for an individual's interactive gaming player account, including the procedures for the creation of an account, funding of player accounts and withdrawal of funds, and setting responsible gaming limits.

Chapter 813a (relating to interactive gaming advertisements, promotions and tournaments) establishes the standards for interactive gaming advertising and promotions, including the requirements for the co-branding of ads to disclose the interactive gaming certificateholder. Chapter 814a (relating to compulsive and problem gambling requirements) and Chapter 815a (relating to interactive gaming self-excluded persons) address the options available for players to set responsible gaming limits or to self-exclude from interactive gaming.

Chapter 816a (relating to interactive gaming live studio) provides the framework for live studio simulcasting of casino table games in interactive gaming. Chapter 817a (relating to interactive gaming commencement of operations) establishes the requirements for an entity to begin offering interactive gaming. Chapter 830a (relating to multiuse computing device gaming provisions) provides the regulatory framework for interactive gaming in eligible airports in this Commonwealth.

#### *Fiscal Impact*

*Commonwealth.* The Board expects that this proposed rulemaking will have a relatively small fiscal impact on the Board and other Commonwealth agencies, which primarily is the result of the need for some additional personnel to process and review applications, as well as to monitor and regulate the conduct of interactive gaming. Most of the additional duties will be absorbed by existing Board staff. The costs of the proposed regulations will be paid for by an assessment against the licensed interactive gaming certificateholder's interactive gaming revenue as determined by the Department of Revenue.

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

*Private sector.* This proposed rulemaking will not have a fiscal impact on the private sector other than for those who elect to participate in interactive gaming. If pursued by an entity, there will be licensing costs as set forth by 4 Pa.C.S. Chapter 13B to offer interactive gaming as a certificateholder or operator, or to be licensed as a manufacturer, supplier, or gaming service provider.

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

#### *Paperwork Requirements*

A slot machine licensee who wishes to offer interactive gaming must file a Petition for Issuance of Interactive Gaming Certificates, as well as any necessary licensure applications for principals, key employees, gaming and nongaming employees.

An interactive gaming operator, interactive gaming manufacturer, interactive gaming supplier, interactive



gaming service provider, and principals, key employees, and gaming and nongaming employees thereof involved in the provision of interactive gaming in this Commonwealth will be required to file applications with the Board providing information regarding the person's proposed activity, as well as accounting and internal control protocols and background information of each individual sufficient to permit the Board to determine the individual's suitability for licensure.

If an individual wishes to join the interactive gaming self-exclusion list, the individual may do so online on the Board's web site by filling out a web-based form. The Board's web site address is <http://gamingcontrolboard.pa.gov>.

Any game offered in a live studio environment in accordance with this proposed rulemaking must have a Rules Submission form filed. The Rules Submission form may also be found on the Board's web site at the previously listed link.

*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 # 125-229 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) 346-8300.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 16, 2020, 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](http://www.gamingcontrolboard.pa.gov).

Under section 5(g) of the Regulatory Review Act, IRRC may convey any 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 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.

DAVID M. BARASCH,  
*Chairperson*

**Fiscal Note:** 125-229. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART VII. GAMING CONTROL BOARD**

**Subpart L. INTERACTIVE GAMING**

**Chap.**

**801—815. (Reserved)**

**817. (Reserved)**

**818. (Reserved)**

**830. (Reserved)**

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

Chap.	
801a.	GENERAL INTERACTIVE GAMING PROVISIONS
802a.	INTERACTIVE GAMING CERTIFICATES
803a.	INTERACTIVE GAMING OPERATORS
804a.	QUALIFIED GAMING ENTITY
805a.	INTERACTIVE GAMING MANUFACTURER
806a.	INTERACTIVE GAMING SUPPLIER
807a.	INTERACTIVE GAMING SERVICE PROVIDERS
808a.	INTERACTIVE GAMING PRINCIPALS AND KEY, GAMING AND NONGAMING EMPLOYEES
809a.	INTERACTIVE GAMING PLATFORM REQUIREMENTS
810a.	INTERACTIVE GAMING TESTING AND CONTROLS
811a.	INTERACTIVE GAMING ACCOUNTING AND INTERNAL CONTROLS
812a.	INTERACTIVE GAMING PLAYER ACCOUNTS
813a.	INTERACTIVE GAMING ADVERTISEMENTS, PROMOTIONS AND TOURNAMENTS
814a.	COMPULSIVE AND PROBLEM GAMBLING REQUIREMENTS
815a.	INTERACTIVE GAMING SELF-EXCLUDED PERSONS
816a.	INTERACTIVE GAMING LIVE STUDIO
817a.	INTERACTIVE GAMING COMMENCEMENT OF OPERATIONS
830a.	MULTIUSE COMPUTING DEVICE GAMING PROVISIONS

**CHAPTER 801a. GENERAL INTERACTIVE GAMING PROVISIONS**

Sec.	
801a.1.	Scope.
801a.2.	Definitions.
801a.3.	Certificate or license required.
801a.4.	Initial and renewal certificate and license fees.

**§ 801a.1. Scope.**

The purpose of this subpart is to govern the operation of interactive gaming. The act and the Board's regulations promulgated thereunder otherwise apply when not in conflict with this subpart.

**§ 801a.2. Definitions.**

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

*Airport authority*—Any of the following:

(i) The governing body of a municipal authority organized and incorporated to oversee the operations of a qualified airport under 53 Pa.C.S. §§ 5601—5623 (relating to Municipality Authorities Act).

(ii) A city of the first class that regulates the use and control of a qualified airport located partially in a county of the first class and partially in a county contiguous to a county of the first class.

*Airport gaming area*—A location within a qualified airport area approved by the airport authority and the Board for the conduct of interactive gaming through the use of multiuse computing devices by eligible passengers.

*Associated equipment*—Any equipment or mechanical, electromechanical or electronic contrivance, component or

machine used in connection with interactive gaming, including equipment which affects the proper reporting and counting of gross interactive gaming revenue, computerized systems for controlling and monitoring interactive games, including interactive gaming devices necessary for the operation of interactive games as approved by the Board.

*Authorized interactive game*—An interactive game approved by regulation of the Board to be suitable for interactive gaming offered by an interactive gaming certificateholder or an interactive gaming operator on behalf of an interactive gaming certificateholder in accordance with sections 13B01—13B63 of the act (relating to interactive gaming). The term includes an interactive game approved by regulation of the Board to be suitable for interactive gaming through use of a multiuse computing device.

*Bureau*—The Bureau of Investigations and Enforcement of the Board.

*Cash equivalent*—An asset that is readily convertible to cash, including any of the following:

- (i) Chips or tokens.
- (ii) Travelers checks.
- (iii) Foreign currency and coin.
- (iv) Certified checks, cashier's checks and money orders.
- (v) Personal checks or drafts.
- (vi) A negotiable instrument applied against credit extended by a certificateholder, an interactive gaming certificateholder, an interactive gaming operator or a financial institution.
- (vii) A prepaid access instrument.
- (viii) Any other instrument or representation of value that the Board deems a cash equivalent.

*Cheat*—

(i) To defraud or steal from any player, interactive gaming certificateholder, interactive gaming operator or the Commonwealth while operating or playing an authorized interactive game, including causing, aiding, abetting or conspiring with another person to do so.

(ii) The term also means to alter or causing, aiding, abetting or conspiring with another person to alter the elements of chance, method of selection or criteria which determine:

- (A) The result of an authorized interactive game.
- (B) The amount or frequency of payment in an authorized interactive game.
- (C) The value of a wagering instrument.
- (D) The value of a wagering credit.

(iii) The term does not include altering an interactive gaming device or associated equipment for maintenance or repair with the approval of an interactive gaming certificateholder or interactive gaming operator.

*Cheating device*—A device, software or hardware used or possessed with the intent to be used to cheat during the operation or play of any authorized interactive game. The term also includes any device used to alter an authorized interactive game or interactive gaming device or associated equipment without the interactive gaming certificateholder's or interactive gaming operator's approval.

*Communication technology*—Any method used and the components employed to facilitate the transmission and receipt of information, including transmission and reception by systems using wire, wireless, cable, radio, microwave, light, fiber optics, satellite or computer data networks, including the Internet and intranets.

*Concession operator*—A person engaged in the sale or offering for sale of consumer goods or services to the public at a qualified airport, or authorized to conduct other commercial activities related to passenger services at a qualified airport, in accordance with the terms and conditions of an agreement or contract with an airport authority, government entity or other person.

*Conduct of gaming*—The licensed placement, operation and play of interactive games under this subpart, as authorized and approved by the Board. The term includes the licensed placement, operation and play of authorized interactive games through the use of multiuse computing devices at a qualified airport under sections 13B20—13B20.7 of the act (relating to multi-use computing devices).

*Contest*—An authorized interactive game competition among players for cash, cash equivalents or prizes.

*Eligible passenger*—An individual 21 years of age or older who has cleared security check points with a valid airline boarding pass for travel from one destination to another.

*Gaming employee*—An employee of any of the following who the Board determines, after a review of the work to be performed, requires a gaming employee permit for the protection of the integrity of interactive gaming operations in this Commonwealth:

- (i) An interactive gaming certificateholder or interactive gaming operator.
- (ii) An interactive gaming manufacturer licensee or interactive gaming supplier licensee.
- (iii) An interactive gaming service provider.
- (iv) Any other person as determined by the Board.

*Gaming-related restricted area*—A room or area of a licensed facility which is specifically designated by the Board as restricted or by the interactive gaming certificateholder or interactive gaming operator as restricted in its Board-approved internal controls.

*Gaming school*—An educational institution approved by the Department of Education as an accredited college or university, community college, Pennsylvania private licensed school or its equivalent and whose curriculum guidelines are approved by the Department of Labor and Industry to provide education and job training related to employment opportunities associated with interactive games, including interactive gaming devices and associated equipment maintenance and repair.

*Gross interactive airport gaming revenue*—

(i) Revenue is the total of all cash or cash equivalent wagers paid by an eligible passenger to an interactive gaming certificateholder at a qualified airport through the use of multiuse computing devices in consideration for the play of authorized interactive games at a qualified airport through the use of multiuse computing devices, including cash received as entry fees for contests or tournaments, minus:

- (A) The total of cash or cash equivalents paid out to an eligible passenger as winnings.

(B) The actual cost paid by the interactive gaming certificateholder at a qualified airport through the use of multiuse computing devices for personal property distributed to a player as a result of playing an authorized interactive game. This clause does not include travel expenses, food, refreshments, lodging or services.

(ii) Amounts deposited with an interactive gaming certificateholder for purposes of interactive gaming at a qualified airport through the use of multiuse computing devices and amounts taken in fraudulent acts perpetrated against an interactive gaming certificateholder for which the interactive gaming certificateholder is not reimbursed and shall not be considered to have been paid to the interactive gaming certificateholder for purposes of calculating gross interactive airport gaming revenue.

*Gross interactive gaming revenue—*

(i) The total of all cash or cash equivalent wagers paid by registered players to an interactive gaming certificateholder in consideration for the play of authorized interactive games, including cash received as entry fees for contests or tournaments, minus:

(A) The total of cash or cash equivalents paid out to registered players as winnings.

(B) The actual cost paid by the interactive gaming certificateholder for any personal property distributed to a player as a result of playing an authorized interactive game. This clause does not include travel expenses, food, refreshments, lodging or services.

(ii) Amounts deposited with an interactive gaming certificateholder for purposes of interactive gaming and amounts taken in fraudulent acts perpetrated against an interactive gaming certificateholder for which the interactive gaming certificateholder is not reimbursed shall not be considered to have been paid to the interactive gaming certificateholder for purposes of calculating gross interactive gaming revenue.

*Interactive game—*

(i) A gambling game offered through the use of communications technology that allows a person utilizing money, checks, electronic checks, electronic transfers of money, credit cards or any other instrumentality to transmit electronic information to assist in the placement of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information.

(ii) The term does not include any of the following:

(A) A lottery game or Internet instant game as defined in the State Lottery Law (72 P.S. §§ 3761-101—3761-2103).

(B) iLottery under 4 Pa.C.S. §§ 501—505 (relating to lottery).

(C) A nongambling game that does not otherwise require a license under the laws of the Commonwealth.

(D) A fantasy contest under 4 Pa.C.S. §§ 301—342 (relating to fantasy contests).

*Interactive gaming—*The placing of wagers with an interactive gaming certificateholder or interactive gaming operator using a computer network of Federal and non-Federal interoperable packet switched data networks through which an interactive gaming certificateholder may offer authorized interactive games to registered players. The term includes the placing of wagers through the use of a multiuse computing device.

*Interactive gaming account—*The formal electronic system implemented by an interactive gaming certificateholder to record the balance of a registered player's debits, credits and other financial activity related to interactive gaming.

*Interactive gaming account agreement—*An agreement entered into between an interactive gaming certificateholder and a registered player which governs the terms and conditions of the registered player's interactive gaming account and the use of the Internet for purposes of placing wagers on authorized interactive games operated by an interactive gaming certificateholder or interactive gaming operator.

*Interactive gaming agreement—*An agreement entered into by or between an interactive gaming certificateholder and an interactive gaming operator related to the offering or operation of interactive gaming or an interactive gaming system by the interactive gaming operator on behalf of the interactive gaming certificateholder. The term includes an interactive gaming agreement entered into between an interactive gaming certificateholder and an interactive gaming operator for the conduct of interactive gaming through the use of multiuse computing devices at a qualified airport in accordance with sections 13B01—13B63 of the act.

*Interactive gaming certificate—*The authorization issued to a slot machine licensee by the Board authorizing the operation and conduct of interactive gaming by a slot machine licensee in accordance with sections 13B01—13B63 of the act.

*Interactive gaming certificateholder—*A slot machine licensee that has been granted authorization by the Board to operate interactive gaming in accordance with sections 13B01—13B63 of the act.

*Interactive gaming device—*The hardware, software and other technology, equipment or device of any kind as determined by the Board to be necessary for the conduct of authorized interactive games.

*Interactive gaming license—*A license issued to an interactive gaming operator by the Board under sections 13B01—13B63 of the act.

*Interactive gaming manufacturer—*

(i) A person who manufactures, builds, rebuilds, fabricates, assembles, produces, programs, designs or otherwise makes modifications to authorized interactive games for use or play of authorized interactive games in this Commonwealth for gaming purposes.

(ii) The term includes operators of live gaming studios.

(iii) The term does not include a person who manufactures, builds, rebuilds, fabricates, assembles, produces, programs, designs or otherwise makes modifications to multiuse computing devices used in connection with the conduct of interactive gaming at a qualified airport.

*Interactive gaming manufacturer license—*A license issued by the Board authorizing a manufacturer to manufacture or produce interactive gaming devices or associated equipment for use in this Commonwealth for gaming purposes. The term includes the operators of live gaming studios.

*Interactive gaming network—*A linked system that permits patrons of multiple interactive gaming certificateholders or interactive gaming operators to participate in peer-to-peer interactive gaming.

*Interactive gaming operator—*A person licensed by the Board to operate interactive gaming or an interactive

gaming system, through the provision of an interactive gaming platform, on behalf of an interactive gaming certificateholder. The term includes a person that has received conditional authorization under section 13B14 of the act (relating to interactive gaming operators) for as long as the authorization is effective.

*Interactive gaming platform*—The combination of hardware and software or other technology designed and used to manage, conduct and record interactive games and the wagers associated with interactive games, as approved by the Board. The term includes emerging or new technology deployed to advance the conduct and operation of interactive gaming, as approved through regulation by the Board.

*Interactive gaming reciprocal agreement*—An agreement negotiated by the Board and approved by the Governor on behalf of the Commonwealth with the regulatory agency of one or more states or jurisdictions where interactive gaming is legally authorized which will permit the conduct of interactive gaming between interactive gaming certificateholders in this Commonwealth and gaming entities in the states or jurisdictions that are parties to the agreement.

*Interactive gaming restricted area*—A room or area, as approved by the Board, used by an interactive gaming certificateholder or interactive gaming operator to manage, control and operate interactive gaming, including, when approved by the Board, redundancy facilities and remote gaming server locations.

*Interactive gaming service provider*—A person that is not required to be licensed as a manufacturer, supplier, management company, gaming junket enterprise or a gaming service provider under this part who:

(i) Provides goods or services to an interactive gaming certificateholder or interactive gaming operator for the operation of interactive gaming.

(ii) Is determined to be an interactive gaming service provider by the Board in accordance with the provisions of Chapter 807a (relating to interactive gaming service providers).

*Interactive gaming skin or skins*—The portal to an interactive gaming platform or interactive gaming web site through which authorized interactive games are made available by an interactive gaming certificateholder or interactive gaming operator to registered players in this Commonwealth or registered players in any other state or jurisdiction which has entered into an interactive gaming reciprocal agreement.

*Interactive gaming supplier*—

(i) A person who sells, leases, offers or otherwise provides, distributes or services an interactive gaming device or associated equipment for use or play of interactive games in this Commonwealth.

(ii) The term includes a person that sells, leases, offers or otherwise provides, distributes or services multiuse computing devices approved by the Board.

(iii) The term does not include the seller of a device that does not contain or operate interactive gaming software or systems or that has not been configured as a multiuse computing device at the time it is sold.

*Interactive gaming supplier license*—A license issued by the Board authorizing a supplier to provide products or services related to interactive gaming devices, including multiuse computing device or associated equipment, to

interactive gaming certificateholders or interactive gaming operators for use in this Commonwealth for gaming purposes.

*Interactive gaming system*—The hardware, software and communications that comprise a type of server-based gaming system for the purpose of offering authorized interactive games.

*Interactive gaming web site*—The interactive gaming skin or skins through which an interactive gaming certificateholder or interactive gaming operator makes authorized interactive games available for play.

*Key employee*—All of the following:

(i) An individual who is employed in a director or department head capacity and who is empowered to make discretionary decisions that regulate interactive gaming operations, including the Director of Information Technology (IT), IT Security Officer, Interactive Gaming Manager or other similar job classifications associated with interactive gaming.

(ii) Persons who manage, control or administer interactive gaming or the bets and wagers associated with authorized interactive games.

(iii) An employee who is not otherwise designated as a gaming employee and who supervises the operations of the interactive gaming department or to whom the interactive gaming department directors or interactive gaming department heads report and other positions not otherwise designated or defined under this subpart which the Board will determine based on detailed analyses of job descriptions as provided in the internal controls of the licensee as approved by the Board.

(iv) Any other employees as determined by the Board.

*Licensed facility*—

(i) The physical land-based location at which a licensed gaming entity is authorized to place and operate slot machines and, if authorized by the Board under sections 13A01—13A63 of the act (relating to table games), to conduct table games and, if authorized under sections 13B01—13B63 of the act, to conduct interactive gaming.

(ii) The term includes any of the following:

(A) An area of a licensed racetrack at which a slot machine licensee was previously authorized under section 1207(17) of the act (relating to regulatory authority of board) to operate slot machines prior to the effective date of the act, as amended.

(B) A Board-approved interim facility or temporary facility.

(C) An area of a hotel which the Board determines is suitable to conduct table games.

(D) An area of a licensed facility where casino simulcasting is conducted, as approved by the Board.

(iii) The term does not include a redundancy facility or an interactive gaming restricted area which is not located on the premises of a licensed facility as approved by the Board and which is maintained and operated by an interactive gaming certificateholder or interactive gaming operator in connection with interactive gaming or casino simulcasting.

*Live gaming studio*—A physical location that utilizes live video streaming technology to provide live casino games to a player's interactive gaming device or multiuse computing device that permits the player to participate in

live streamed casino games, interact with gaming studio dealers and interact with fellow players.

*Multiuse computing device—*

(i) A computing device, including a tablet computer, that:

(A) Is located and accessible to eligible passengers only in an airport gaming area.

(B) Allows an eligible passenger to play an authorized interactive game.

(C) Communicates with a server that is in a location approved by the Board.

(D) Is approved by the Board.

(E) Has the capability of being linked to and monitored by the Department's central control computer system, as applicable for any particular interactive game, in accordance with section 1323 of the act (relating to central control computer system).

(F) Offers a player additional functions which includes Internet browsing, the capability of checking flight status, and ordering food or beverages.

(ii) The term shall not include any tablet or computing device that restricts, prohibits or is incapable of providing access to interactive gaming, interactive gaming skin or skins or interactive gaming platforms.

*Multistate agreement—*The written agreement, approved by the Governor, between the Board and regulatory agencies in other states or jurisdictions for the operation of an interactive multistate wide-area progressive system.

*Multistate wide-area progressive system—*The linking of interactive games offered by interactive gaming certificateholders or interactive gaming operators in this Commonwealth with interactive games located in one or more states or jurisdictions whose regulatory agencies have entered into written agreements with the Board for the operation of the system.

*Net terminal revenue—*The net amount of the gross terminal revenue less the tax and assessments imposed by sections 1402, 1403, 1405 and 1407 of the act.

*Non-peer-to-peer interactive game—*An authorized interactive game in which the player does not compete against players and which is not a peer-to-peer interactive game.

*Peer-to-peer interactive game—*An authorized interactive game which is nonbanking, in which a player competes against one or more players and in which the interactive gaming certificateholder or interactive gaming operator collects a rake.

*Player—*An individual wagering cash, a cash equivalent or other thing of value in the play or operation of an authorized interactive game, including during a contest or tournament, the play or operation of which may deliver or entitle the individual playing or operating the authorized interactive game to receive cash, a cash equivalent or other thing of value from another player or an interactive gaming certificateholder or interactive gaming operator.

*Prepaid access instrument—*A card, code, electronic serial number, mobile identification number, personal identification number or similar device that:

(i) Allows patron access to funds that have been paid in advance and can be retrieved or transferred through the use of the device.

(ii) Qualifies as an access device for purposes of regulations issued by the Board of Governors of the Federal Reserve System under 12 CFR Part 205 (relating to electronic fund transfers (Regulation E)).

(iii) Shall be distributed by a slot machine licensee or its affiliates to be considered a cash equivalent at the slot machine licensee's licensed facility or the location of the slot machine licensee's affiliates.

(iv) Shall be used in conjunction with an approved cashless wagering system or electronic credit system to transfer funds for gaming purposes.

*Progressive payout—*An interactive game wager payout that increases in a monetary amount based on the amounts wagered in a progressive system, including a multistate wide-area progressive interactive gaming system.

*Progressive system—*A computerized system linking interactive games offered by interactive gaming certificateholders or interactive gaming operators in this Commonwealth and offering one or more common progressive payouts based on the amounts wagered. The term includes a multistate wide-area progressive system.

*Qualified airport—*A publicly owned commercial service airport.

*Qualified gaming entity—*A gaming entity licensed in a jurisdiction that has satisfied the requirements of this subpart and any other criteria established by the Board, including financial and character suitability requirements.

*Redundancy facilities—*Rooms or areas used by an interactive gaming certificateholder, an interactive gaming operator, or other licensed or authorized entity associated with the provision of interactive gaming for emergency backup, redundancy or secondary operations attendant to interactive gaming as approved by the Board.

*Registered player—*An individual who has entered into an interactive gaming account agreement with an interactive gaming certificateholder.

*State gaming receipts—*Revenues and receipts required under this subpart to be paid into the State Gaming Fund, the Pennsylvania Race Horse Development Trust Fund and the Pennsylvania Gaming Economic Development and Tourism Fund, and all rights, existing on the effective date of the act, as amended, or coming into existence later, to receive revenues and receipts.

#### § 801a.3. Certificate or license required.

The Board will initiate formal procedures for the acceptance, consideration and final adjudication of petitions and applications by setting filing requirements and deadlines for interactive gaming certificates and interactive gaming licenses.

#### § 801a.4. Initial and renewal certificate and license fees.

Prior to the Board issuing an interactive gaming certificate or interactive gaming license or renewal thereof, the interactive gaming certificateholder or interactive gaming operator shall pay the certificate or license fee as set forth in the act.

**CHAPTER 802a. INTERACTIVE GAMING  
CERTIFICATES**

Sec.

- 802a.1. Interactive gaming certificate requirements.  
802a.2. Interactive gaming certificate petition and standards.  
802a.3. Interactive gaming certificate term and renewal.

**§ 802a.1. Interactive gaming certificate requirements.**

(a) A slot machine licensee seeking to offer interactive gaming in this Commonwealth may petition the Board for an interactive gaming certificate.

(b) Three categories of interactive gaming are authorized in this Commonwealth:

- (1) A peer-to-peer interactive game.
- (2) A non-peer-to-peer interactive game which simulates slot machines.
- (3) A non-peer-to-peer interactive game which simulates table games.

(c) The filing requirements and deadlines will be posted on the Board's public web site.

(d) An interactive gaming certificate issued under this subpart will list the categories of interactive games authorized under the interactive gaming certificate. An interactive gaming certificate which authorizes multiple categories of interactive games will count as an interactive gaming certificate in each category of interactive game authorized under this section.

**§ 802a.2. Interactive gaming certificate petition and standards.**

(a) A petitioner for an interactive gaming certificate shall submit all of the following to the Board:

(1) The name, business address and contact information of the slot machine licensee applying for an interactive gaming certificate.

(2) The name, business address and contact information of any affiliate or other person that will be a party to an agreement with the interactive gaming certificate petitioner related to the operation of interactive gaming or an interactive gaming system on behalf of the interactive gaming certificate petitioner, including a person applying for an interactive gaming license.

(3) The name, business address, job title and a photograph of each principal and key employee of the interactive gaming certificate petitioner who will be involved in the conduct of interactive gaming, whether or not the principal or key employee is currently licensed by the Board.

(4) The name, business address, job title and a photograph of each principal and key employee of the interactive gaming operator, if any, who will conduct interactive gaming or an interactive gaming system on behalf of the interactive gaming certificate petitioner, whether or not the principal or key employee is currently licensed by the Board.

(5) A statement identifying which categories of interactive games the interactive gaming certificate petitioner intends to offer:

- (i) Peer-to-peer interactive games.
- (ii) Non-peer-to-peer interactive games which simulate slot machines.
- (iii) Non-peer-to-peer interactive games which simulate table games.

(6) An itemized list of the interactive games, including identifying the category of each interactive game for which authorization is being sought.

(7) The estimated number of full-time and part-time employment positions that will be created as a result of interactive gaming and the jurisdictions in which the positions will be located, including positions at the interactive gaming certificate petitioner's licensed facility or at any interactive gaming restricted area if an interactive gaming certificate is issued, and an updated hiring plan under section 1510(a) of the act (relating to labor hiring preferences) which outlines the interactive gaming certificate petitioners plan to promote the representation of diverse groups and Commonwealth residents in the employment positions.

(8) A brief description of the economic benefits expected to be realized by the Commonwealth if an interactive gaming certificate is issued.

(9) The details of any financing obtained or that will be obtained to fund an expansion or modification of the interactive gaming certificate petitioners licensed facility to accommodate interactive gaming and to otherwise fund the cost of commencing interactive gaming.

(10) Information and documentation concerning financial background and resources, as the Board may require, to establish by clear and convincing evidence the financial stability, integrity and responsibility of the interactive gaming certificate petitioner, and information or documentation concerning any person that will operate interactive gaming or an interactive gaming system on behalf of the interactive gaming certificate petitioner as an interactive gaming operator, as the Board may require. The interactive gaming agreement with a person is subject to the review and approval of the Board.

(11) Information and documentation, as the Board may require, to establish by clear and convincing evidence that the interactive gaming certificate petitioner has sufficient business ability and experience to conduct a successful interactive gaming operation. In making this determination, the Board may consider the results of the interactive gaming certificate petitioner's slot machine and table game operations, including financial information, employment data and capital investment.

(12) Information and documentation, as the Board may require, to establish by clear and convincing evidence that the interactive gaming certificate petitioner has or will have the financial ability to pay the interactive gaming authorization fee.

(13) Detailed site plans identifying the proposed interactive gaming restricted area where interactive gaming operations will be managed, administered or controlled as approved by the Board.

(14) A detailed description of all of the following:

(i) The interactive gaming certificate petitioner's initial system of internal and accounting controls applicable to interactive gaming.

(ii) The interactive gaming certificate petitioner's proposed standards to protect, with a reasonable degree of certainty, the privacy and security of its registered players.

(iii) How the interactive gaming certificate petitioner will facilitate compliance with the requirements in this chapter and section 802(a)(10)(B) of the Unlawful Internet Gambling Enforcement Act of 2006 (31 U.S.C.A. § 5362(10)(B)), including all of the following:

(A) Age, identity and location verification requirements.

(B) Appropriate data security standards to prevent unauthorized access by a person whose age, identity or location have not been verified or cannot be verified in accordance with this subpart and applicable regulations of the Board.

(C) Except as provided in sections 13B61—13B63 of the act (relating to miscellaneous provisions), the requirement that all wagers made in the conduct of interactive gaming be initiated and received or otherwise made exclusively in this Commonwealth.

(D) The interactive gaming certificate petitioner's proposed age, identity and location verification standards designed to block access to persons under 21 years of age and other persons excluded or prohibited from participating in interactive gaming under this chapter.

(E) The procedures the interactive gaming certificate petitioner will use to register individuals as registered players.

(F) The procedures the interactive gaming certificate petitioner will use to establish interactive gaming accounts for registered players.

(G) The interactive games and services the interactive gaming certificate petitioner proposes to offer to registered players.

(H) Documentation and information relating to known proposed contractors of the interactive gaming certificate petitioner and subcontractors of the contractors.

(15) The interactive gaming devices and associated equipment and interactive gaming system that the interactive gaming certificate petitioner plans to or will utilize to manage, administer or control its interactive gaming operations.

(16) Compliance certification of the interactive gaming certificate petitioner's proposed interactive gaming devices and associated equipment, including interactive gaming software and hardware, by a Board-approved gaming laboratory to ensure that the gaming software and hardware comply with this subpart and regulations of the Board.

(17) A detailed description of accounting systems, including accounting systems for all the following:

- (i) Interactive gaming accounts.
- (ii) Per hand charges, if applicable.
- (iii) Transparency and reporting to the Board and the Department.
- (iv) Distribution of revenue to the Commonwealth and winnings to registered players.
- (v) Ongoing auditing and internal control compliance reviews.

(18) Detailed information on security systems to protect the interactive gaming skins or interactive gaming web site from internal and external breaches and threats.

(19) Any other information the Board may require.

(b) In addition to the materials required under subsection (a), the petitioner for an interactive gaming certificate shall show, by clear and convincing evidence, all the following:

(1) The petitioner's proposed conduct of interactive gaming complies in all respects with the requirements of this subpart and the Board's regulations.

(2) Age, identity and location verification requirements designed to block access to individuals under 21 years of age and persons otherwise excluded or prohibited from engaging in interactive gaming in accordance with this subpart, as approved by the Board, have been implemented by the slot machine licensee.

(3) The petitioner has implemented or will implement appropriate data security standards to prevent unauthorized access by a person whose age, identity and location has not been verified or cannot be verified in accordance with the Board's regulations.

(4) The petitioner has implemented or will implement appropriate standards to protect the privacy and security of registered players with a reasonable degree of certainty.

(5) The petitioner's initial system of internal and accounting controls applicable to interactive gaming, and the security and integrity of all financial transactions in connection with the system, complies with this chapter and the Board's regulations.

(6) The petitioner is in good standing with the Board.

(7) The petitioner agrees that the number of slot machines and table games in operation at its licensed facility as of October 30, 2017, the effective date of 4 Pa.C.S. Part II (relating to the Pennsylvania Race Horse Development and Gaming Act), will not be reduced as a result of interactive gaming.

(c) In determining whether a petitioner is suitable to be issued an interactive gaming certificate under this subpart, the Board will consider all of the following:

- (1) The financial fitness, good character, honesty, integrity and responsibility of the petitioner.
- (2) If all principals of the petitioner are eligible and suitable under the standards in section 1311.1 of the act (relating to licensing of principals).
- (3) The integrity of financial backers.
- (4) The suitability of the petitioner and the principals of the petitioner based on the satisfactory results of all of the following:

- (i) The background investigation of the principals.
- (ii) A current tax clearance review performed by the Department.
- (iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

**§ 802a.3. Interactive gaming certificate term and renewal.**

(a) An interactive gaming certificate and the renewal thereof is valid for 5 years from the date of approval of the petition by the Board.

(b) A renewal application for an interactive gaming certificate shall be filed at least 6 months prior to the expiration of the current certificate.

(c) An interactive gaming certificate for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

## CHAPTER 803a. INTERACTIVE GAMING OPERATORS

Sec.

- 803a.1. Interactive gaming operator requirements.
- 803a.2. Interactive gaming operator application and standards.
- 803a.3. Interactive gaming license term and renewal.
- 803a.4. Interactive gaming operator change of control.

### § 803a.1. Interactive gaming operator requirements.

A person seeking to operate interactive gaming or an interactive gaming system on behalf of an interactive gaming certificateholder in this Commonwealth may apply with the Board for an interactive gaming license.

### § 803a.2. Interactive gaming operator application and standards.

An applicant for an interactive gaming license shall submit all of the following:

(1) An original and one copy of the Entity Enterprise Application and Disclosure Information Form unless otherwise directed by the Board.

(2) The nonrefundable application fee posted on the Board's web site.

(3) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity).

(4) An application from every key employee under this chapter and principal under Chapter 433a (relating to principal licenses) as specified by the Entity Enterprise Application and Disclosure Information Form.

(5) A statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence) and a copy of the safeguards and policies.

### § 803a.3. Interactive gaming license term and renewal.

(a) An interactive gaming license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(b) A renewal application for an interactive gaming license shall be filed at least 6 months prior to the expiration of the current license.

(c) An interactive gaming license for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

### § 803a.4. Interactive gaming operator change of control.

(a) For purposes of this section, a change of control of an interactive gaming operator will be deemed to have occurred when a person or group of persons acquires:

(1) More than 20% of an interactive gaming operator's securities, assets or other ownership interests.

(2) More than 20% of the securities or other ownership interests of a corporation or other form of business entity that owns directly or indirectly at least 20% of the voting or other securities or other ownership interests of the interactive gaming operator.

(3) Any other interest in an interactive gaming operator which allows the acquirer to control the interactive gaming operator.

(b) An interactive gaming operator shall notify the Bureau and the Bureau of Licensing by filing a Notification of Proposed Transfer of Interest Form immediately

upon becoming aware of any proposed or contemplated change of control of the interactive gaming operator.

(c) Prior to acquiring a controlling interest in an interactive gaming operator, the acquirer shall file a petition in accordance with § 493a.4 (relating to petitions generally) requesting Board approval of the acquisition. The petition must include all of the following:

(1) A copy of all documents governing the acquisition.

(2) Completed applications for the acquiring company, as required under this chapter, principals as required under § 808a.2 (relating to interactive gaming principals) and key employees as required under § 808a.3 (relating to interactive key employees).

(d) A person or group of persons seeking to acquire a controlling interest in an interactive gaming operator shall promptly provide any additional information requested by the Board and Board staff and cooperate with the Bureau in any investigations related to the petition filed under subsection (c).

(e) A person or group of persons may not acquire a controlling interest in an interactive gaming operator until the petition required under subsection (c) has been approved. A person or group of persons seeking to acquire a controlling interest in an interactive gaming operator and the interactive gaming operator may enter into an agreement of sale that is contingent on Board approval of the petition.

(f) The requirements in this section do not apply to the acquisition of a controlling interest in an interactive gaming operator when all of the following conditions are met:

(1) The acquirer is an existing licensed slot machine, table game or interactive gaming operator.

(2) The existing licensed interactive gaming operator has provided the Bureau and the Bureau of Licensing notification and a copy of all documents governing the acquisition at least 60 days prior to the acquisition.

(3) After reviewing the documentation, the Bureau and the Bureau of Licensing determine that the filing of a petition is not required.

## CHAPTER 804a. QUALIFIED GAMING ENTITY

Sec.

- 804a.1. Qualified gaming entity license requirements.
- 804a.2. Qualified gaming entity petition requirements.
- 804a.3. Qualified gaming entity application requirements.
- 804a.4. Qualified gaming entity interactive gaming certificate term and renewal.

### § 804a.1. Qualified gaming entity license requirements.

(a) A qualified gaming entity seeking to offer interactive gaming in this Commonwealth may petition the Board for an interactive gaming certificate if all of the following apply:

(1) The Board has published a notice on its web site that it is accepting petitions for qualified gaming entities.

(2) Any category of interactive game, as detailed in § 802a.1(b) (relating to interactive gaming certificate requirements), remains available after eligible slot machine licensees failed to petition for authorization to offer that category of interactive game directly or through an interactive gaming operator.

(3) The entity holds a license, in good standing, in any gaming jurisdiction which entitles the entity to conduct casino, table or poker-style games in a physical land-based casino or by means of the Internet, or both.



(b) The Board will approve and post the process for selecting eligible qualified gaming entities.

**§ 804a.2. Qualified gaming entity petition requirements.**

(a) A qualified gaming entity petitioner for an interactive gaming certificate shall submit to the Board a petition containing the information required by slot machine licensees seeking an interactive gaming certificate under § 802a.2 (relating to interactive gaming certificate petition and standards).

(b) The qualified gaming entity petitioner shall also show, by clear and convincing evidence, all of the following:

(1) It is licensed in good standing in another gaming jurisdiction.

(2) The licensing standards of that other gaming jurisdiction are comprehensive and thorough and provide similar safeguards as those required by the Commonwealth.

(3) The petitioner has the business experience and expertise to operate an interactive gaming system.

(c) In addition to the materials required under subsections (a) and (b), the qualified gaming entity petitioner for an interactive gaming certificate shall show, by clear and convincing evidence, that it has implemented or will implement all of the following:

(1) Interactive gaming that complies in all respects with the requirements of this subpart and regulations promulgated by the Board.

(2) A system of age, identity and location verification protocols designed to block access to individuals under 21 years of age and persons otherwise excluded or prohibited from engaging in interactive gaming in accordance with this subpart, as approved by the Board, has been implemented by the petitioner.

(3) Appropriate data security standards to prevent unauthorized access by any person whose age, identity and location has not been verified or cannot be verified in accordance with the regulations promulgated by the Board.

(4) Appropriate standards to protect the privacy and security of registered players with a reasonable degree of certainty.

(5) A system of internal and accounting controls applicable to interactive gaming, and the security and integrity of all financial transactions in connection with the system, that complies with this chapter and regulations promulgated by the Board.

**§ 804a.3. Qualified gaming entity application requirements.**

(a) If selected under the Board process in § 804a.1(b) (relating to qualified gaming entity license requirements), the eligible qualified gaming entity petitioner shall submit all applicable applications for the issuance of an interactive gaming certificate as required by the Bureau of Licensing.

(b) In determining whether an eligible qualified gaming entity petitioner is suitable to be issued a qualified gaming entity interactive gaming certificate under this subpart, the Board will consider all of the following:

(1) The financial fitness, good character, honesty, integrity and responsibility of the petitioner.

(2) If all principals of the petitioner are eligible and suitable under the standards of section 1311.1 of the act (relating to licensing of principals).

(3) The integrity of all financial backers.

(4) The suitability of the petitioner and the principals of the petitioner based on the satisfactory results of all of the following:

(i) The background investigation of the principals.

(ii) A current tax clearance review performed by the Department.

(iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

**§ 804a.4. Qualified gaming entity interactive gaming certificate term and renewal.**

(a) A qualified gaming entity interactive gaming certificate and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(b) A renewal application for a qualified gaming entity interactive gaming certificate shall be filed at least 6 months prior to the expiration of the current certificate.

(c) A qualified gaming entity interactive gaming certificate for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

**CHAPTER 805a. INTERACTIVE GAMING MANUFACTURER**

Sec.

- 805a.1. Interactive gaming manufacturer license requirements.
- 805a.2. Interactive gaming manufacturer license application and standards.
- 805a.3. Interactive gaming manufacturer license term and renewal.
- 805a.4. Interactive gaming manufacturer abbreviated license process.
- 805a.5. Interactive gaming manufacturer licensee responsibilities.
- 805a.6. Interactive gaming manufacturer licensee change of control.

**§ 805a.1. Interactive gaming manufacturer license requirements.**

(a) An interactive gaming manufacturer seeking to manufacture interactive devices or associated equipment for use in this Commonwealth shall apply to the Board for an interactive gaming manufacturer license.

(b) In accordance with section 1317.1(e)(3) of the act (relating to manufacturer licenses), an applicant for or the holder of an interactive gaming manufacturer license or any of the applicant's or holder's affiliates, intermediaries, subsidiaries or holding companies may not apply for or hold a slot machine license or an interactive gaming supplier license.

**§ 805a.2. Interactive gaming manufacturer license application and standards.**

(a) An applicant for an interactive gaming manufacturer license shall submit all of the following:

(1) An original and one copy of the Enterprise Entity Application and Disclosure Information Form for the applicant and each of the applicant's principal affiliates.

(2) The nonrefundable application fee posted on the Board's web site.

(3) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity).

(4) An application from every key employee under §§ 435a.2 and 808a.3 (relating to key employee license; and interactive key employees) and principal under Chapter 433a (relating to principal licenses) and § 808a.2 (relating to interactive gaming principals) as specified by the Enterprise Entity Application and Disclosure Information Form and other persons as determined by the Board.

(5) An affirmation that neither the applicant nor any of its affiliates, intermediaries, subsidiaries or holding companies is an applicant for or holder of a slot machine license and that the applicant has neither applied for nor holds an interactive gaming supplier license.

(6) A statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence) and a copy of the safeguards and policies.

(b) In addition to the materials required under subsection (a), an applicant for an interactive gaming manufacturer license shall do all of the following:

(1) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) Demonstrate that the applicant has the ability to manufacture, build, rebuild, repair, fabricate, assemble, produce, program, design or otherwise make modifications to interactive gaming devices or associated equipment which meet one or more of the following criteria:

(i) Are specifically designed for use in the operation of interactive gaming or an interactive gaming device or associated equipment.

(ii) Are needed to conduct an authorized interactive game.

(iii) Have the capacity to affect the outcome of the play of an interactive game.

(iv) Have the capacity to affect the calculation, storage, collection or control of gross interactive gaming revenue.

(c) In determining whether an applicant is suitable to be licensed as an interactive gaming manufacturer under this section, the Board will consider all of the following:

(1) The financial fitness, good character, honesty, integrity and responsibility of the applicant.

(2) If all principals of the applicant are eligible and suitable under the standards of section 1311.1 of the act (relating to licensing of principals).

(3) The integrity of all financial backers.

(4) The suitability of the applicant and the principals of the applicant based on the satisfactory results of all of the following:

(i) The background investigation of the principals.

(ii) A current tax clearance review performed by the Department.

(iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

**§ 805a.3. Interactive gaming manufacturer license term and renewal.**

(a) An interactive gaming manufacturer license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(b) A renewal application for an interactive gaming manufacturer license shall be filed at least 6 months prior to the expiration of the current license.

(c) An interactive gaming manufacturer license for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

**§ 805a.4. Interactive gaming manufacturer abbreviated license process.**

(a) The Board may use an abbreviated licensing process if the applicant holds a license issued by the Board to manufacture slot machines, table games, table game devices or associated equipment and all of the following apply:

(1) The license was issued by the Board and is currently in good standing.

(2) The entity to whom the manufacturer license was issued affirms there has been no material change in circumstances relating to the license.

(3) The Board determines, in its sole discretion, that there has been no material change in circumstances relating to the licensee that necessitates that the abbreviated process not be used.

(b) This section may not be construed to waive any fees associated with obtaining an interactive gaming manufacturer license through the application process in this Commonwealth.

**§ 805a.5. Interactive gaming manufacturer licensee responsibilities.**

(a) A holder of an interactive gaming manufacturer license shall have a continuing duty to do all of the following:

(1) Comply with the general requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) For publicly traded interactive gaming manufacturer licensees, provide notification of all SEC filings or if the manufacturer is publicly traded on a foreign exchange, a copy of all filings submitted to the securities regulator that has jurisdiction over the foreign publicly traded corporation. The notification or copies of the filings shall be submitted to the Bureau of Licensing within 30 days after the date of filing with the SEC or securities regulator that has jurisdiction over the foreign publicly traded corporation.

(b) An employee of a licensed interactive gaming manufacturer who is a gaming or nongaming employee as defined in § 801a.2 (relating to definitions) shall obtain a permit under § 808a.4 (relating to interactive gaming employees) or registration under § 808a.5 (relating to interactive nongaming employees).

**§ 805a.6. Interactive gaming manufacturer licensee change of control.**

(a) For purposes of this section, a change of control of an interactive gaming manufacturer licensee will be deemed to have occurred when a person or group of persons acquires:

(1) More than 20% of an interactive gaming manufacturer licensee's securities, assets or other ownership interests.

(2) More than 20% of the securities or other ownership interests of a corporation or other form of business entity that owns directly or indirectly at least 20% of the voting

or other securities or other ownership interests of the interactive gaming manufacturer licensee.

(3) Any other interest in an interactive gaming manufacturer licensee which allows the acquirer to control the interactive gaming manufacturer licensee.

(b) An interactive gaming manufacturer licensee shall notify the Bureau and the Bureau of Licensing by filing a Notification of Proposed Transfer of Interest Form immediately upon becoming aware of any proposed or contemplated change of control of the interactive gaming manufacturer licensee.

(c) Prior to acquiring a controlling interest in an interactive gaming manufacturer licensee, the acquirer shall file a petition in accordance with § 493a.4 (relating to petitions generally) requesting Board approval of the acquisition. The petition must include all of the following:

(1) A copy of all documents governing the acquisition.

(2) Completed applications for the acquiring company, as required under this chapter, principals as required under § 808a.2 (relating to interactive gaming principals) and key employees as required under § 808a.3 (relating to interactive key employees).

(3) An affirmation that neither the acquirer nor any of its affiliates, intermediaries, subsidiaries or holding companies is a slot machine licensee or interactive gaming certificateholder and that the acquirer has neither applied for nor holds an interactive gaming supplier license.

(d) A person or group of persons seeking to acquire a controlling interest in an interactive gaming manufacturer licensee shall promptly provide any additional information requested by the Board and Board staff and cooperate with the Bureau in any investigations related to the petition filed under subsection (c).

(e) A person or group of persons may not acquire a controlling interest in an interactive gaming manufacturer licensee until the petition required under subsection (c) has been approved. A person or group of persons seeking to acquire a controlling interest in an interactive gaming manufacturer licensee and the interactive gaming manufacturer licensee may enter into an agreement of sale that is contingent on Board approval of the petition.

(f) The requirements in this section do not apply to the acquisition of a controlling interest in an interactive gaming manufacturer licensee when all of the following conditions are met:

(1) The acquirer is an existing licensed slot machine, table game or interactive gaming manufacturer.

(2) The existing licensed interactive gaming manufacturer has provided the Bureau and the Bureau of Licensing notification and a copy of all documents governing the acquisition at least 60 days prior to the acquisition.

(3) After reviewing the documentation, the Bureau and the Bureau of Licensing determine that the filing of a petition is not required.

**CHAPTER 806a. INTERACTIVE GAMING SUPPLIER**

Sec. 806a.1. Interactive gaming supplier license requirements.  
 806a.2. Interactive gaming supplier application and standards.  
 806a.3. Interactive gaming supplier entity term and renewal.  
 806a.4. Interactive gaming supplier abbreviated license process.  
 806a.5. Interactive gaming supplier licensee responsibilities.  
 806a.6. Interactive gaming supplier change of control.

**§ 806a.1. Interactive gaming supplier license requirements.**

(a) A supplier seeking to sell, lease, offer or otherwise provide, distribute or service interactive gaming devices or associated equipment to an interactive gaming certificateholder or interactive gaming operator in this Commonwealth shall apply to the Board for an interactive gaming supplier license.

(b) In accordance with sections 1317 and 1317.1 of the act (relating to supplier licenses; and manufacturer licenses), an applicant for or the holder of an interactive gaming supplier license or any of the applicant's or holder's affiliates, intermediaries, subsidiaries or holding companies may not apply for or hold a slot machine license or an interactive gaming manufacturer license.

**§ 806a.2. Interactive gaming supplier application and standards.**

(a) An applicant for an interactive gaming supplier license shall submit all of the following:

(1) An original and one copy of the Enterprise Entity Application and Disclosure Information Form for the applicant and each of the applicant's principal affiliates.

(2) The nonrefundable application fee posted on the Board's web site.

(3) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity).

(4) An application from every key employee under § 808a.3 (relating to interactive key employees) and principal under § 808a.2 (relating to interactive gaming principals) as specified by the Enterprise Entity Application and Disclosure Information Form and other persons as determined by the Board.

(5) An affirmation that neither the applicant nor any of its affiliates, intermediaries, subsidiaries or holding companies is an applicant for or holder of a slot machine license and that the applicant has neither applied for nor holds an interactive gaming manufacturer license.

(6) A statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence) and a copy of the safeguards and policies.

(b) In addition to the materials required under subsection (a), an applicant for an interactive gaming supplier license shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) In determining whether an applicant is suitable to be licensed as an interactive gaming supplier under this section, the Board will consider all of the following:

(1) The financial fitness, good character, honesty, integrity and responsibility of the applicant.

(2) If all principals of the applicant are eligible and suitable under the standards of section 1311.1 of the act (relating to licensing of principals).

(3) The integrity of all financial backers.

(4) The suitability of the applicant and the principals of the applicant based on the satisfactory results of all of the following:

(i) The background investigation of the principals.

(ii) A current tax clearance review performed by the Department.

(iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

**§ 806a.3. Interactive gaming supplier entity term and renewal.**

(a) An interactive gaming supplier license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(b) A renewal application for an interactive gaming supplier license shall be filed at least 6 months prior to the expiration of the current license.

(c) An interactive gaming supplier license for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

**§ 806a.4. Interactive gaming supplier abbreviated license process.**

(a) The Board may use an abbreviated licensing process if the applicant holds a license issued by the Board to supply slot machines, table games, table game devices or associated equipment and all of the following apply:

(1) The license was issued by the Board and is currently in good standing.

(2) The entity to whom the supplier license was issued affirms there has been no material change in circumstances relating to the license.

(3) The Board determines, in its sole discretion, that there has been no material change in circumstances relating to the licensee that necessitates that the abbreviated process not be used.

(b) This section may not be construed to waive any fees associated with obtaining an interactive gaming supplier license through the application process in this Commonwealth.

**§ 806a.5. Interactive gaming supplier licensee responsibilities.**

(a) A supplier shall submit to the Bureau of Licensing for review any agreements with a licensed interactive gaming manufacturer, licensed interactive gaming operator, slot machine licensee or interactive gaming certificateholder. The review may include financing arrangements, technical competency, compensative agreements and other terms or conditions to ensure the financial independence of the licensed interactive gaming supplier from any licensed interactive gaming manufacturer or licensed or certified interactive gaming entity.

(b) A holder of a supplier license shall have a continuing duty to do all of the following:

(1) Comply with the general requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(2) For publicly traded interactive gaming suppliers, provide notification of all SEC filings or, if the supplier is publicly traded on a foreign exchange, a copy of all filings submitted to the securities regulator that has jurisdiction over the foreign publicly traded corporation. The notification or copies of the filings shall be submitted to the Bureau of Licensing within 30 days after the date of filing

with the SEC or securities regulator that has jurisdiction over the foreign publicly traded corporation.

(c) An employee of a licensed interactive gaming supplier who is a gaming or nongaming employee as defined in § 801a.2 (relating to definitions) shall obtain a permit under § 808a.4 (relating to interactive gaming employees) or registration under § 808a.5 (relating to interactive nongaming employees).

**§ 806a.6. Interactive gaming supplier change of control.**

(a) For purposes of this section, a change of control of an interactive gaming supplier licensee will be deemed to have occurred when a person or group of persons acquires:

(1) More than 20% of an interactive gaming supplier licensee's securities, assets or other ownership interests.

(2) More than 20% of the securities or other ownership interests of a corporation or other form of business entity that owns directly or indirectly at least 20% of the voting or other securities or other ownership interests of the interactive gaming supplier licensee.

(3) Any other interest in an interactive gaming supplier licensee which allows the acquirer to control the interactive gaming supplier licensee.

(b) An interactive gaming supplier licensee shall notify the Bureau and the Bureau of Licensing by filing a Notification of Proposed Transfer of Interest Form immediately upon becoming aware of any proposed or contemplated change of control of the interactive gaming supplier licensee.

(c) Prior to acquiring a controlling interest in an interactive gaming supplier licensee, the acquirer shall file a petition in accordance with § 493a.4 (relating to petitions generally) requesting Board approval of the acquisition. The petition must include all of the following:

(1) A copy of all documents governing the acquisition.

(2) Completed applications for the acquiring company, as required under this chapter, principals as required under § 808a.2 (relating to interactive gaming principals) and key employees as required under § 808a.3 (relating to interactive key employees).

(3) An affirmation that neither the acquirer nor any of its affiliates, intermediaries, subsidiaries or holding companies is a slot machine licensee or interactive gaming certificateholder and that the acquirer has neither applied for nor holds an interactive gaming manufacturer license.

(d) A person or group of persons seeking to acquire a controlling interest in an interactive gaming supplier licensee shall promptly provide any additional information requested by the Board and Board staff and cooperate with the Bureau in any investigations related to the petition filed under subsection (c).

(e) A person or group of persons may not acquire a controlling interest in an interactive gaming supplier licensee until the petition, required under subsection (c), has been approved. A person or group of persons seeking to acquire a controlling interest in an interactive gaming supplier licensee and the supplier licensee may enter into a sales agreement that is contingent on Board approval of the petition.

(f) The requirements in this section do not apply to the acquisition of a controlling interest in an interactive gaming supplier licensee when all of the following conditions are met:

(1) The acquirer is an existing licensed slot machine, table game or interactive gaming supplier.

(2) The existing licensed interactive gaming supplier has provided the Bureau and the Bureau of Licensing notification and a copy of all documents governing the acquisition at least 60 days prior to the acquisition.

(3) After reviewing the documentation, the Bureau and the Bureau of Licensing determine that the filing of a petition is not required.

**CHAPTER 807a. INTERACTIVE GAMING SERVICE PROVIDERS**

- Sec.
- 807a.1. General interactive gaming service provider requirements.
- 807a.2. Interactive gaming service provider certification applications.
- 807a.3. Interactive gaming service provider registration applications.
- 807a.4. Qualification of individuals and entities of certified interactive gaming service providers.
- 807a.5. Interactive gaming service provider registration and certification term and renewal.
- 807a.6. Authorized interactive gaming service providers list; prohibited interactive gaming service providers.
- 807a.7. Permission to conduct business prior to certification or registration.
- 807a.8. Emergency interactive gaming service provider.
- 807a.9. Duty to investigate.

**§ 807a.1. General interactive gaming service provider requirements.**

(a) Except as provided in § 807a.9 (relating to duty to investigate), an interactive gaming service provider or person seeking to conduct business with an interactive gaming certificateholder or interactive gaming operator shall apply to the Board for certification if the interactive gaming service provider or person is providing:

(1) Data hosting services unless the hosting service is in a jurisdiction, the standards of which are recognized by the Board, the owner of the hardware is licensed as an interactive gaming operator by the Board and the facility is approved by the Board.

(2) Payment processing and related money-transmitting services with direct contact with a patron's interactive gaming account.

(3) Customer identity, age verification and geo-location verification used in the conduct of interactive gaming, regardless of the interactive gaming service provider or person's contractual relationship with an interactive gaming certificateholder.

(4) Interactive affiliate goods or services and the interactive affiliate is being paid a revenue share. As used in this subsection, "interactive affiliate" means as an individual or entity involved in promoting, marketing and directing business to online gaming sites in exchange for compensation paid based on player activity not a flat fee.

(5) Any other person as determined by the Board.

(b) Except as provided in § 807a.9, a gaming service provider or person seeking to conduct business with an interactive gaming certificateholder or interactive gaming operator shall apply to the Board for a registration if the interactive gaming service provider or person is providing goods or services related to interactive gaming or interactive wagering and the interactive gaming service provider or person is not required to be certified as an interactive gaming service provider. This subsection applies to interactive affiliates involved in promoting, marketing and directing business to online gaming sites in exchange for a flat fee.

(c) A holder of an interactive gaming service provider certification, registration or authorization shall have a

continuing duty to comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

**§ 807a.2. Interactive gaming service provider certification applications.**

(a) An interactive gaming service provider seeking certification shall submit an original and one copy of a Certification Application and Disclosure Form. The original, copy and the application fee toward the cost of the investigation of the applicant, as posted on the Board's web site, shall be submitted to the Bureau of Licensing by the interactive gaming service provider unless otherwise directed by the Bureau of Licensing.

(b) In addition to the requirements in subsection (a), an applicant for an interactive gaming service provider certification shall do all of the following:

(1) Submit applications and release authorizations for each individual required to be qualified under § 807a.4 (relating to qualification of individuals and entities of certified interactive gaming service providers).

(2) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) An applicant for an interactive gaming service provider certification shall reimburse the Board for costs incurred in conducting the investigation of the applicant.

(d) An interactive gaming service provider certification will not be issued until all fees and costs have been paid.

**§ 807a.3. Interactive gaming service provider registration applications.**

(a) An interactive gaming service provider seeking registration shall complete an original and one copy of a Gaming Service Provider Registration Form. The original, copy and the application fee toward the cost of the investigation of the applicant, as posted on the Board's web site, shall be submitted to the Bureau of Licensing by the interactive gaming service provider unless otherwise directed by the Bureau of Licensing.

(b) In addition to the materials required under subsection (a), an applicant for an interactive gaming service provider registration shall do all of the following:

(1) Submit release authorizations for each individual required to be qualified under § 807a.4 (relating to qualification of individuals and entities of certified interactive gaming service providers).

(2) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(3) Submit fingerprints of all of the following individuals in a manner prescribed by the Bureau:

(i) Each officer and director of the registered interactive gaming service provider applicant. For purposes of this subparagraph, "officer" means a president, a chief executive officer, a chief financial officer and a chief operating officer, and any person routinely performing corresponding functions with respect to an organization whether incorporated or unincorporated.

(ii) Each individual who has a direct or indirect ownership or beneficial interest of 10% or more in the registered interactive gaming service provider applicant.

(iii) Each salesperson of a registered interactive gaming service provider applicant who solicits business from, or has regular contact with, any representatives of an interactive certificateholder or interactive gaming operator or any employee of a registered interactive gaming service provider applicant who will be engaging in that conduct.

(c) A person who holds any direct or indirect ownership or beneficial interest in a registered interactive gaming service provider or applicant for interactive gaming service provider registration, or has the right to any profits or distributions directly or indirectly, from the registered interactive gaming service provider or applicant for interactive gaming service provider registration may be required to submit fingerprints if the Bureau determines that the submission of fingerprints of the person is necessary to protect the public interest or to enhance the integrity of gaming in this Commonwealth.

(d) Each of the individuals required to submit fingerprints under subsection (b)(3) shall be found qualified by the Board.

(e) An individual who is a gaming or nongaming employee as defined in § 801a.2 (relating to definitions) shall obtain a gaming employee occupation permit in accordance with § 808a.4 (relating to interactive gaming employees) or a nongaming employee registration in accordance with § 808a.5 (relating to interactive nongaming employees).

(f) An applicant for an interactive gaming service provider registration shall reimburse the Board for costs incurred in conducting the investigation of the applicant.

(g) An interactive gaming service provider registration will not be issued until all fees and costs have been paid.

**§ 807a.4. Qualification of individuals and entities of certified interactive gaming service providers.**

(a) The following individuals shall submit a Pennsylvania Personal History Disclosure Form and be found qualified by the Board:

(1) Each officer and director of a certified interactive gaming service provider or applicant for interactive gaming service provider certification. For the purposes of this paragraph, "officer" means a president, a chief executive officer, a chief financial officer, and a chief operating officer and any person routinely performing corresponding functions with respect to an organization whether incorporated or unincorporated.

(2) Each individual who has a direct or indirect ownership or beneficial interest of 10% or more in the certified interactive gaming service provider or applicant for interactive gaming service provider certification. A certified interactive gaming service provider or applicant for interactive gaming service provider certification shall provide information or documentation requested by the Board necessary to determine compliance with this paragraph.

(3) Each salesperson of a certified interactive gaming service provider or applicant for interactive gaming service provider certification who solicits business from, or has regular contact with, any representatives of an interactive gaming certificateholder or interactive gaming operator or any employee of a certified interactive gaming service provider or applicant for interactive gaming service provider certification who will be engaging in that conduct.

(b) Each entity that directly owns 20% or more of the voting securities of a certified interactive gaming service

provider or person applying for interactive gaming service provider certification shall file a Certification Form—Holding Company with the Bureau of Licensing and be found qualified by the Board.

(c) The following persons may be required to submit a Certification Form—Holding Company or a Pennsylvania Personal History Disclosure Form and be found qualified by the Board if the Bureau of Licensing determines that the qualification of the person is necessary to protect the public interest or to enhance the integrity of gaming in this Commonwealth.

(1) An intermediary or holding company of a certified interactive gaming service provider or person or applicant for interactive gaming service provider certification not otherwise required to be qualified.

(2) An officer or director of an intermediary or holding company of a certified interactive gaming service provider or applicant for interactive gaming service provider certification.

(3) An employee of a certified interactive gaming service provider or applicant for interactive gaming service provider certification.

(4) A person who holds any direct or indirect ownership or beneficial interest in a certified interactive gaming service provider or applicant for interactive gaming service provider certification, or has the right to any profits or distribution, directly or indirectly, from the certified interactive gaming service provider or applicant for interactive gaming service provider certification.

(5) A trustee of a trust that is required to be found qualified under this section.

(d) The Bureau of Licensing may issue a temporary credential to an individual who is required to be qualified by the Board under this section if all of the following apply:

(1) The individual's presence in an interactive gaming restricted area is needed.

(2) The company with which the individual is associated is on the authorized gaming service provider list.

(e) Upon request, the Bureau of Licensing will issue a credential to an individual who has been found qualified under this section if the interactive gaming service provider has been certified.

(f) An employee of a certified or registered interactive gaming service provider who is a gaming or nongaming employee as defined in § 801a.2 (relating to definitions) shall obtain a permit under § 808a.4 (relating to interactive gaming employees) or registration under § 808a.5 (relating to interactive nongaming employees).

**§ 807a.5. Interactive gaming service provider registration and certification term and renewal.**

(a) Interactive gaming service provider certifications, registrations and renewals issued under this subpart will be valid for 5 years from the date of Board approval.

(b) Registered and certified interactive gaming service providers shall submit to the Board a completed renewal application or form and renewal fee at least 180 days prior to the expiration of a certification, registration or authorization.

(c) A certification or registration for which a completed renewal application and fee has been received by the Bureau of Licensing will continue to be in effect until the Board sends written notification to the holder of the

certification or registration that the Board has approved or denied the certification or registration.

**§ 807a.6. Authorized interactive gaming service providers list; prohibited interactive gaming service providers.**

(a) The Board will maintain a list of authorized interactive gaming service providers and a list of prohibited interactive gaming service providers. The authorized list will contain the names of persons who have been:

(1) Registered or certified.

(2) Authorized to conduct business with interactive certificateholder or interactive gaming operator under § 437a.9 (relating to permission to conduct business prior to certification or registration).

(b) Except as permitted under §§ 437a.1(a)(2), (d) and (g) and 437a.10 (relating to general gaming service provider requirements; and emergency gaming service provider), an interactive gaming certificateholder or interactive gaming operator may not purchase goods or services from an interactive gaming service provider unless the interactive gaming service provider is on the authorized interactive gaming service provider list. A slot machine licensee, interactive gaming certificateholder or interactive gaming operator or applicant or any affiliate, intermediary, subsidiary or holding company thereof acting on behalf of the slot machine licensee, interactive gaming certificateholder, interactive gaming operator or applicant may not enter into an agreement or continue to do business with an interactive gaming service provider on the prohibited gaming service providers list.

(c) The Board may place a person or provider on the prohibited interactive gaming service provider list if any of the following apply:

(1) The interactive gaming service provider has failed to comply with this chapter.

(2) The interactive gaming service provider has failed to cooperate with Board staff in its review and investigation of the interactive gaming service provider's application.

(3) The interactive gaming service provider's application for certification or registration has been denied or withdrawn with prejudice or the interactive gaming service provider has had its interactive gaming service provider certification or registration suspended or revoked.

(4) The interactive gaming service provider has failed to provide information to a slot machine licensee, an interactive gaming certificateholder or interactive gaming operator that is necessary for the slot machine licensee, interactive gaming certificateholder or interactive gaming operator to comply with this chapter.

(d) A person seeking to be removed from the list of prohibited interactive gaming service providers shall file a petition for removal in accordance with § 493a.4 (relating to petitions generally) and shall be responsible for all costs associated with the person's petition for removal from the list of prohibited interactive gaming service providers. The petition must state the specific grounds believed by the petitioner to constitute good cause for removal from the prohibited interactive gaming service providers list and how the interactive gaming service provider has cured any deficiencies that led to the interactive gaming service provider being placed on the prohibited interactive gaming service providers list.

(e) The Board may impose a monetary penalty or other appropriate sanction in connection with the removal of a person from the list of prohibited interactive gaming service providers or attach any reasonable condition to the removal of a person from the list of prohibited interactive gaming service providers.

**§ 807a.7. Permission to conduct business prior to certification or registration.**

(a) Notwithstanding § 807a.1 (relating to general interactive gaming service provider requirements), the Bureau of Licensing may authorize an applicant for an interactive gaming service provider certification or registration to conduct business with a slot machine licensee, an interactive gaming certificateholder or interactive gaming operator prior to the certification or registration of the interactive gaming service provider applicant if all of the following criteria are met:

(1) A completed Gaming Service Provider Registration Form or a completed Gaming Service Provider Certification Application and Disclosure Information Form has been filed by the slot machine licensee, interactive gaming certificateholder or interactive gaming operator in accordance with §§ 807a.2 or 807a.3 (relating to interactive gaming service provider certification applications; and interactive gaming service provider registration applications).

(2) The slot machine licensee, interactive gaming certificateholder or interactive gaming operator certifies that it has performed due diligence on the interactive gaming service provider.

(3) The applicant for an interactive gaming service provider registration or certification agrees, in writing, that the grant of permission to conduct business prior to registration or certification does not create a right to continue to conduct business and that the Bureau of Licensing may rescind, at any time, the authorization granted pursuant to this section, with or without prior notice to the applicant, if the Bureau of Licensing is informed that the suitability of the applicant may be at issue or the applicant fails to cooperate in the application or investigatory process.

(b) If the Office of Enforcement Counsel issues a Notice of Recommendation for Denial to an applicant for certification or registration, the Bureau of Licensing may rescind the permission granted to the applicant for certification or registration to conduct business with a slot machine licensee, interactive gaming certificateholder or interactive gaming operator under subsection (a). If the permission is rescinded, the applicant for certification or registration shall cease conducting business with the slot machine licensee, interactive gaming certificateholder, interactive gaming operator or applicant by the date specified in the notice of the rescission by the Bureau of Licensing under subsection (c).

(c) The Bureau of Licensing will notify the applicant for certification or registration and the slot machine licensee, interactive gaming certificateholder, interactive gaming operator or applicant by registered mail and e-mail that permission for the applicant for certification or registration to conduct business with the slot machine licensee, interactive gaming certificateholder, interactive gaming operator or applicant under subsection (a) has been rescinded and that the slot machine licensee, interactive gaming certificateholder, interactive gaming operator or applicant shall cease conducting business with the applicant for certification or registration by the date specified in the notice.

**§ 807a.8. Emergency interactive gaming service provider.**

(a) An interactive gaming certificateholder or interactive gaming operator may utilize an interactive gaming service provider that is not registered, certified or authorized to conduct business in accordance with § 807a.7 (relating to permission to conduct business prior to certification or registration) when a threat to public health, welfare or safety exists or circumstances outside the control of the slot machine licensee, interactive gaming certificateholder or interactive gaming operator create an urgency of need which does not permit the delay involved in using the formal method of interactive gaming service provider certification or registration. A slot machine licensee, interactive gaming certificateholder or interactive gaming operator may not use an interactive gaming service provider on the prohibited list.

(b) When using an interactive gaming service provider that is not registered, certified or authorized to conduct business to respond to an emergency, the slot machine licensee, interactive gaming certificateholder or interactive gaming operator shall do all of the following:

(1) Immediately notify the Bureau of Licensing of the emergency and the interactive gaming service provider that was selected to provide emergency services.

(2) File an Interactive Gaming Service Provider Emergency Notification Form with the Bureau of Licensing within 72 hours after commencement of the interactive gaming service provider's services and a written explanation of the basis for the procurement of the emergency interactive gaming service provider.

(c) An employee of the emergency interactive gaming service provider who is providing emergency services that requires access to an interactive gaming restricted area shall obtain a temporary access credential in accordance with § 808a.7 (relating to emergency and temporary credentials) prior to performing any work.

(d) If the slot machine licensee, interactive gaming certificateholder or interactive gaming operator continues to utilize the interactive gaming service provider after the emergency circumstances have passed or if the Bureau of Licensing determines that the circumstances did not necessitate the use of an emergency interactive gaming service provider that was not registered, certified or on the authorized list, the slot machine licensee, interactive gaming certificateholder, interactive gaming operator and interactive gaming service provider shall comply with this chapter.

**§ 807a.9. Duty to investigate.**

(a) A slot machine licensee, interactive gaming certificateholder or interactive gaming operator shall investigate the background and qualifications of the applicants for interactive gaming service provider registration or certification with whom it intends to have a contractual relationship or enter into an agreement.

(b) A slot machine licensee, interactive gaming certificateholder or interactive gaming operator shall have an affirmative duty to avoid agreements or relationships with persons applying for an interactive gaming service provider registration or certification whose background or associations are injurious to the public health, safety, morals, good order and general welfare of the residents of this Commonwealth, or who threaten the integrity of gaming in this Commonwealth.

(c) A slot machine licensee, an interactive gaming certificateholder or interactive gaming operator shall have

a duty to inform the Board of an action by an applicant for or holder of an interactive gaming service provider registration or certification, which the slot machine licensee, interactive gaming certificateholder or interactive gaming operator believes would constitute a violation of the act or this part.

**CHAPTER 808a. INTERACTIVE GAMING PRINCIPALS AND KEY, GAMING AND NONGAMING EMPLOYEES**

Sec.

- 808a.1. General provisions.
- 808a.2. Interactive gaming principals.
- 808a.3. Interactive key employees.
- 808a.4. Interactive gaming employees.
- 808a.5. Interactive nongaming employees.
- 808a.6. Board credentials.
- 808a.7. Emergency and temporary credentials.
- 808a.8. Loss, theft or destruction of credentials.

**§ 808a.1. General provisions.**

(a) An individual seeking a principal license, key employee license, gaming employee occupation permit or nongaming employee registration to participate in interactive gaming in this Commonwealth shall apply to the Board as follows:

(1) Principal and key employee applicants shall submit an original and one copy of a completed Multi-Jurisdictional Personal History Disclosure Form as well as an original and one copy of a completed Principal/Key Employee Form—Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form.

(2) Gaming employee occupation permit and nongaming employee registration applicants shall submit the Gaming Employee or Nongaming Employee Registration Application using the SLOTS Link Electronic Application system.

(3) All applicants shall submit the nonrefundable application fee posted on the Board's web site.

(b) In addition to the materials required in subsection (a), an applicant shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) The holder of a principal license, key employee license, gaming employee occupation permit or nongaming employee registration shall provide an updated photograph at the request of Board staff.

(d) An applicant for a gaming employee occupation permit or nongaming employee registration shall be at least 18 years of age.

(e) After reviewing the application and the results of the applicant's background investigation, the Board may issue a principal license, key employee license, gaming employee occupation permit or nongaming employee registration if the individual has proven that he is a person of good character, honesty and integrity, and is eligible and suitable to be licensed as a principal, key employee, gaming employee or nongaming employee.

(f) Slot machine licensees, interactive gaming certificateholders, interactive gaming operators, interactive gaming manufacturers, interactive gaming suppliers and interactive gaming service providers that hire an individual who holds a key employee license, gaming employee occupation permit or registration issued by the Board shall contact the Bureau of Licensing to confirm that the individual's key employee license, gaming employee occupation permit or registration is in good stand-



ing prior to allowing the individual to perform work associated with interactive gaming in this Commonwealth.

(g) An individual who holds a principal license, key employee license, gaming employee occupation permit or registration is subject to all of the following wagering restrictions relative to interactive gaming:

(1) An individual whose job duties include interactive gaming and who holds a license, permit or registration and is currently employed by or is a principal of an interactive certificateholder may not place wagers on web sites offered by or associated with the interactive certificateholder. The licensed, permitted or registered individual shall wait at least 30 days following the date that the individual is no longer employed in a position that includes interactive gaming job duties before the individual may wager on web sites offered by or associated with the interactive certificateholder.

(2) An individual who holds a license, permit or registration and is currently employed by or is a principal of an interactive gaming operator may not wager on web sites operated by the interactive gaming operator. The licensed, permitted or registered individual shall wait at least 30 days following the date that the individual is no longer employed by the interactive gaming operator before the individual may wager on web sites operated by the interactive gaming operator.

(3) An individual whose job duties include interactive gaming and who holds a license, permit or registration and is currently employed by or is a principal of an interactive manufacturer or interactive supplier may not wager on web sites associated with interactive certificateholders in this Commonwealth that offer games or use equipment manufactured, supplied, developed or programmed by the interactive manufacturer or interactive supplier.

#### § 808a.2. Interactive gaming principals.

(a) Principals and principal entities, as defined in §§ 401a.3 and 433a.1 (relating to definitions), shall submit an application for licensure as described in § 808a.1 (relating to general provisions).

(b) A principal license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(c) A renewal application for a principal license shall be filed at least 6 months prior to expiration of the current license.

(d) A principal license for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

(e) A principal license issued under this subpart will be only be valid for the licensed or certified entity with which the principal is associated.

#### § 808a.3. Interactive key employees.

(a) Key employees, as defined in §§ 401a.3 and 801a.2 (relating to definitions), shall submit an application for licensure as described in § 808a.1 (relating to general provisions).

(b) A key employee license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(c) A renewal application for a key employee license shall be filed at least 6 months prior to expiration of the current license.

(d) A key employee license for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

(e) A key employee license issued under this subpart will be valid for employment with any licensed or certified entity.

#### § 808a.4. Interactive gaming employees.

(a) Gaming employees, as defined in §§ 401a.3 and 801a.2 (relating to definitions), shall submit an application for licensure as described in § 808a.1 (relating to general provisions).

(b) In addition to the materials required to be submitted under this subpart, gaming employee occupation permit applicants shall submit verification of an offer of employment from a licensed or certified entity.

(c) A gaming employee occupation permit and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(d) A renewal application for a gaming employee occupation permit shall be filed at least 6 months prior to expiration of the current permit.

(e) A gaming employee occupation permit for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

(f) An individual who wishes to receive a gaming employee occupation permit under this subpart may authorize an applicant for or holder of a slot machine license, interactive gaming certificate, interactive gaming license, interactive gaming manufacturer license, interactive gaming supplier license, or interactive gaming service provider certification or registration to file an application on the individual's behalf.

(g) A gaming employee occupation permit issued under this chapter will be valid for employment with any licensed, certified or registered entity.

#### § 808a.5. Interactive nongaming employees.

(a) Nongaming employees, as defined in § 401a.3 (relating to definitions), shall submit an application for registration as described in § 808a.1 (relating to general provisions).

(b) In addition to the materials required to be submitted under this subpart, nongaming employee registration applicants shall submit verification of an offer of employment from a licensed or certified entity.

(c) A nongaming employee registration and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(d) A renewal application for a nongaming employee registration shall be filed at least 6 months prior to expiration of the current registration.

(e) A nongaming employee registration for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

(f) An individual who wishes to receive a nongaming employee registration under this subpart may authorize an applicant for or holder of a slot machine license, interactive gaming certificate, interactive gaming license, interactive gaming manufacturer license, interactive gam-

ing supplier license, or interactive gaming service provider certification or registration to file an application on the individual's behalf.

(g) A nongaming employee registration issued under this chapter will be valid for employment with any licensed, certified or registered entity.

#### § 808a.6. Board credentials.

The individuals required to be licensed, permitted or registered under this subpart shall obtain a Board credential as described in § 435a.6 (relating to Board credentials).

#### § 808a.7. Emergency and temporary credentials.

The individuals required to be licensed, permitted or registered under this subpart may obtain an emergency or temporary Board credential as described in §§ 435a.7 and 435a.8 (relating to emergency credentials; and temporary credentials).

#### § 808a.8. Loss, theft or destruction of credentials.

(a) As soon as possible, but no later than 24 hours following the loss, theft or destruction of a Board credential, emergency credential or temporary credential, the person to whom the credential was issued shall notify the Bureau of Licensing.

(b) The slot machine licensee, interactive gaming certificateholder or interactive gaming operator, on behalf of an employee whose Board-issued credential was lost, stolen or destroyed, may request a replacement Board credential by submitting a Request for Duplicate PGCB Credential Form and the fee established by the Board to the Bureau of Licensing.

### CHAPTER 809a. INTERACTIVE GAMING PLATFORM REQUIREMENTS

Sec.	
809a.1.	Scope.
809a.2.	Definitions.
809a.3.	Location of equipment.
809a.4.	Physical and environmental controls for equipment.
809a.5.	Access to equipment.
809a.6.	System requirements.
809a.7.	Geolocation requirements.
809a.8.	Security policy requirements.

#### § 809a.1. Scope.

To ensure players are not exposed to unnecessary security risks by choosing to participate in interactive gaming in this Commonwealth and to ensure the integrity and security of interactive gaming operations in this Commonwealth, the system requirements in this chapter apply to all of the following critical components of an interactive gaming system:

- (1) Interactive gaming system components which record, store, process, share, transmit or retrieve sensitive player information (for example, credit and debit card details, authentication information and player account balances).
- (2) Interactive gaming system components which generate, transmit or process random numbers used to determine the outcome of games or virtual events.
- (3) Interactive gaming system components which store results or the current state of a player's wager.
- (4) Points of entry and exit from the previously listed systems or other systems which are able to communicate directly with core critical systems.
- (5) Communication networks which transmit sensitive player information.

#### § 809a.2. Definitions.

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

*Domain name system*—The globally distributed Internet database which maps machine names to IP numbers, and vice versa.

*Player device*—The device that converts communications from the interactive gaming platform into a human interpretable form and converts human decisions into a communication format understood by the interactive gaming platform. The term includes personal computers, mobile phones, tablets, and the like.

*Primary server*—First source for Domain Name System data and responses to queries.

*Remote access*—Any access from outside the interactive gaming system or interactive gaming system network, including access from other networks within the same facility.

*Secondary server or redundancy server*—A server that shares the same features and capabilities as the primary server serves and acts as a second or substitutive point of contact in case the primary server is unavailable, busy or overloaded.

*Stateful protocol*—A protocol in which the communication system utilized by the player and the primary or secondary server tracks the state of the communication session.

*Stateless protocol*—A protocol in which neither the player nor the primary or secondary servers communication systems tracks the state of the communication session.

#### § 809a.3. Location of equipment.

(a) The Board shall approve the location of all interactive gaming devices and associated equipment used by an interactive gaming certificateholder or interactive gaming operator to conduct interactive gaming. The interactive gaming devices and associated equipment may be located in a restricted area on the premises of the licensed facility, in an interactive gaming restricted area within the geographic limits of the county in this Commonwealth where the licensed facility is situated or any other area, located within the United States, provided the location adheres to all of the following limitations:

(1) The primary server used to resolve domain name service inquiries used by an interactive gaming certificateholder or interactive gaming operator to conduct interactive gaming in this Commonwealth must be physically located in a secure data center.

(2) Any redundancy, secondary and emergency servers used by an interactive gaming certificateholder or interactive gaming operator to conduct interactive gaming in this Commonwealth must be physically located in a secure data center at a separate premises than the primary server within the Commonwealth.

(b) The Board may require interactive gaming system data necessary to certify revenue and resolve player complaints to be maintained in this Commonwealth in a manner and location approved by the Board. The data must include data related to the calculation of revenue, player transactions, game transactions, game outcomes, responsible gaming and any other data which may be prescribed by the Board. The data must be maintained in a manner which prevents unauthorized access or modification without the prior approval of the Board.

**§ 809a.4. Physical and environmental controls for equipment.**

(a) An interactive gaming system and the associated communications systems must be located in facilities which provide physical protection against damage from fire, flood, hurricane, earthquake, and other forms of natural or manmade disaster by utilizing and implementing at least all of the following measures:

(1) Security perimeters (barriers such as walls, card-controlled entry gates or manned reception desks) must be used to protect areas that contain interactive gaming systems components.

(2) Secure areas must be protected by appropriate entry controls to ensure that access is restricted to only authorized personnel.

(3) All access must be recorded in a secure log which is available for inspection by Board staff.

(4) Secure areas must include an intrusion detection system. Attempts at unauthorized access must be logged.

(b) Interactive gaming system servers must be located in server rooms which prohibit unauthorized access.

(c) Interactive gaming system servers must be housed in racks located within a secure area.

(d) Interactive gaming system components must provide all of the following minimum utility support:

(1) Interactive gaming system components must be provided with adequate primary power.

(2) Interactive gaming system components must have uninterruptible power supply equipment to support operations in the event of a power failure.

(3) There must be adequate cooling for the equipment housed in the server area.

(4) Power and telecommunications cabling carrying data or supporting information services must be protected from interception or damage.

(5) There must be adequate fire protection for the interactive gaming system components housed in the server room.

**§ 809a.5. Access to equipment.**

(a) The interactive gaming certificateholder and interactive gaming operator shall limit and control access to the primary server and any secondary servers by ensuring all of the following:

(1) Maintain access codes and other computer security controls.

(2) Maintain logs of user access, security incidents and unusual transactions.

(3) Coordinate and develop an education and training program on information security and privacy matters for employees and other authorized users.

(4) Ensure compliance with all State and Federal information security policies and rules.

(5) Prepare and maintain security-related reports and data.

(6) Develop and implement an incident reporting and response system to address security breaches, policy violations and complaints from external parties.

(7) Develop and implement an ongoing risk assessment program that targets information security and privacy

matters by identifying methods for vulnerability detection and remediation and overseeing the testing of those methods.

(b) Remote access to an interactive gaming certificateholder or interactive gaming operator's interactive gaming system is only permitted as follows:

(1) To Board employees upon request and without limitation.

(2) For testing purposes with prior approval from and as limited by the Board.

(3) By employees of an interactive gaming certificateholder or an interactive gaming operator with prior approval from and as limited by the Board.

(c) All interactive gaming certificateholder's or interactive gaming operator's interactive gaming systems must be available for independent testing by the Board, without limitation.

**§ 809a.6. System requirements.**

(a) *Interactive gaming system methodology.* An interactive gaming system shall be designed with a methodology (for example, cryptographic controls) approved by the Board to ensure secure communications between a player's device and the interactive gaming system. When reviewing the security of an interactive gaming certificateholder or interactive gaming operator's interactive gaming system methodology, the Board will consider all of the following:

(1) The interactive gaming system methodology shall be designed to ensure the integrity and confidentiality of all player communication and ensure the proper identification of the sender and receiver of all communications. If communications are performed across a third-party network, the system must either encrypt the data packets or utilize a secure communications protocol to ensure the integrity and confidentiality of the transmission.

(2) Wireless communications between the player device and the primary or secondary server must be encrypted in transit using a method (for example, AES, IPsec and WPA2) approved by the Board.

(3) An interactive gaming certificateholder or interactive gaming operator shall mask the service set identification of the interactive gaming system network to ensure that it is unavailable to the general public.

(4) All communications that contain patron account numbers, user identification, or passwords and PINs must utilize a secure method of transfer (for example, 128-bit key encryption) approved by the Board.

(5) Only devices authorized by the Board are permitted to establish communications between a player device and an interactive gaming system.

(6) Server-based interactive gaming systems must maintain an internal clock that reflects the current date and time that must be used to synchronize the time and date among all components that comprise the interactive gaming system. The interactive gaming system date and time must be visible to the patron when logged on.

(b) *Change or modification.* Any change or modification to the interactive gaming system shall be handled in accordance with the Change Management guidelines issued and distributed to interactive gaming certificateholders, interactive gaming operators, and interactive gaming manufacturers.

(c) *Standards for data logging.* An interactive gaming system must meet all of the following standards regarding data logging:

(1) Interactive gaming systems must employ a mechanism capable of maintaining a separate copy of all of the information required to be logged in this section on a separate and independent logging device capable of being administered by an employee with no incompatible function. If the interactive gaming system can be configured so that any logged data is contained in a secure transaction file, a separate logging device is not required.

(2) Interactive gaming systems must provide a mechanism for the Board to query and export, in a format required by the Board, all interactive gaming system data.

(3) Interactive gaming systems must electronically log the date and time any player gaming account is created or terminated (Account Creation Log).

(4) An interactive gaming system must maintain all information necessary to recreate player game play and account activity during each player session, including any identity or location verifications, for not less than 10 years.

(5) Unless otherwise authorized by the Board, when software is installed on or removed from an interactive gaming system, the action must be recorded in a secure electronic log (Software Installation/Removal Log), which must include all of the following:

- (i) The date and time of the action.
- (ii) The identification of the software.
- (iii) The identity of the person performing the action.

(6) Unless otherwise authorized by the Board, when a change in the availability of game software is made on an interactive gaming system, the change must be recorded in a secure electronic log (Game Availability Log), which must include:

- (i) The date and time of the change.
- (ii) The identification of the software.
- (iii) The identity of the person performing the change.

(7) Unless otherwise exempted by the Board, an interactive gaming system must record all promotional offers (Promotions Log) issued through the system. The log must provide the information necessary as determined by the Board to audit compliance with the terms and conditions of current and previous offers.

(8) Results of all authentication attempts must be retained in an electronic log (Authentication Log) and accessible for not less than 90 days.

(9) All adjustments to an interactive gaming system data made using stored procedures must be recorded in an electronic log (Adjustments Log), which lists all of the following:

- (i) The date and time.
- (ii) The identification and user ID of user performing the action.
- (iii) A description of the event or action taken.
- (iv) The initial and ending values of any data altered as a part of the event or action performed.

(d) *Security requirements.*

(1) Networks should be logically separated so that there should be no network traffic on a network link which cannot be serviced by hosts on that link.

(2) Networks must meet all of the following requirements to assure security:

(i) The failure of any single item should not result in a denial of service.

(ii) An intrusion detection system/intrusion prevention system must be installed on the network which can do all of the following:

(A) Listen to both internal and external communications.

(B) Detect or prevent Distributed Denial of Service attacks.

(C) Detect or prevent shellcode from traversing the network.

(D) Detect or prevent Address Resolution Protocol spoofing.

(E) Detect other Man-in-the-Middle indicators and server communication immediately.

(iii) Each server instance in cloud and virtualized environments should perform only one function.

(iv) In virtualized environments, redundant server instances cannot run under the same hypervisor.

(v) Stateless protocols should not be used for sensitive data without stateful transport.

(vi) All changes to network infrastructure must be logged.

(vii) Virus scanners or detection programs, or both, should be installed on all pertinent information systems and should be updated regularly to scan for new strains of viruses.

(viii) Network security should be tested by a qualified and experienced individual on a regular basis.

(ix) Testing should include testing of the external interfaces and internal network.

(x) Testing of each security domain on the internal network should be undertaken separately.

(3) Networks shall be assessed by an independent, third-party auditor on an annual basis to evaluate the effectiveness of the information technology security measures in place for the network, with a report to be provided to the Board outlining any weaknesses or deficiencies and recommendations on how such issues may be remedied.

(e) *Self-monitoring of critical components.* The interactive gaming system must implement the self-monitoring of critical components. A critical component that fails self-monitoring tests shall be taken out of service immediately and may not be returned to service until there is reasonable evidence that the fault has been rectified. Required self-monitoring measures include all of the following:

(1) The clocks of all components of the interactive gaming system must be synchronized with an agreed accurate time source to ensure consistent logging. Time skew shall be checked periodically.

(2) Audit logs recording user activities, exceptions and information security events must be produced and kept

for a period of time to be determined by the Board to assist in investigations and access control monitoring.

(3) System administrators and system operator activities must be logged.

(4) Logging facilities and log information must be protected against tampering and unauthorized access.

(5) Any modifications, attempted modifications, read access, or other change or access to any interactive gaming system record, audit or log must be detectable by the interactive gaming system. It must be possible to see who has viewed or altered a log and when.

(6) Logs generated by monitoring activities shall be reviewed periodically using a documented process. A record of each review must be maintained.

(7) Interactive gaming system faults shall be logged, analyzed and appropriate actions taken.

(8) Network appliances with limited onboard storage must disable all communication if the audit log becomes full or offload logs to a dedicated log server.

(f) *System disclosure requirements.*

(1) A petitioner for or holder of an interactive gaming certificate, an applicant for or holder of an interactive gaming license, and an applicant for or holder of an interactive gaming manufacturer license shall seek Board approval of all source code used to conduct interactive gaming in this Commonwealth.

(2) All documentation relating to software and application development should be available for Board inspection and retained for the duration of its lifecycle.

(3) All software used to conduct interactive gaming in this Commonwealth shall be designed with a method, approved by the Board, that permits remote validation of software.

(g) *Shutdown and recovery capabilities.* The interactive gaming system must have all of the following shutdown and recovery capabilities to maintain the integrity of the hardware, software and data contained therein in the event of a shutdown:

(1) The interactive gaming system must be able to perform a graceful shutdown and only allow automatic restart on power up after all of the following procedures have been performed:

(i) The program resumption routine, including self-tests, completes successfully.

(ii) All critical control program components of the interactive gaming system have been authenticated using a method approved by the Board.

(iii) Communication with all components necessary for the interactive gaming system operation have been established and similarly authenticated.

(2) The interactive gaming system must be able to identify and properly handle the situation when master resets have occurred on other remote gaming components which affect game outcome, win amount or reporting.

(3) The interactive gaming system must have the ability to restore the system from the last backup.

(4) The interactive gaming system must be able to recover all critical information from the time of the last backup to the point in time at which the interactive gaming system failure or reset occurred.

(h) *Recovery plan.* An interactive gaming certificateholder or interactive gaming operator shall have a

plan in place, approved by the Board, to recover interactive gaming operations in the event that the interactive gaming system is rendered inoperable (that is, Disaster/Emergency Recovery Plan). When reviewing the sufficiency of an interactive gaming certificateholder or interactive gaming operator's plan to recover interactive gaming system operations in the event the interactive gaming system is rendered inoperable, the Board will consider all of the following:

(1) The method of storing player account information and gaming data to minimize loss in the event the interactive gaming system is rendered inoperable.

(2) If asynchronous replication is used, the method for recovering data should be described or the potential loss of data should be documented.

(i) *Recovery plan requirements.* An interactive gaming certificateholder's or interactive gaming operator's Disaster/Emergency Recovery Plan must also:

(1) Delineate the circumstances under which it will be invoked.

(2) Address the establishment of a recovery site physically separated from the interactive gaming system site.

(3) Contain recovery guides detailing the technical steps required to re-establish gaming functionality at the recovery site.

(4) Include a Business Continuity Plan that addresses the process required to resume administrative operations of interactive gaming activities after the activation of the recovered platform for a range of scenarios appropriate for the operations context of the interactive gaming system.

(j) *Location of equipment.* Equipment used by a server-based interactive gaming system for the sole purpose of restoring data following a disaster must be located in a location within the United States as approved by the Board.

(k) *Player self-exclusion.* The interactive gaming system must provide an easy and obvious mechanism for players to access the Board's self-exclusion database to self-exclude from interactive gaming.

(l) *Mechanism for temporary suspension.* The interactive gaming system must provide a mechanism by which a player may elect to temporarily suspend his or her interactive gaming account for a period of no less than 72 hours in accordance with the terms and conditions agreed to by the player upon registration.

#### § 809a.7. Geolocation requirements.

(a) An interactive gaming system must employ a mechanism to detect the physical location of a player upon logging into the interactive gaming system and as frequently as specified in the Board's technical standards and the interactive gaming certificateholder's or interactive gaming operator's approved internal controls submission. If the system detects that the physical location of the player is in an area unauthorized for an interactive gaming system, the system shall not accept wagers and must disable any interactive gaming activity for that player until the player is in an authorized location.

(b) The geolocation system must be equipped to dynamically monitor the player's location and block unauthorized attempts to access the interactive gaming system throughout the duration of the gaming session.

(c) An interactive gaming certificateholder or interactive gaming operator must prevent registered players

within a licensed facility from accessing authorized interactive games on the registered player's own computers or other devices through the use of geolocation technologies.

(d) Interactive gaming shall only occur within this Commonwealth unless the conduct of gaming is not inconsistent with Federal law, law of the jurisdiction, including any foreign nation, in which the participating player is located, or the gaming activity is conducted pursuant to a reciprocal agreement to which the Commonwealth is a party that is not inconsistent with Federal law.

#### § 809a.8. Security policy requirements.

Interactive gaming certificateholders and interactive gaming operators shall adopt and maintain a Board-approved information security policy which describes the certificateholder's or licensee's approach to managing information security and its implementation. This policy is required in addition to any similar requirements that may be imposed as part of the certificateholder's or licensee's internal controls. The information security policy must:

- (1) Have a provision requiring review when changes occur to the interactive gaming system or the processes which alter the risk profile of the interactive gaming system.
- (2) Be approved by the certificateholder's or licensee's management.
- (3) Be communicated to all employees and relevant external parties.
- (4) Undergo review at planned intervals.
- (5) Delineate the responsibilities of the certificateholder's or licensee's staff and the staff of any third parties for the operation, service and maintenance of the interactive gaming system and its components.

### CHAPTER 810a. INTERACTIVE GAMING TESTING AND CONTROLS

Sec.	
810a.1.	Scope.
810a.2.	Definitions.
810a.3.	Minimum game standards.
810a.4.	Minimum display standards.
810a.5.	Random number generator standards.
810a.6.	Software authentication.
810a.7.	Changes to game.
810a.8.	Game rules.
810a.9.	Fairness.
810a.10.	Prohibitions.
810a.11.	Controls.
810a.12.	Test accounts.

#### § 810a.1. Scope.

To ensure players are not exposed to unnecessary security risks by choosing to participate in interactive gaming in this Commonwealth and to ensure the integrity and security of interactive gaming operations in this Commonwealth, this chapter applies to all games an interactive gaming certificateholder or interactive gaming operator seeks to offer to players in this Commonwealth.

#### § 810a.2. Definitions.

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

*Artwork* or *art*—Graphical and auditory information that is sent to the player device for presentation to the player.

*Game cycle*—The finite set of all possible combinations.

*Player interface*—The interface within the software in which the player interacts. The term is also referred to as the gaming window.

*Progressive jackpot*—

(i) An increasing prize based on a function of credits that are wagered.

(ii) A monetary prize that increases in value based on a function of credits wagered.

(iii) The term includes prizes that are awarded based on criteria other than obtaining winning outcomes in the game, such as mystery progressives.

#### § 810a.3. Minimum game standards.

All of the following requirements apply to the game information, artwork, paytables and help screens which include all written, graphical and auditory information provided to the player either directly from the game interface or from a page accessible to the player from the game interface through a hyperlink located in a conspicuous location.

(1) All statements and graphics within the gaming information, artwork, paytables and help screens must be accurate and not misleading.

(2) All game rules and payable information must be available to the player directly on the player interface or accessible from the player interface through a hyperlink without the need for funds to be deposited or funds to be staked.

(3) All game rules and payable information must be sufficient to explain all the applicable rules and how to participate in all stages of the game.

(4) Paytable information must include all possible winning outcomes, patterns, rankings and combinations, and their corresponding payouts with a designated denomination or currency. All displayed payouts must be theoretically possible.

(5) The rules of the game must inform the players of the imperfections of the communications medium for the game and how this affects them.

(6) There must be sufficient information regarding any award payout adjustments such as fees, rakes, commissions, and the like.

(7) If the artwork contains game instructions specifying a maximum win then it must be possible to win this amount from a single game (including features or other game options).

(8) For games that offer bonus bets that require a base game bet, the minimum percentage return to player of the bonus bet must take into account that a base game bet must be placed.

(9) If random/mystery prizes are offered, the maximum value obtainable from the random/mystery prize must be indicated. If the value of the random/mystery prize depends on credits wagered or any other factors, this must be stated.

(10) The artwork should clearly state the rules for payments of prizes when multiple wins are possible.

(i) A description of what combinations will be paid when a pay line may be interpreted to have more than one individual winning combination ("only highest paid win per line").

(ii) When the game supports multiple pay lines, the artwork should display a message indicating wins on different pay lines are added or equivalent.

(iii) When the game supports scatters, artwork should display a message indicating that scattered wins are added to pay line wins, or equivalent, if this is the rule of the game.

(iv) The artwork should clearly communicate the treatment of coinciding scattered wins with respect to other possible scattered wins. For example, the artwork should state whether combinations of scattered symbols pay all possible prizes or only the highest prize.

(v) The artwork should clearly communicate the treatment of coinciding game outcome (that is, straight flush can be a flush and a straight, three red 7s can be any three 7s).

(11) If it is possible to bet on multiple lines and it is not clear which reel positions are part of each of the possible lines, then the additional lines must be clearly displayed on the artwork and appropriately labeled. The additional lines must either be shown on the displayed artwork, be available for display on a help screen or permanently displayed on all game-play screens in a location separate from the actual reels.

(12) When multiplier instructions are displayed on artwork, there must be no question as to whether the multiplier applies.

(13) All game symbols and objects must be clearly displayed to the player and not be misleading in any way. Game symbols and objects must retain their shape throughout all artwork, except while animation is in progress.

(14) The artwork must clearly state which symbols and objects may act as a substitute or wild and in which winning combinations the substitute/wild may be applied.

(15) The artwork must clearly state which symbols and objects may act as scatter and in which winning combinations the scatter may be applied.

(16) The game may not advertise upcoming wins unless the advertisement is accurate and mathematically demonstrable.

(17) All of the following requirements apply to games depicting cards being drawn from a deck:

(i) A game which utilizes multiple decks of cards must clearly indicate the number of cards and card decks in play.

(ii) Once removed from the deck, cards may not be returned to the deck except as provided by the rules of the game depicted.

(iii) The deck may not be reshuffled except as provided by the rules of the game depicted.

(18) All of the following requirements apply to multi-wager games:

(i) Each individual wager to be played must be clearly indicated to inform the player as to which wagers have been made and the credits bet per wager.

(ii) Each winning prize obtained must be displayed to the player in a way that clearly associates the prizes to the appropriate wager. When there are wins associated with multiple wagers, each winning wager must be indicated in turn.

**§ 810a.4. Minimum display standards.**

All of the following game information must be visible or easily accessible to the player at all times during a player session:

(1) The name of the game being played.

(2) Restrictions on play or betting such as any play duration limits, maximum win values, and the like.

(3) The player's current session balance.

(4) The current bet amount. This is only during the phase of the game when the player can add to or place additional bets for that phase.

(5) Current placement of all bets.

(6) The denomination of the bet.

(7) The amount won for the last completed game (until the next game starts or betting options are modified).

(8) The player options selected for the last completed game (until the next game starts or a new selection is made).

(9) Initial player selection options are to be described. Player selection options once the game has commenced should be clearly shown on the screen.

(10) The winning amount for each separate wager and total winning amount are to be displayed on the screen.

**§ 810a.5. Random number generator standards.**

(a) The random number generator must be cryptographically strong at the time of submission for approval. When more than one instance of a random number generator is used in an interactive gaming system, each instance must be separately evaluated and certified. When each instance is identical but involves a different implementation within a game/application, each implementation shall also be separately evaluated and certified. Any outcomes from the random number generator used for game symbol selection/game outcome determination must be shown, by data analysis and a source code read, to:

(1) Be statistically independent, unless the submission has been approved for a persistent-state outcome determination.

(2) Be fairly distributed (within statistically expected bounds) over their range.

(3) Pass various recognized statistical tests.

(4) Be cryptographically strong.

(b) Random number generators must adhere to standards in § 461a.7 (relating to slot machine minimum design standards).

(c) The gaming laboratory may employ the use of various recognized tests to determine whether or not the random values produced by the random number generator pass the desired confidence level of 95%. These tests include the following:

(1) Chi-square test.

(2) Equi-distribution (frequency) test.

(3) Gap test.

(4) Overlaps test.

(5) Poker test.

(6) Coupon collectors test.

(7) Permutation test.

(8) Kolmogorov-Smirnov test.

- (9) Adjacency criterion tests.
- (10) Order statistic test.
- (11) Runs tests (patterns of occurrences should not be recurrent).
- (12) Interplay correlation test.
- (13) Serial correlation test potency and degree of serial correlation (outcomes should be independent of the previous game, unless the submission has been approved for a persistent-state outcome determination).
- (14) Tests on subsequences.
- (15) Poisson distribution.

(d) The scaling method may not compromise the cryptographic strength of the random number generator. The scaling method must preserve the distribution of the scaled values. For example, if a 32-bit random number generator with a range of the set of integers in the closed interval  $[0, 2_{32}-1]$  were to be scaled to the range of the set of integers in the closed interval  $[1, 6]$  so that the scaled values can be used to simulate the roll of a standard six-sided die, then each integer in the scaled range should theoretically appear with equal frequency. In the example given, if the theoretical frequency for each value is not equal, then the scaling method is considered to have a bias. Thus, a compliant scaling method must have bias equal to zero.

(e) If the interactive gaming system utilizes hard-based random number generators, there must be dynamic/active, real-time monitoring of the output with a sample size large enough to allow for reasonably high statistically powerful testing so that game play is disabled when an output testing failure is detected.

(f) If the interactive gaming system utilizes a software-based random number generator, it must adhere to all of the following:

(1) The period of the random number generator, in conjunction with the methods of implementing the random number generator outcomes, must be sufficiently large to ensure that all game independent outcome combinations/permutations are possible for the given game/application, unless the submission has been approved for a persistent-state outcome determination.

(2) The methods of seeding/reseeding must ensure that all seed values are determined in a manner that does not compromise the cryptographic security of the random number generator.

(3) To ensure that random number generator outcomes cannot be predicted, adequate background cycling/activity must be implemented in between games. Whenever a game outcome is made up of multiple mapped random number generator values, background cycling/activity must be implemented during the game (that is, in between the selection of each mapped random number generator value) to ensure that the game outcome is not comprised of sequential mapped random number generator outcomes. The rate of background cycling/activity must be sufficiently random in and of itself to prevent prediction.

#### § 810a.6. Software authentication.

The acquisition and development of new software must follow defined processes in accordance with the information security policy.

(1) The production environment must be logically and physically separated from the development and test environments.

(2) Development staff shall be precluded from having access to promote code changes into the production environment.

(i) If, due to staffing limitations, this requirement cannot be met by the entity, the internal controls submitted to the Board shall describe what measures will be implemented to ensure the integrity of interactive games in the production environment.

(3) There must be a documented method to verify that test software is not deployed to the production environment.

(4) To prevent leakage of personal identifiable information, there must be a documented method to ensure that raw production data is not used in testing.

(5) All documentation relating to software and application development should be available and retained for the duration of its lifecycle.

#### § 810a.7. Changes to game.

A change or modification to an interactive game shall be handled in accordance with the Change Management guidelines issued and distributed to interactive gaming certificateholders, interactive gaming operators, and interactive gaming manufacturers.

#### § 810a.8. Game rules.

(a) Interactive gaming certificateholders and interactive gaming operators shall adopt and adhere to written, comprehensive house rules governing wagering transactions by and between authorized players that are available for review at all times by players through a conspicuously displayed link. House rules must include all of the following:

- (1) Clear and concise explanation of all fees.
- (2) The rules of play of a game.
- (3) Any monetary wagering limits.
- (4) Any time limits pertaining to the play of a game.
- (b) House rules must be approved by the Board.

(c) House rules that deviate from Board regulations shall be submitted to the Board's Office of Gaming Laboratories for review and approval prior to submission to the Board for approval prior to implementation.

#### § 810a.9. Fairness.

(a) All critical functions including the generation of the result of any game (and the return to the player) must be generated by the interactive gaming platform and be independent of the player device. All of the following also apply:

(1) Game outcome may not be affected by the effective bandwidth, link utilization, bit error rate or other characteristic of the communications channel between the interactive gaming platform and the player device.

(2) Determination of events of chance that result in a monetary award may not be influenced, affected or controlled by anything other than numerical values derived in an approved manner from the certified random number generator when applicable and in conjunction with the rules of the game.

(3) Each possible permutation or combination of game elements that produces winning or losing game outcomes must be available for random selection at the initiation of each play, unless otherwise denoted by the game.



(4) As game symbols are selected/game outcomes are determined, they must be immediately used as directed by the rules of the game.

(5) When the game requires a sequence or mapping of symbols or outcomes to be set up in advance, the symbols or outcomes should not be resequenced or remapped, except as provided for in the rules of the game.

(6) After selection of the game outcome, the game may not make a variable secondary decision which affects the result shown to the player.

(7) Except as provided by the rules of the game, events of chance within games should be independent and not correlated with any other events within the game or events within the previous game, unless the submission has been approved for a persistent-state outcome determination.

(8) For game types such as a spinning reel game, unless otherwise disclosed to the player, the mathematical probability of a symbol appearing in a position for any game outcome must be constant.

(b) A game may not be designed to give the player a false expectation of better odds by misrepresenting any occurrence or event.

(1) Games that are designed to give the player the perception that they have control over the game due to player skill when they actually do not must fully address this behavior in the game help screens.

(2) The final outcome of each game must be displayed for a sufficient length of time that permits a player to verify the outcome of the game.

#### § 810a.10. Prohibitions.

##### (a) *Forced game play.*

(1) The player may not be forced to play a game just by selecting that game.

(2) It must not be possible to start a new game in the same player interface instance before all relevant meters have been updated on the interactive game system and all other relevant connections and player session balance or, if applicable, the player's total balance has been updated.

(3) If an auto play mode is incorporated, it must be possible to turn this mode off at any time during game play.

(b) *Bots and computerized players.* Bots or computerized players are only permitted when employed by the interactive gaming system in free play or training mode, or if use of the bot or computerized player satisfies all of the following:

(1) The use of artificial intelligence software must be clearly explained in the help menus.

(2) All computerized players must be clearly marked at the tables so that players are aware of which players are not human.

(c) *Incomplete games.* A game is incomplete when the game outcome remains unresolved or the outcome cannot be properly seen by the player.

(1) The interactive gaming certificateholder or interactive gaming operator may provide a mechanism for a player to complete an incomplete game.

(2) Incomplete games shall be resolved before a player is permitted to participate in another instance of the same game.

(3) Wagers associated with an incomplete game must be voided within 30 days and the wagers can be forfeited or returned to the player provided that:

(i) The terms and conditions or the game rules, or both, must clearly define how wagers will be handled when they remain undecided beyond the specified time period and the interactive gaming system must be capable of returning or forfeiting the wagers, as appropriate.

(ii) In the event that a game cannot be continued due to an interactive gaming system action, all wagers must be returned to the players of that game.

(d) *Auto play prohibited.* Game play shall be initiated only after a patron has affirmatively placed a wager and activated play. An auto play feature is not permitted in game software unless authorized by the Board, and if permitted shall not exceed 50 spins.

#### § 810a.11. Controls.

(a) A replay last game feature either as a re-enactment or by description must be available to players. The replay must clearly indicate that it is a replay of the entire previous game cycle, and must provide, at a minimum, all of the following information:

(1) The date and time the game started or ended, or both.

(2) The display associated with the final outcome of the game, either graphically or by a clear text message.

(3) Total player cash/credits at start or end of play, or both.

(4) Total amount bet.

(5) Total cash/credits won for the prize (including progressive jackpots).

(6) The results of any player choices involved in the game outcome.

(7) Results of any intermediate game phases, such as gambles or feature games.

(8) Amount of any promotional awards received, if applicable.

(b) For each individual game played, all of the following information must be recorded, maintained and easily demonstrable by the interactive gaming system:

(1) Unique player ID.

(2) Contributions to progressive jackpot pools, if applicable.

(3) Game status (in progress, complete, and the like).

(4) The table number, if applicable, at which the game was played.

(5) The payable used.

(6) Game identifier and version.

(c) An organized event that permits a player to either purchase or be awarded the opportunity to engage in competitive play against other players may be permitted providing all of the following rules are met:

(1) While enabled for tournament play, a game may not accept real money from any source, nor pay out real money in any way, but must utilize tournament specific credits, points or chips which have no cash value.

(2) Interactive gaming contest/tournament rules are available to a player on the web site where the interactive gaming contest/tournament is being conducted. The rules must include, at a minimum, all of the following:

(i) All conditions players shall meet to qualify for entry into and advancement through the contest/tournament.

(ii) Any conditions concerning late arrivals or complete tournament no-shows and how auto-blind posting or initial entry purchase, or both, is handled.

(iii) Specific information pertaining to any single contest/tournament, including the amount of money placed in the prize pool.

(iv) The distribution of funds based on specific outcomes.

(v) The name of the organization or person that conducted the contest/tournament on behalf of, or in conjunction with, the operator, if applicable.

(3) The results of each contest/tournament shall be made available on the interactive gaming web site for the players to review. Subsequent to being posted on the web site, the results of each contest/tournament shall be available upon request. The recording must include all of the following:

(i) Name of the event.

(ii) Date of event.

(iii) Total number of entries.

(iv) Amount of entry fees.

(v) Total prize pool.

(vi) Amount paid for each winning category.

(d) All of the following requirements apply to the disabling and re-enabling of gambling on the interactive gaming system:

(1) The interactive gaming system must be able to disable or enable all gambling on command.

(2) When any gambling is disabled or enabled on the interactive gaming system an entry must be made in an audit log that includes the reason for any disable or enable.

(e) When a game or gaming activity is disabled:

(1) The game is not to be accessible to a player once the player's game has fully concluded.

(2) The player should be permitted to conclude the game in play (that is, bonus rounds, double up/gamble and other game features related to the initial game wager should be fully concluded).

(3) If wagers have been placed on pending real-life events:

(i) The terms and conditions must clearly define what happens to the wagers if the gaming activity is to remain disabled and the corresponding real-life event is completed, and the interactive gaming system must be capable of returning all bets to the players or settling all bets, as appropriate.

(ii) The terms and conditions must clearly define what happens to the wagers if the gaming activity is to re-enable before the corresponding real-life event is completed, and the interactive gaming system must be capable of returning all bets to the players, or leaving all bets active, as appropriate.

(f) When one or more feature/bonus prize may be paid to the player, the bonus game must be part of the overall payable theoretical return to player.

(g) All progressive jackpots must adhere to all of the following:

(1) All players that play progressive jackpot games must be made aware of actions which would make them eligible to win the progressive jackpot.

(2) When progressive jackpot contributions are part of the return to player calculation, the contributions may not be assimilated into revenue. If a cap is established on any progressive jackpot all additional contributions once that cap is reached are to be credited to a diversion pool.

(3) The rules of the game must incorporate how the progressive jackpot is funded and determined.

(4) If a minimum bet amount exists for a player to win a progressive jackpot, then the return to player (excluding the progressive jackpot) must meet the minimum player return in accordance with § 461a.7(a) (relating to slot machine minimum design standards). The calculation of the theoretical payout percentage may not include the amount of any progressive jackpot in excess of the initial reset amount.

(5) The current progressive jackpot amount should be displayed on all player devices participating in the progressive jackpot. This display should be updated on all participating player devices at least every 30 seconds.

(6) The rules of the game must inform the players of any maximum awards or time limits, or both, which may exist for each progressive jackpot.

(7) For progressive jackpots offering multiple levels of awards, the player must always be paid the higher amount if a particular combination is won that should trigger the higher paying award. This may occur when a winning combination may be evaluated as more than one of the available payable combinations (that is, a flush is a form of a straight flush and a straight flush is a form of a royal flush). There may be situations when the progressive jackpot levels must be swapped to ensure the player is being awarded the highest possible value based on all combinations the outcome may be defined as.

(8) If multiple progressive jackpots occur at approximately the same time and there is no definitive way of knowing which jackpot occurred first, the operator shall adopt procedures, approved by the Board, for resolution. The rules of the game must include information which addresses the resolution of this possibility.

(9) All progressive jackpots must adhere to standards in § 461a.12 (relating to progressive slot machines) and § 461a.13 (relating to wide area progressive systems), except for any physical requirements deemed inapplicable by the Board and subject to the following modifications:

(i) Notice of intent to transfer a progressive jackpot must be conspicuously displayed on the interactive game icon and at all times during a gameplay by means of methodology approved by the Board for a period at least 10 days immediately preceding the transfer of the progressive jackpot.

(ii) Within § 461a.12, the term "gaming floor" used regarding land-based progressives shall be analogous to the term "interactive gaming platform" used regarding interactive gaming progressives.

#### § 810a.12. Test accounts.

(a) Interactive gaming certificateholders and interactive gaming operators may establish test accounts to be used to test the various components and operation of an interactive gaming system in accordance with internal controls, which, at a minimum, address all of the following:

(1) The procedures for the issuance of funds used for testing, including the identification of who is authorized to issue the funds and the maximum amount of funds that may be issued.

(2) The procedures for assigning each test account for use by only one person.

(3) The maintenance of a record for all test accounts to include when they are active, to whom they are issued and the employer of the person to whom they are issued.

(4) The procedures for the auditing of testing activity by the interactive gaming certificateholder or interactive gaming operator to ensure the accountability of funds used for testing and proper adjustments to gross interactive gaming revenue.

(5) The ability to withdraw funds from a test account without the Board's prior approval must be disabled by the interactive gaming system.

(6) For testing of peer-to-peer games:

(i) A person may utilize multiple test accounts.

(ii) Test account play shall be conducted without the participation of players.

(b) In addition to the required internal controls in subsection (a)(1)—(6), for any wagering on test accounts conducted outside the boundaries of this Commonwealth, the procedures for auditing of testing activity must include the method for ascertaining the location from which persons using test accounts access the interactive gaming system.

**CHAPTER 811a. INTERACTIVE GAMING ACCOUNTING AND INTERNAL CONTROLS**

Sec.  
 811a.1. Scope.  
 811a.2. Internal controls.  
 811a.3. Terms and conditions.  
 811a.4. Information to be displayed on web site.  
 811a.5. Segregation of bank accounts and reserve requirements.  
 811a.6. Interactive gaming certificateholder's or interactive gaming operator's organization.  
 811a.7. Mandatory interactive gaming system logging.  
 811a.8. Records/data retention requirements.  
 811a.9. Required reports; reconciliation.

**§ 811a.1. Scope.**

To ensure the integrity and security of interactive gaming operations in this Commonwealth, this chapter applies to all interactive gaming certificateholders or interactive gaming operators seeking to offer interactive gaming to patrons in this Commonwealth.

**§ 811a.2. Internal controls.**

(a) At least 90 days prior to commencing interactive gaming under this part, an interactive gaming certificateholder or interactive gaming operator shall submit to the Board for approval internal controls for all aspects of interactive gaming prior to implementation and any time a change is made thereafter. The internal controls must include detailed procedures for system security, operations, accounting, and reporting of compulsive and problem gamblers.

(b) Notwithstanding subsection (a), the procedures and controls may be implemented by an interactive gaming certificateholder or interactive gaming operator upon the filing of the procedures and controls with the Board. Each procedure or control submission must contain narrative and diagrammatic representations of the system to be utilized and must include all of the following:

(1) Procedures for reliable accounting controls, including the standardization of forms and definition of terms to be utilized in the interactive gaming operations.

(2) Procedures, forms and, when appropriate, formulas to govern all of the following:

- (i) Calculation of hold percentages.
- (ii) Revenue drops.
- (iii) Expense and overhead schedules.
- (iv) Complimentary services.
- (v) Cash-equivalent transactions.

(3) Job descriptions and the system of personnel and chain of command establishing a diversity of responsibility among employees engaged in interactive gaming operations, including employees of an interactive gaming operator, and identifying primary and secondary management and supervisory positions for areas of responsibility, salary structure and personnel practices.

(4) Procedures for the registration of players and establishment of interactive gaming accounts, including a procedure for authenticating the age, identity and physical address of an applicant for an interactive gaming account and whether the applicant is a person prohibited from establishing or maintaining an account under section 13B22 of the act (relating to establishment of interactive gaming accounts).

(5) Procedures for terminating a registered player's interactive gaming account and the return of any funds remaining in the interactive gaming account to the registered player.

(6) Procedures for suspending or terminating a dormant interactive gaming account and the return of any funds remaining in the dormant interactive gaming account to the registered player.

(7) Procedures for the logging in and authentication of a registered player to enable the player to commence interactive gaming and the logging off of the registered player when the player has completed play, including a procedure to automatically log a registered player out of the player's interactive gaming account after a specified period of inactivity.

(8) Procedures for the crediting and debiting of a registered player's interactive gaming account.

(9) Procedures for cashing checks, receiving electronic negotiable instruments, and redeeming chips, tokens or other cash equivalents.

(10) Procedures for withdrawing funds from an interactive gaming account by the registered player.

(11) Procedures for the protection of a registered player's funds, including the segregation of a registered player's funds from operating funds of the interactive gaming certificateholder or interactive gaming operator.

(12) Procedures for recording transactions pertaining to interactive gaming.

(13) Procedures for the security and sharing of personal identifiable information of a registered player, funds in an interactive gaming account and other information as required by the Board. The procedures must include the means by which an interactive gaming certificateholder or interactive gaming operator will provide notice to a registered player related to the sharing of personal identifiable information. For the purpose of this paragraph, "personal identifiable information" means any data or information that can be used, on its own or with

other data or information, to identify, contact or otherwise locate a registered player, including a registered player's name, address, date of birth and Social Security number.

(14) Procedures and security for the calculation and recordation of revenue.

(15) Procedures for the security of interactive gaming devices and associated equipment.

(16) Procedures and security standards as to receipt, handling, and storage of interactive gaming devices and associated equipment.

(17) Procedures and security standards to protect the interactive gaming certificateholder's or interactive gaming operator's interactive gaming skin or interactive gaming web site and interactive gaming devices and associated equipment from hacking or tampering by any person.

(18) Procedures for responding to suspected or actual hacking or tampering with an interactive gaming certificateholder's or interactive gaming operator's interactive gaming skin or interactive gaming web site and interactive gaming devices and associated equipment, including partial or complete suspension of interactive gaming or the suspension of any or all interactive gaming accounts when warranted.

(19) Procedures to verify each registered player's physical location each time a registered player logs into his interactive gaming account and at appropriate intervals thereafter as determined by the Board.

(20) Procedures to ensure that the interactive games are fair and honest and that appropriate measures are in place to deter, detect and, to the extent possible, prevent cheating, including collusion and use of cheating devices, including the use of software programs that make wagers according to algorithms.

(21) Procedures to assist problem and compulsive gamblers, including procedures intended to prevent a person from participating in authorized interactive gaming who is otherwise prohibited from participating in interactive gaming.

(22) Procedures to govern emergencies, including suspected or actual cyber-attacks, hacking or tampering with the interactive gaming certificateholder's interactive gaming skin, interactive gaming platform or interactive gaming web site. The procedures must include the process for the reconciliation or repayment of a registered player's interactive gaming account.

(c) The submission required under subsections (a) and (b) must include a detailed description of the interactive gaming certificateholder's or interactive gaming operator's administrative and accounting procedures related to interactive gaming, including its written system of internal controls. Each written system of internal controls must include all of the following:

(1) An organizational chart depicting appropriate duties and responsibilities of the key employees involved in interactive gaming.

(2) A description of the duties and responsibilities of each position shown on the organizational chart.

(3) The record retention policy of the interactive gaming certificateholder or interactive gaming operator.

(4) The procedure to be utilized to ensure that money generated from the conduct of interactive gaming is safeguarded and accounted for.

(5) Procedures to ensure that recorded accountability for assets is compared with actual assets at intervals required by the Board and appropriate action is taken with respect to discrepancies.

(6) Procedures to be utilized by an employee of an interactive gaming certificateholder or interactive gaming operator in the event of a malfunction of an interactive gaming system or other equipment used in the conduct of interactive gaming.

(7) Procedures to be utilized by the interactive gaming certificateholder or interactive gaming operator to prevent persons under 21 years of age, self-excluded or involuntary excluded individuals, and players outside this Commonwealth, unless otherwise authorized by an interactive gaming reciprocal agreement, from engaging in interactive gaming.

(8) Other items the Board may request in writing to be included in the internal controls.

(d) Prior to authorizing an interactive gaming certificateholder or interactive gaming operator to commence the conduct of interactive gaming, the Board will review the system of internal controls, security protocols and audit protocols submitted under this chapter to determine whether they conform to the requirements of this chapter and whether they provide adequate and effective controls for the conduct of interactive gaming.

(e) If an interactive gaming certificateholder or interactive gaming operator intends to make a change or amendment to its system of internal controls, it shall submit the change or amendment electronically to the Bureau of Gaming Operations in a manner prescribed by the Bureau of Gaming Operations. The interactive gaming certificateholder or interactive gaming operator may implement the change or amendment on the 30th calendar day following the filing of a complete submission unless the interactive gaming certificateholder or interactive gaming operator receives written notice tolling the change or amendment in accordance with this chapter or written notice from the Board's Executive Director rejecting the change or amendment.

(f) If during the 30-day review period in this chapter, the Bureau of Gaming Operations preliminarily determines that a procedure in a submission contains an insufficiency likely to negatively affect the integrity of interactive gaming or the control of revenue generated from interactive gaming, the Bureau of Gaming Operations, by written notice to the interactive gaming certificateholder or interactive gaming operator, will:

(1) Specify the nature of the insufficiency and, when possible, an acceptable alternative procedure.

(2) Direct that the 30-calendar day review period in this chapter is to be tolled and that any internal controls at issue not be implemented until approved under this chapter.

(g) Examples of submissions that may contain an insufficiency likely to negatively affect the integrity of interactive gaming may include the following:

(1) Submissions that fail to provide information sufficient to permit the review of interactive gaming activities by the Board, the Bureau, the Department or law enforcement.

(2) Submissions that fail to provide for the segregation of incompatible functions so that an employee is not in a position to commit an error and perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) Submissions that do not include forms or other materials referenced in the submission or required under the act or this part.

(4) Submissions that would implement operations or accounting procedures not authorized by the act or this part.

(h) Whenever a change or amendment has been tolled under this chapter, the interactive gaming certificateholder or interactive gaming operator may submit a revised change or amendment within 30 days of receipt of the written notice from the Bureau of Gaming Operations. The interactive gaming certificateholder or interactive gaming operator may implement the revised change or amendment upon receipt of written notice of approval from the Board's Executive Director or on the 30th calendar day following the filing of the revision unless the interactive gaming certificateholder or interactive gaming operator receives written notice tolling the change or amendment in accordance with this chapter or written notice from the Board's Executive Director rejecting the change or amendment.

### § 811a.3. Terms and conditions.

(a) An interactive gaming certificateholder or interactive gaming operator shall develop terms and conditions for interactive gaming which must be included in the internal controls. The terms and conditions and any changes thereto shall be acknowledged by the player and the acknowledgment must be date and time-stamped by the interactive gaming system.

(b) The terms and conditions must address all aspects of the interactive gaming operation, including all of the following:

(1) The name of the party with whom the player is entering into a contractual relationship, including any interactive gaming certificateholder or interactive gaming operator.

(2) The player's consent to have the interactive gaming certificateholder or interactive gaming operator confirm the player's age and identity.

(3) Rules and obligations applicable to the player other than rules of the game including all of the following:

(i) Prohibition from allowing any other person to access or use his interactive gaming account.

(ii) Prohibition from engaging in interactive gaming activity, unless the player is physically located in this Commonwealth, unless such gaming is authorized by an interactive gaming reciprocal agreement.

(iii) Consent to the monitoring and recording by the interactive gaming certificateholder, interactive gaming operator or the Board, or all of the above, of any wagering communications and geographic location information.

(iv) Consent to the jurisdiction of this Commonwealth to resolve any disputes arising out of interactive gaming.

(v) Prohibition against utilizing automated computerized software or other equivalent mechanism, such as a bot, to engage in play.

(4) Full explanation of all fees and charges imposed upon a player related to interactive gaming transactions.

(5) Availability of account statements detailing player account activity.

(6) Privacy policies, including information access and use of customer data.

(7) Legal age policy, including a statement that it is a criminal offense to allow a person who is under 21 years of age to participate in interactive gaming and a player who does so must be prohibited from interactive gaming.

(8) Notification that if the player's interactive gaming account remains dormant for 2 year any funds remaining on deposit and any pending wagers shall be forfeited.

(9) The player's right to set responsible gaming limits and self-exclude.

(10) The player's right to suspend his account for no less than 72 hours.

(11) Actions that will be taken in the event a player becomes disconnected from the interactive gaming system during game play.

(12) Notice that a malfunction voids all pays.

(13) Estimated time-period for withdrawal of funds from the interactive gaming account.

(14) Detailed information to be displayed on a player protection page.

(15) Method for changing or retrieving a password or other approved access security feature and the ability to choose strong authentication login protection.

(16) Method for filing a complaint with the interactive gaming certificateholder or interactive gaming operator and method for filing with the Board an unresolved complaint after all reasonable means to resolve the complaint with the interactive gaming certificateholder or interactive gaming operator have been exhausted.

(17) Method for obtaining a copy of the terms and conditions agreed to when establishing an interactive gaming account.

(18) Method for the player to obtain account and game history from the interactive gaming certificateholder or interactive gaming operator.

(19) Notification of Federal prohibitions and restrictions regarding interactive gaming, specifically, any limitations upon interactive gaming in 18 U.S.C.A. § 1084 and the Unlawful Internet Gambling Enforcement Act of 2006 (31 U.S.C.A. §§ 5361—5367). The notice must explicitly state that it is a Federal offense for persons physically located outside of this Commonwealth to engage in interactive wagering through an interactive gaming certificateholder or interactive gaming operator unless explicitly authorized by the Board or an interactive gaming reciprocal agreement.

(20) Any other information required by the Board.

### § 811a.4. Information to be displayed on web site.

Interactive gaming certificateholders and interactive gaming operators shall provide for the prominent display of all of the following information on a page which, by virtue of the construction of the web site, authorized players must access before beginning a gambling session:

(1) The full name of the interactive gaming certificateholder or interactive gaming operator and address from which it carries on business.

(2) A logo, to be provided by the Board, indicating that the interactive gaming certificateholder or interactive gaming operator on behalf of the interactive gaming certificateholder is authorized to operate interactive gaming in this Commonwealth.

(3) The interactive gaming certificateholders and interactive gaming operator's license number.

(4) A statement that persons under 21 years of age are not permitted to engage in interactive gaming.

(5) A statement that persons located in a jurisdiction where interactive gaming is not legal are not permitted to engage in interactive gaming.

(6) Active links to all of the following:

(i) Information explaining how disputes are resolved.

(ii) A problem gambling web site that is designed to offer information pertaining to responsible gaming.

(iii) The Board's web site.

(iv) A web site that allows for an authorized player to choose to be excluded from engaging in interactive gaming.

(v) A link to the house rules adopted by the interactive gaming certificateholder or interactive gaming operator.

**§ 811a.5. Segregation of bank accounts and reserve requirements.**

(a) An interactive gaming certificateholder or interactive gaming operator shall maintain a bank account for player's funds separate from all other operating accounts to ensure the security of funds held in the player's interactive gaming accounts.

(b) The balance maintained in this account must be greater than or equal to the sum of the daily ending cashable balance of all player interactive gaming accounts, funds on game and pending withdrawals.

(c) An interactive gaming certificateholder or interactive gaming operator shall have unfettered access to all player interactive gaming account and transaction data to ensure the amount held in its independent account is sufficient. An interactive gaming certificateholder's or interactive gaming operator's chief financial officer shall file a quarterly attestation with the Board, unless otherwise directed by the Board, that the funds have been safeguarded under this section.

**§ 811a.6. Interactive gaming certificateholder's or interactive gaming operator's organization.**

(a) An interactive gaming certificateholder's or interactive gaming operator's systems of internal controls must include organization charts depicting segregation of functions and responsibilities and descriptions of the duties and responsibilities for each position shown on each organization chart. Interactive gaming certificateholders and interactive gaming operators are permitted, except as otherwise provided in this section, to tailor organizational structures to meet the needs or policies of a particular management philosophy. An interactive gaming certificateholder's and interactive gaming operator's organization charts must provide for all of the following:

(1) A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility.

(2) The segregation of incompatible functions, duties and responsibilities so that an employee is not in a position to commit an error and perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) The performance of all functions, duties and responsibilities in accordance with sound financial practices by qualified personnel.

(4) The areas of responsibility which are not so extensive as to be impractical for an individual to monitor.

(b) In addition to other positions required as part of an interactive gaming certificateholder's or interactive gaming operator's internal controls, an interactive gaming certificateholder or interactive gaming operator shall maintain an information technology department supervised by an individual licensed as a key employee who functions, for regulatory purposes, as the information technology director. An interactive gaming certificateholder or interactive gaming operator shall employ an information technology security officer and an interactive gaming manager, both of whom shall be licensed as a key employee.

(c) The information technology director shall be responsible for the integrity of all data, and the quality, reliability and accuracy of all computer systems and software used by the interactive gaming certificateholder in the conduct of interactive gaming, whether the data and software are located within or outside the certificateholder's or interactive gaming operator's facility, including, without limitation, specification of appropriate computer software, hardware and procedures for security, physical integrity, audit and maintenance of all of the following:

(1) Access codes and other computer security controls used to insure appropriately limited access to computer software and data.

(2) Monitoring logs of user access, security incidents and unusual transactions.

(3) Logs used to document and maintain the details of any hardware and software modifications.

(4) Computer tapes, disks or other electronic storage media containing data relevant to interactive gaming operations.

(5) Computer hardware, communications equipment and software used in the conduct of interactive gaming.

(d) The information technology security officer shall report to the information technology director and be responsible for all of the following:

(1) Maintaining access codes and other computer security controls used to insure appropriately limited access to computer software and data.

(2) Reviewing logs of user access, security incidents and unusual transactions.

(3) Coordinating the development of the interactive gaming certificateholder's or interactive gaming operator's information security policies, standards and procedures.

(4) Coordinating the development of an education and training program on information security and privacy matters for employees and other authorized users.

(5) Ensuring compliance with all State and Federal information security policies and rules.

(6) Preparing and maintaining security-related reports and data.

(7) Working with internal and external audit personnel to ensure all findings are addressed in a timely and effective manner.

(8) Developing and implementing an Incident Reporting and Response System to address security breaches, policy violations and complaints from external parties.

(9) Serving as the official contact for information security and data privacy issues, including reporting to law enforcement.

(10) Developing and implementing an ongoing risk assessment program that targets information security and privacy matters by identifying methods for vulnerability detection and remediation and overseeing the testing of those methods.

(11) Remaining current with the latest information technology security and privacy legislation, rules, advisories, alerts and vulnerabilities to ensure the interactive gaming certificateholder's or interactive gaming operator's security program and security software is effective.

(e) The interactive gaming manager shall report to the information technology director, or other department manager as approved by the Board, and be responsible for ensuring the proper operation and integrity of interactive gaming and reviewing all reports of suspicious behavior. The interactive gaming manager shall immediately notify the Bureau upon detecting any person participating in interactive wagering who is:

(1) Engaging in or attempting to engage in, or who is reasonably suspected of cheating, theft, embezzlement, collusion, money laundering or any other illegal activities.

(2) A self-excluded person under the act and Board regulations.

(3) Prohibited by the interactive gaming certificateholder or interactive gaming operator from interactive gaming.

**§ 811a.7. Mandatory interactive gaming system logging.**

(a) An interactive gaming system must employ a mechanism capable of maintaining a separate copy of the information required to be logged under this chapter on a separate and independent logging device capable of being administered by an employee with no incompatible function. If the interactive gaming system can be configured so that any logged data is in a secure transaction file, a separate logging device is not required.

(b) An interactive gaming system must provide a mechanism for the Board to query and export, in a format required by the Board, all gaming system data.

(c) An interactive gaming system must electronically log the date and time any interactive gaming account is created or terminated (Account Creation Log).

(d) An interactive gaming system must maintain all information necessary to recreate player game play and account activity during each player session, including any identity or location verifications, for no less than 10 years.

(e) Unless otherwise authorized by the Board, when software is installed on or removed from an interactive gaming system, the action must be recorded in a secure electronic log (Software Installation/Removal Log), which must include all of the following:

- (1) The date and time of the action.
- (2) The identification of the software.
- (3) The identity of the person performing the action.

(f) Unless otherwise authorized by the Board, when a change in the availability of game software is made on a gaming system, the change must be recorded in a secure electronic log (Game Availability Log), which must include all of the following:

- (1) The date and time of the change.
- (2) The identification of the software.
- (3) The identity of the person performing the change.

(g) Unless otherwise exempted by the Board, an interactive gaming system must record all promotional offers (Promotions Log) issued through the system. The Promotions Log must provide the information necessary to audit compliance with the terms and conditions of current and previous offers.

(h) Results of all authentication attempts must be retained in an electronic log (Authentication Log) and accessible for 90 days.

(i) All adjustments to gaming system data made using stored procedures must be recorded in an electronic log (Adjustments Log), which lists all of the following:

- (1) The date and time.
- (2) The identification and user ID of user performing the action.
- (3) A description of the event or action taken.
- (4) The initial and ending values of any data altered as a part of the event or action performed.

**§ 811a.8. Records/data retention requirements.**

(a) For the purposes of this section, "books, records and documents" means any book, record or document pertaining to, prepared in or generated by the operation of the interactive gaming certificateholder or interactive gaming operator including all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence and personnel records required to be generated and maintained under this part. This definition applies without regard to the medium through which the record is generated or maintained (for example, paper, magnetic media or encoded disk).

(b) Original books, records and documents pertaining to the operation of interactive gaming must be:

(1) Prepared and maintained in a complete, accurate and legible form. Electronic data must be stored in a format that ensures readability, regardless of whether the technology or software that created or maintained it has become obsolete.

(2) Retained in a secure location by the interactive gaming certificateholder or interactive gaming operator that is equipped with a fire suppression system or at another location approved under subsection (d).

(3) Made available for inspection by agents of the Board, the Department and the Pennsylvania State Police during all hours of operation.

(4) Organized and indexed in a manner to provide immediate accessibility to agents of the Board, the Department and the Pennsylvania State Police.

(5) Destroyed only after expiration of the minimum retention period specified in subsection (c), except that the Board may, upon the written request of an interactive gaming certificateholder or interactive gaming operator and for good cause shown, permit the destruction at an earlier date.

(c) Original books, records and documents shall be retained by an interactive gaming certificateholder or interactive gaming operator for a minimum of 5 years.

(d) An interactive gaming certificateholder or interactive gaming operator may request, in writing, that the

Board's Executive Director approve an alternative location outside of this Commonwealth to store original books, records and documents. The request must include all of the following:

(1) A detailed description of the proposed location, including security and fire suppression systems.

(2) The procedures under which the Board, the Department and the Pennsylvania State Police will be able to gain access to the original books, records and documents retained at the location outside of this Commonwealth.

(e) An interactive gaming certificateholder or interactive gaming operator may request, in writing, that the Board's Executive Director approve a microfilm, microfiche or other suitable media system for the copying and storage of original books, records and documents. The request must include representations regarding all of the following:

(1) The processing, preservation and maintenance methods which will be employed to ensure that the books, records and documents are available in a format which makes them readily available for review and copying.

(2) The inspection and quality control methods which will be employed to ensure that microfilm, microfiche or other media when displayed on a reader/viewer or reproduced on paper exhibits a high degree of legibility and readability.

(3) The availability of a reader/printer for use by the Board, the Department and the Pennsylvania State Police at the location approved by the Board and the readiness with which the books, records or documents being stored on microfilm, microfiche or other media can be located, read and reproduced.

(4) The availability of a detailed index of all microfilmed, microfiched or other stored data maintained and arranged in a manner to permit the immediate location of any particular book, record or document.

(f) Nothing herein shall be construed as relieving an interactive gaming certificateholder or interactive gaming operator from meeting any obligation to prepare or maintain any book, record or document required by any other Federal, State or local governmental body, authority or agency.

#### § 811a.9. Required reports; reconciliation.

(a) An interactive gaming system shall be designed to generate reports as specified by the Board that must include, at a minimum, all of the following:

- (1) The report title.
- (2) The version number of the current system software and report definition.
- (3) The date or time period of activity, or description as of a point in time.
- (4) The date and time the report was generated.
- (5) Page numbering, indicating the current page and total number of pages.
- (6) Subtotals and grand totals as required by the Department.
- (7) A description of any filters applied to the data presented in the document.
- (8) Column and row titles, if applicable.
- (9) The name of the interactive gaming certificateholder or interactive gaming operator.

(10) A reconciliation of all relevant data contained therein, if applicable.

(b) All required reports must be generated by the interactive gaming system, even if the period specified contains no data to be presented. The report generated must indicate all required information and contain an indication of "No Activity" or similar message if no data appears for the period specified.

(c) An interactive gaming system must provide a mechanism to export the data generated for any report to a format approved by the Board.

(d) An interactive gaming system must generate all of the following daily reports, at a minimum, for each gaming day to calculate the taxable revenue:

(1) A Player Account Summary Report, which must include transaction information for each player account and test account for all of the following categories:

- (i) Beginning balance.
- (ii) Total amount of deposits.
- (iii) Total amount of noncashable bonuses deposited.
- (iv) Total amount of noncashable bonuses wagered by game type (sports, slots and tables).
- (v) Total amount of noncashable bonuses expired.
- (vi) Total amount of transfers to games by game type (sports, slots and tables).
- (vii) Total amount of transfers from games by game type (sports, slots and tables).
- (viii) Total amount of withdrawals.
- (ix) Total amount of funds on game at the beginning of the gaming day (the amount of pending wagers at the end of the prior gaming day).
- (x) Total amount of funds on game at the end of the gaming day (the amount of pending wagers plus funds transferred to a game but not yet wagered).
- (xi) Win or loss, calculated as the ending funds on games less the beginning funds on game.
- (xii) Ending balance.
- (xiii) Any other information that may be required by the Board.

(2) A Wagering Summary Report, which must include all of the following by authorized game and poker variation, as applicable:

- (i) Total amounts wagered.
- (ii) Total amounts won.
- (iii) Total tournament entry or participation fees.
- (iv) Rake or vigorish.
- (v) Total amounts of guaranteed funds paid to players.
- (vi) Total amounts due to or from an interactive gaming network.
- (vii) Win or loss calculated as the net of the total amounts wagered and total amounts won plus tournament entry fees, rake or vigorish, guaranteed funds and amounts due to or from an interactive gaming network.
- (viii) Any other information that may be required by the Board.

(3) A noncashable Promotional Account Balance Report, which must include the ending noncashable promotional balance in each player account.



(e) An interactive gaming network must generate the following daily reports for each participating interactive gaming certificateholder or interactive gaming operator, at a minimum, for each gaming day to reconcile the daily gross interactive gaming revenue:

(1) A System Player Account Summary Report, which must include all of the following transaction information for each player account:

- (i) Player identification number.
- (ii) Total amount of transfers to games.
- (iii) Total amount of transfers from games.
- (iv) Win or loss statistics.
- (v) Total amount of rake.
- (vi) Total amount of entry fees.

(2) A System Wagering Summary Report, which must include all of the following game activity by authorized game or poker variation:

- (i) Total amounts wagered.
- (ii) Total amounts won.
- (iii) Total tournament entry or participation fees.
- (iv) Rake or vigorish.
- (v) Total amounts of guaranteed funds paid to players.
- (vi) Win or loss statistics, calculated as the net of the total amounts wagered and total amounts won plus tournament entry fees, rake or vigorish, and guaranteed funds.

(f) An interactive gaming certificateholder or interactive gaming operator must utilize the Wagering Summary Report to calculate interactive gross gaming revenue on a daily basis for reporting purposes. In addition, the certificateholder or operator shall do all of the following:

(1) Prepare a Variance Report documenting the win/loss amounts from the Player Account Report and Wagering Summary Report.

- (2) Calculate the variance between the two amounts.
- (3) Document the reason for the variance.

(4) Report a manual adjustment to increase revenue by the amount of the variance whenever the total of the Player Account Summary Report is greater than the total of the Wagering Summary Report, unless the reason for the variance as documented above is sufficient to support a determination that revenue was properly reported.

(g) Instead of subsection (f), an interactive gaming certificateholder or interactive gaming operator may accumulate the daily Variance Report information on a monthly Variance Report in a manner described in the interactive gaming certificateholder's or interactive gaming operator's internal controls.

(h) An interactive gaming system must generate, on a daily basis commencing 2 years after the creation of the first interactive gaming account, a Dormant Account Report, which must list all player accounts including the Pending Wager Account Report that have not had activity for 2 years. The report must include all of the following:

- (1) The player name and account number.
- (2) The date of the last transaction.
- (3) The account balance.

(i) Voids of completed wagering transactions may not occur without Board approval.

(j) An interactive gaming system must generate a Performance Report, which compares the theoretical return to player (RTP) to the actual RTP of each game offered by a gaming system. The report must also provide the total number of rounds of play for each game and shall be generated and reviewed monthly by the interactive gaming certificateholder or interactive gaming operator to evaluate the performance of all games offered to the public. The Performance Report must include the data required by this subsection from the first day interactive gaming was offered to the date of the report.

(k) An interactive gaming system must generate a Player Account Adjustments Report, which shall be reviewed on a daily basis by either the interactive gaming certificateholder or interactive gaming operator to evaluate the legitimacy of player account adjustments. If the daily review is performed by the interactive gaming operator, the interactive gaming certificateholder or interactive gaming operator shall conduct a weekly review of the Player Account Adjustment Reports. Unless otherwise authorized by the Board, the report must, at a minimum, include all of the following:

- (1) The player's name.
- (2) An account number.
- (3) The date and time of the adjustment.
- (4) The person who performed the adjustment.
- (5) The reason for the adjustment.
- (6) The amount of the adjustment.

(l) An interactive gaming system must generate a report on a weekly basis identifying potential compulsive and problem gamblers, including those players who self-report. The interactive gaming certificateholder or interactive gaming operator shall review the report and document any action taken.

(m) An interactive gaming system must be capable of generating a Pending Transaction Account Report, which must include and separately itemize all pending transactions for each player account, including funds on game and deposits and withdrawals not yet cleared.

(n) An interactive gaming certificateholder or interactive gaming operator shall develop internal controls for performing a daily reconciliation of gross interactive gaming revenue, including a daily reconciliation of the Player Account Summary Report to the Wagering Summary Report, a reconciliation of the Wagering Summary Report to each remote game server, a reconciliation of sports wagering system reports to the wagering Summary Report, and at least a quarterly calculation of the balance required to be maintained pursuant to § 811a.5 (relating to segregation of bank accounts and reserve requirements).

(i) Each report shall be accurate to reconcile and balance on a daily basis.

(ii) Variances shall be investigated and reported to the Board, which must include the amount, cause and remediation plan for corrective action.

## CHAPTER 812a. INTERACTIVE GAMING PLAYER ACCOUNTS

Sec.	
812a.1.	Definitions.
812a.2.	Player account registration.
812a.3.	Account security.
812a.4.	Single account requirement.
812a.5.	Account terms and conditions disclosures.
812a.6.	Self-exclusion list.
812a.7.	Player funding of accounts.
812a.8.	Player loyalty programs.
812a.9.	Player account controls.
812a.10.	Player withdrawals.
812a.11.	Player account statements.
812a.12.	Suspended accounts.
812a.13.	Dormant accounts.
812a.14.	Use of player data.

### § 812a.1. Definitions.

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

*Electronic identifier*—A unique identifier, such as a username or account number, other than personal identifying information (for example, a Social Security number), used to identify a player.

*Player session*—A player session consists of all activities and communications performed by an authorized registered player and the interactive gaming system between the time the registered player logs in to the interactive gaming system and the time the registered player logs out or is logged out of the interactive gaming system.

*Strong authentication*—A method that is intrinsically stringent enough to ensure the security of the system it protects by withstanding any attacks it is likely to encounter by combining at least two mutually-independent factors so that the compromise of one method should not lead to the compromise of the second and includes one nonreusable element, which cannot easily be reproduced or stolen from the Internet, to verify the identity of a registered player.

### § 812a.2. Player account registration.

(a) Prior to engaging in interactive gaming, a player shall establish an interactive gaming account.

(b) To establish an interactive gaming account, the player shall provide all of the following information:

- (1) The player's legal name.
- (2) The player's date of birth.
- (3) The entire or last four digits of the player's Social Security number, if voluntarily provided, or equivalent for a foreign player such as a passport or taxpayer identification number.
- (4) The player's address.
- (5) The player's e-mail address.
- (6) The player's telephone number.
- (7) Any other information collected from the player to verify his identity.

(c) An interactive gaming certificateholder or interactive gaming operator shall create and maintain an electronic player file containing the information the player submitted to establish the player account.

(d) The electronic player file created by an interactive gaming certificateholder or interactive gaming operator must encrypt the information in an electronic player file.

(e) The interactive gaming certificateholder or interactive gaming operator shall verify the player's identity and

record the document number of the government-issued credential examined, or other methodology for remote, multisourced authentication, which may include third-party and governmental databases, as approved by the Board.

(f) The interactive gaming certificateholder or interactive gaming operator shall verify that the player is of the legal age of 21 years of age, not self-excluded or otherwise prohibited from participation in interactive gaming.

(g) The interactive gaming certificateholder or interactive gaming operator shall require the player to affirm that the information provided to the interactive gaming certificateholder is accurate.

(h) The interactive gaming certificateholder or interactive gaming operator shall record the player's acceptance of the interactive gaming certificateholder's terms and conditions to participate in interactive gaming.

(i) The interactive gaming certificateholder or interactive gaming operator shall record the player's acknowledgement that the legal age for interactive gaming is 21 years of age and that he is prohibited from allowing any other person to access or use his interactive gaming account.

(j) The interactive gaming certificateholder or interactive gaming operator shall record the player's acknowledgement that any violations of the interactive gaming regulations are subject to the penalties provided in the act and may result in criminal prosecution under 18 Pa.C.S. (relating to Crimes Code).

(k) The interactive gaming certificateholder or interactive gaming operator shall require the player to establish a password or other access security feature as approved by the Board and advise the player of the ability to utilize strong authentication login protection.

(l) The interactive gaming certificateholder or interactive gaming operator shall notify the player of the establishment of the account by e-mail or first class mail.

### § 812a.3. Account security.

(a) An interactive gaming system must utilize sufficient security to ensure player access is appropriately limited to the registered account holder. Unless otherwise authorized by the Board, security measures must include, at a minimum, all of the following:

- (1) A username.
- (2) A password of sufficient length and complexity to ensure its effectiveness.
- (3) Upon account creation, the option for users to choose strong authentication login protection.
- (4) When a player logs into his registered interactive gaming account, the system must display the date and time of the player's previous log on.
- (5) An option to permit a player to elect to receive an electronic notification to the player's registered e-mail address, cellular phone or other device each time an interactive gaming account is accessed.

(6) The interactive gaming system must require a player to re-enter his username and password after 15 minutes of user inactivity.

(b) An interactive gaming certificateholder or interactive gaming operator may not permit the creation of anonymous interactive gaming accounts or accounts using fictitious names. A registered player may, while engaged

in interactive gaming, represent himself using a screen name other than his actual name.

(c) An interactive gaming system must provide an account statement with account details to a player, on demand, which must include information as required under this chapter.

(d) An interactive gaming system must utilize sufficient security to ensure third-party access to player accounts is limited as follows:

(1) Network shared drives containing application files and data for interactive gaming system must be secured so that only authorized personnel may gain access.

(2) Login accounts and passwords required to administer network and other equipment are secured so that only authorized Information Technology (IT) personnel from the interactive gaming certificateholder or interactive gaming operator may gain access to these devices.

(3) Remote access by vendor personnel to any component of the interactive gaming system is allowed for purposes of support or updates and is enabled only when approved by authorized IT personnel employed by the technology provider.

(e) Interactive gaming certificateholders and interactive gaming operators may utilize third-party vendors to verify player information so long as those vendors are licensed by the Board when required and the agreements related to the provided services is submitted to the Board.

#### § 812a.4. Single account requirement.

(a) A player shall have only one interactive gaming account for each interactive gaming certificateholder or interactive gaming operator. Each interactive gaming account must be nontransferable, unique to the player who establishes the account, and distinct from any other account number that the player may have established with the interactive gaming certificateholder or interactive gaming operator for noninteractive gaming activity.

(b) Each registered player account shall be treated independently and players may not be permitted to transfer funds between accounts held with different interactive gaming certificateholders or interactive gaming operators. Registered players are prohibited from transferring funds to an account held by another player.

(c) To ensure compliance with this subpart, interactive gaming certificateholders and interactive gaming operators shall:

(1) Record and maintain the physical location of the registered player while logged in to the interactive gaming account.

(2) Ensure that a registered player does not occupy more than one position at a game at any given time unless otherwise approved by the Board to permit a registered player to occupy more than one position at a game at any given time.

#### § 812a.5. Account terms and conditions disclosures.

(a) During the registration process the player shall agree to the terms and conditions which govern the relationship between the interactive gaming certificateholder or interactive gaming operator and the player. The terms and conditions must include a privacy policy which governs the protection and use of the player's data.

(b) The terms and conditions provided to players by interactive gaming certificateholders and interactive gaming operators shall be submitted to the Bureau of Gaming

Operations for review. The terms and conditions must contain, at minimum, all of the following:

(1) The name and address of the interactive gaming certificateholder or interactive gaming operator.

(2) A statement that the interactive gaming certificateholder or interactive gaming operator is licensed and regulated by the Board for the purposes of operating and offering interactive gaming services in this Commonwealth.

(3) A requirement that the player acknowledges that he has read the terms and conditions and agrees to be bound by them.

(4) A requirement that the player will comply with all applicable laws, statutes and regulations.

(5) A statement that no individual under 21 years of age may participate in interactive gaming and that it is a criminal offense to allow a person who is not legally of age to participate in interactive gaming in this Commonwealth.

(6) A statement that the player consents to verification of registration information including name, address, date of birth, Social Security number, passport identification (for non-United States residents) and any other identification information required to confirm age and identity.

(7) A statement that the player consents to verification of his location for the duration of play of interactive games.

(8) A statement that players have the right to set responsible gaming limits and to self-exclude from interactive gaming.

(9) A dispute resolution policy including notifying players of their right to file a complaint with the Board.

(10) A player disconnection policy.

(11) Any other information that may be required by the Board.

#### § 812a.6. Self-exclusion list.

(a) All interactive gaming certificateholders and interactive gaming operators shall have a link on its interactive gaming web site to the self-exclusion page of the Board web site.

(b) Any player seeking to self-exclude from interactive gaming shall follow the procedures in the Board's regulations.

#### § 812a.7. Player funding of accounts.

(a) A player's interactive gaming account may be funded through the use of all of the following:

(1) Cash deposits made directly with the interactive gaming certificateholder or interactive gaming operator.

(2) Personal checks, cashier's checks, wire transfer and money order deposits made directly or mailed to the interactive gaming certificateholder or interactive gaming operator.

(3) A player's credit card or debit card, including prepaid cards.

(4) A player's deposit of cash, gaming vouchers or gaming chips at a cashiering location approved by the Board.

(5) A player's reloadable prepaid card, which has been verified as being issued to the player and is nontransferable.

(6) Cash complimentarys, promotional credits or bonus credits.

(7) Winnings.

(8) Automated clearing house (ACH) transfer, provided that the interactive gaming certificateholder or interactive gaming operator has security measures and controls to prevent ACH fraud. A failed ACH deposit attempt may not be considered fraudulent if the player has successfully deposited funds through an ACH transfer on a previous occasion with no outstanding chargebacks. If the interactive gaming certificateholder or interactive gaming operator suspects fraud after multiple failed ACH deposit attempts, the interactive gaming certificateholder or interactive gaming operator may temporarily freeze or suspend the player's account to investigate and, if the interactive gaming certificateholder or interactive gaming operator determines that fraud has occurred, suspend the player's account.

(9) Adjustments made by the interactive gaming certificateholder or interactive gaming operator following the resolution of disputes provided there is documented notification to the player.

(10) Any other means as approved by the Board.

(b) An interactive gaming certificateholder or interactive gaming operator shall neither extend credit to a player nor allow the deposit of funds into an interactive gaming account that are derived from the extension of credit by affiliates or agents of the interactive gaming certificateholder or interactive gaming operator.

(c) A player's interactive gaming account may not have a negative account balance as a result of the placement of any wager in the interactive gaming system.

(d) Player account balances must be updated after each game cycle to ensure that sufficient funds are available for any future real money games the player may choose to play.

(e) Interactive gaming certificateholders or interactive gaming operators shall not accept or facilitate a wager:

(1) On any interactive game not approved by the Board for play in this Commonwealth.

(2) On any interactive game which the certificateholder or operator knows or reasonably should know is not between individuals.

(3) On any interactive game which the certificateholder or operator knows or reasonably should know is made by a person who has elected to temporarily suspend his or her interactive gaming account and the period of temporary suspension has not expired.

(4) On any interactive game which the certificateholder or operator knows or reasonably should know is made by a person on the interactive gaming self-exclusion list or the Board's involuntary exclusion list as it pertains to interactive gaming.

(5) From a person who the interactive gaming certificateholder or interactive gaming operator knows or reasonably should know is placing the wager in violation of State or Federal law.

(6) From any licensed individual who is not permitted to participate in interactive gaming by virtue of his position with an interactive gaming certificateholder, interactive gaming operator or other affiliated entity.

(f) All adjustments to interactive gaming accounts for amounts of \$500 or under shall be periodically reviewed by supervisory personnel as set forth in the interactive

gaming certificateholder's or interactive gaming operator's internal controls. All other adjustments shall be authorized by supervisory personnel prior to being entered.

#### § 812a.8. Player loyalty programs.

If player loyalty programs are supported by an interactive gaming system, all of the following must apply:

(1) Redemption of registered player loyalty points earned must be by a secure transaction that automatically debits the points balance for the value of the prize redeemed.

(2) All registered player loyalty database transactions are to be recorded by the interactive gaming system. If the player loyalty program is provided by an external service provider, the interactive gaming system must be capable of securely communicating with that service.

(3) The interactive gaming system must make readily accessible to the registered player all terms and conditions governing each available promotional or bonus feature.

(4) The terms and conditions must be clear and unambiguous, especially when bonuses or promotions are limited to certain tables or nontournament play, or when other specific conditions apply.

#### § 812a.9. Player account controls.

(a) A player session is started when a player logs in to the interactive gaming system.

(1) A player must be provided with the electronic identifier created by the interactive gaming certificateholder or interactive gaming operator, if applicable, and a password to start a session.

(2) The interactive gaming system must allow players to change their passwords.

(3) When a player has forgotten his password/PIN, the interactive gaming system must provide a secure process for the reauthentication of the player and the retrieval or resetting, or both, of the password/PIN. Processes for dealing with lost player user IDs or passwords must be clearly described to the player.

(4) When a player logs in to the interactive gaming system, the date and time of his prior player session must be displayed.

(5) Each player session must have a unique identifier assigned by the interactive gaming system which distinguishes the current session from previous and future sessions.

(b) During a peer-to-peer game, the software must permit a player to set an away from computer status (that is, self-imposed session inactivity). This functionality must be fully described in the help screens or applicable terms and conditions.

(1) The away from computer status must disallow all play and also cause the player's turn to be automatically skipped during any round of play which takes place while this status is active.

(2) If a player sets an away from computer status during the middle of a round of play, he automatically forfeits play for that round (for example, for a round of poker, the software must automatically fold the player's hand during the next round of betting).

(3) If a player performs any game action within the game window while in an away from computer status, the status must be removed and the player will be enrolled

into the next round of play. Nongame sensitive actions, such as accessing the help menu from the game window do not require this status to be removed.

(4) If action has not been taken by the player within the time period specified in the help screens or the terms and conditions, or both, the player must be automatically placed into the away from computer status.

(5) If a player has been in the away from computer status for over 30 minutes, the player must be automatically logged out of the game or player account, or both.

(c) Interactive gaming systems must employ a mechanism that detects session inactivity and terminates a player session when applicable.

(1) If the interactive gaming system fails to receive a response from the interactive gaming device within 30 minutes, whether the player has been in away from computer mode or not, the interactive gaming system must implement a user inactivity timeout and terminate the player session.

(2) If a player session is terminated due to player inactivity timeout, the interactive gaming device must display to the player the player session termination (that is, the user inactivity timeout) upon the player's next attempted action on the interactive gaming system.

(3) Further game play is not permitted until the interactive gaming system and the interactive gaming device establish a new session.

(d) A player session ends when:

(1) The player notifies the interactive gaming system that the session is finished (for example, logs out).

(2) A session inactivity timeout is reached.

(3) The interactive gaming system terminates the session.

(i) When the interactive gaming system terminates a player session, a record must be written to an audit file that includes the termination reason.

(ii) The interactive gaming system must attempt to send a session finished message to the interactive gaming device each time a session is terminated by the interactive gaming system.

(e) The Board's Responsible Gaming logo linking to a responsible gaming page shall be placed at the top of the interactive gaming web site. The responsible gaming page must contain, at a minimum, all of the following:

(1) Information about potential risks associated with gambling and where to get help for a gambling problem.

(2) A list of the responsible gaming measures that can be invoked by the player, such as player session time limits and bet limits, and an option to enable the player to invoke those measures.

(3) Mechanisms which detect unauthorized use of the player's account, such as observing the Last Log in Time Display, the IP address of the last login and reviewing financial account information.

(4) A link to the terms and conditions that the player agreed to be bound to by entering and playing on the site.

(5) A link to the applicable privacy policy.

(6) A link to Board's web site.

(f) All links to player protection services (for example, self-exclusion and other player-imposed limits) provided by third parties are to be tested by the interactive gaming certificateholder or interactive gaming operator periodically as required by the Board. Game play may not occur when links used to supply information on player protection services are not displayed or are not operational. When the link to player protection services is no longer available, the interactive gaming certificateholder or interactive gaming operator shall provide an alternative support service.

(g) Players must be provided with a clear mechanism to impose self-limitations for gaming parameters including deposits, wagers, losses and player session durations as required by the Board. The self-limitation mechanism must provide all of the following functionality:

(1) Any decrease to self-limitations for gaming must be effective no later than the player's next login. Any increase to these limits must become effective only after the time-period of the previous limit has expired and the player reaffirms the requested increase.

(i) For example, a player sets a \$1,000 monthly deposit limit on the 1st day of the month. The player may not increase this limit to more than \$1,000 until the 1st day of the following month. The same player may decrease the limit to less than \$1,000 at any point, and shall be effective at the player's next login.

(2) A deposit limit as determined by the player must be offered on a daily, weekly and monthly basis, and must specify the maximum amount of money a player may deposit into his interactive gaming account during the designated period of time.

(3) A spend limit as determined by the player must be offered on a daily, weekly and monthly basis, and must specify the maximum amount of player deposits that may be put at risk during a designated period of time.

(4) A single wager limit as determined by the player must be offered and must specify the maximum amount of any single wager a player may put at risk in a single wager in an interactive game.

(i) This single wager limit is not applicable for peer-to-peer poker games offered by interactive gaming certificateholders or operators.

(ii) Notwithstanding the provisions of subsection (g)(1), a requested increase in the player's single wager limit (that is, from \$50 to \$100) shall not take effect for 24 hours after the request is made.

(5) A time-based limit as determined by the player must be offered on a daily basis and must specify the maximum amount of time that a player may spend playing on an interactive gaming system, provided that if the time-based limit is reached a player will be permitted to complete any round of play, or active or prepaid tournament.

(6) A table limit as determined by the player must be offered and must specify the maximum amount a registered player may bring to a peer-to-peer interactive gaming table.

(7) The self-limitations set by a player may not override any system imposed limitations or contradict information within the game rules.

(h) The interactive gaming system must be capable of applying system-imposed limits as required by the terms and conditions agreed to by the player upon registration and as required by the Board. System-imposed limits must adhere to all of the following:

(1) Players must be notified in advance of any system-imposed limits and their effective dates.

(2) Once updated, system-imposed limits must be consistent with what is disclosed to the player.

(3) Upon receiving any system-limitation request, the interactive gaming system must ensure that all specified limits are correctly implemented immediately or at a specified time (that is, next login, next day, and the like) that was clearly indicated to the player.

(4) In cases when system-imposed limitation values (for example, deposit, wager, loss and player session duration) are greater than self-imposed player limit values, the system-imposed limitations must take priority.

(i) Players must be provided with an easy and obvious mechanism to temporarily suspend his or her interactive gaming account. The temporary suspension mechanism must provide all of the following functionality:

(1) The player must be provided with the option to temporarily suspend his or her interactive gaming account for a specified period of time as defined in the terms and conditions, or indefinitely.

(2) In the case of temporary suspension, the interactive gaming system must ensure that:

(i) Immediately upon processing the temporary suspension, new bets or deposits are not accepted from that player until the temporary suspension has expired.

(ii) During the temporary suspension period, the player is not prevented from withdrawing any or all of his account balance, provided that the interactive gaming system acknowledges that the funds have cleared.

(iii) In the case of indefinite temporary suspension, the interactive gaming system must ensure that:

(A) The player is paid in full for his account balance, provided that the interactive gaming system acknowledges that the funds have cleared.

(B) All player accounts must be closed or deactivated.

(j) The interactive gaming system must provide a clear mechanism to advise the player of the right to make a complaint against the interactive gaming certificateholder, interactive gaming operator or another player (that is, when collusion is suspected or when a player is disruptive or abusive).

#### § 812a.10. Player withdrawals.

(a) An interactive gaming certificateholder or interactive gaming operator shall establish protocols for players to withdraw funds, whether an interactive gaming account is open or closed.

(b) An interactive gaming certificateholder or interactive gaming operator shall prevent unauthorized withdrawals from an interactive gaming account.

(c) Funds may be withdrawn from a player's interactive gaming account for all of the following:

(1) The funding of game play.

(2) A cash-out at the cashier's cage upon player's request.

(3) A cash-out through the issuance of a check from the interactive gaming certificateholder or interactive gaming operator.

(4) A cash-out transfer to a player's reloadable prepaid cash card, which has been verified as being issued to the player and is nontransferable.

(5) Adjustments made by the interactive gaming certificateholder or interactive gaming operator following the resolution of disputes provided there is documented notification to the player.

(6) Cash-out transfers directly to the player's individual account with a bank or other financial institution (banking account) provided that the interactive gaming certificateholder or interactive gaming operator verifies the validity of the account with the financial institution.

(7) Any other means approved by the Board.

(d) An interactive gaming certificateholder or interactive gaming operator may not permit a player to transfer funds to another player.

#### § 812a.11. Player account statements.

(a) At the request of a player, interactive gaming systems must provide an interactive gaming account statement which must include detailed account activity for at least the 6 months preceding the request. In addition, an interactive gaming system must, upon request, be capable of providing a summary statement of all player activity during the past year. Information to be provided on the summary statement must include, at a minimum, all of the following:

(1) Deposits to the interactive gaming account.

(2) Withdrawals from the interactive gaming account.

(3) Win or loss statistics.

(4) Beginning and ending account balances.

(5) Self-imposed responsible gaming limit history, if applicable.

(b) Account statements must be sent to the registered address (e-mail or first class) of the player upon request for the time period specified.

#### § 812a.12. Suspended accounts.

(a) Interactive gaming systems must employ a mechanism to place an interactive gaming account in a suspended mode:

(1) When requested by the player for a specified period of time, which may not be less than 72 hours.

(2) When required by the Board.

(3) When initiated by an interactive gaming certificateholder or interactive gaming operator that has evidence to indicate all of the following:

(i) Illegal activity.

(ii) A negative player account balance.

(iii) A violation of the terms of service has taken place on an authorized registered player's interactive gaming account.

(b) When an interactive gaming account is in a suspended mode, the interactive gaming certificateholder or interactive gaming operator may not remove funds from the account without prior approval from the Board. In addition, the interactive gaming system must do all of the following:

(1) Prevent the player from engaging in interactive gaming.

(2) Prevent the player from depositing funds.

(3) Prevent the player from withdrawing funds from his interactive gaming account, unless the suspended mode was initiated by the player.

(4) Prevent the player from making changes to his interactive gaming account.

(5) Prevent the removal of the interactive gaming account from the interactive gaming system.

(6) Prominently display to the authorized player that the account is in a suspended mode, the restrictions placed on the account and any further course of action needed to remove the suspended mode.

(c) An interactive gaming certificateholder or interactive gaming operator shall notify the player by mail (first class or e-mail) whenever his interactive gaming account has been closed or placed in a suspended mode. The notification must include the restrictions placed on the account and any further course of action needed to remove the restriction.

(d) A suspended account may be restored:

(1) Upon expiration of the time period established by the player.

(2) When permission is granted by the Board.

(3) When the interactive gaming certificateholder or interactive gaming operator has lifted the suspended status.

**§ 812a.13. Dormant accounts.**

(a) Interactive gaming certificateholders and interactive gaming operators shall provide notification to the player at the player’s registered address (physical or electronic) if the player’s interactive gaming account remains dormant for 1 year.

(b) An interactive gaming account will be deemed dormant if there is no activity (login, game play, withdrawal, and the like) for 2 years.

(c) Funds remaining on deposit in an interactive gaming account which is dormant and for which the player has not requested payment must be abandoned 60 days after the notice in subsection (b) is provided. Interactive gaming certificateholders and interactive gaming operators shall report abandoned funds from dormant accounts in accordance with rules and regulations on abandoned and unclaimed property set forth by the Pennsylvania Treasury, Bureau of Abandoned and Unclaimed Property.

**§ 812a.14. Use of player data.**

(a) An interactive gaming certificateholder, interactive gaming operator, or an employee or other person engaged in duties related to the conduct of interactive gaming may not disclose information about the name of a player, or other identifying information.

(b) Interactive gaming certificateholders or interactive gaming operators with employees who have direct contact with players by phone, e-mail, electronic chat or other means shall implement training for those employees, at the start of their employment and at regular intervals thereafter, addressing recognition of the nature and symptoms of problem gambling behavior and how to assist players in obtaining information regarding help for a gambling problem and self-exclusion program.

**CHAPTER 813a. INTERACTIVE GAMING ADVERTISEMENTS, PROMOTIONS AND TOURNAMENTS**

Sec.  
 813a.1. Definitions.  
 813a.2. Advertising.  
 813a.3. Promotions.  
 813a.4. Interactive gaming tournaments.  
 813a.5. Record retention and reports.

**§ 813a.1. Definitions.**

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

*Celebrity player*—A well-known or professional interactive gaming player who is under agreement with an interactive gaming certificateholder or interactive gaming operator whereby the interactive gaming certificateholder or interactive gaming operator pays the celebrity player a fixed sum to engage in interactive gaming with the certificateholder’s or operator’s players as an advertising or promotional enticement to its customers.

*Promotion*—An event conducted by an interactive gaming certificateholder or an interactive gaming operator that provides or offers registered or prospective players cash, credits, merchandise, coupons, players club credits, or points, bonuses or anything else of value to entice the player to wager with the interactive gaming certificateholder or interactive gaming operator.

*Restricted interactive gaming credit*—Interactive gaming funds that cannot be cashed out by the player until the wagering requirements or other restrictions associated with those funds are met in accordance with disclosed terms and conditions.

**§ 813a.2. Advertising.**

(a) Interactive gaming certificateholders and interactive gaming operators shall comply with § 501a.7 (relating to advertising).

(b) All interactive gaming advertisements exclusively directed to residents of this Commonwealth shall be co-branded, clearly and prominently displaying the name or logo, or both of the interactive gaming certificateholder and interactive gaming operator in equal size and quality, including but not limited to:

(i) Television or radio advertisements relating to the availability of interactive gaming or sports wagering in this Commonwealth.

(ii) Direct mail pieces, e-mails, or text messages sent to residents of this Commonwealth.

(iii) Billboards located in this Commonwealth.

(iv) Newspaper, magazine and other print publications that are based in this Commonwealth, including online editions of these publications.

(c) Advertising utilized by interactive gaming certificateholders and interactive gaming operators may not:

(1) Consist of indecent or offensive graphics or audio, or both.

(2) Obscure the game play area or obstruct a game in progress.

(3) Contain content that contradicts the game rules or terms and conditions.

(4) Specifically target players which have been excluded from play.

(d) Interactive gaming certificateholders and interactive gaming operators may utilize celebrity or other players to participate in peer-to-peer games for advertising or publicity purposes provided:

(1) The interactive gaming certificateholder or an interactive gaming operator clearly identifies the celebrity player to the players.

(2) The interactive gaming certificateholder or an interactive gaming operator does not realize a profit beyond the rake for hosting the celebrity player.

(3) The interactive gaming certificateholder or an interactive gaming operator shall include winnings by the celebrity player in its gross gaming revenue if the certificateholder or licensee does not permit the celebrity player to retain these funds.

(e) An interactive gaming certificateholder or an interactive gaming operator that contracts with a celebrity player to advertise or promote its services may fund the celebrity player's interactive gaming account in full or in part. The certificateholder or licensee may also pay the celebrity player a one-time or flat fee for his services.

(f) A celebrity player engaged in interactive gaming in this Commonwealth under an agreement with an interactive gaming certificateholder or an interactive gaming operator for advertising or promotional purposes may or may not utilize his own funds to wager.

### § 813a.3. Promotions.

(a) An interactive gaming certificateholder or interactive gaming operator shall notify and provide to the Board, at least 2 days prior to implementing a promotion, terms and conditions of each promotion. The terms and conditions must include, at a minimum, all of the following:

(1) A description of what is being offered as part of the promotion.

(2) The dates and times that the promotion is being conducted.

(3) The persons who are eligible to participate in the promotion.

(4) The required action to receive whatever is being offered as part of the promotion.

(5) The procedure to claim or redeem the promotional offer, if applicable.

(6) Registration procedures.

(7) Limitations on participation.

(8) Wagering requirements and limitations by type of game.

(9) The order in which funds are used for wagering.

(10) Eligible games.

(11) Any restrictions on the withdrawal of funds.

(12) Rules regarding cancellation.

(13) The statement "If you or someone you know has a gambling problem, help is available. Call 1-800-GAMBLER."

(14) Any other information the Board may require.

(b) An interactive gaming certificateholder or an interactive gaming operator shall designate one employee responsible for providing promotions to the Board. The designated employee shall provide a signed attestation with the submitted promotion indicating the employee has reviewed the promotion for compliance with Board regulations. The designated employee shall serve as the point of contact between a certificateholder or a licensee and the Board on all submitted promotions.

(c) An interactive gaming certificateholder or interactive gaming operator shall be responsible for providing the terms and conditions of promotions and the conduct of all promotions offered directly or indirectly by a third-

party vendor or marketing affiliate on behalf of the interactive gaming certificateholder or an interactive gaming operator.

(d) The terms and conditions of all promotions communicated to players must be posted on the interactive gaming certificateholder's home webpage as well as any skins the interactive gaming certificateholder operates or an interactive gaming operator operates on behalf of an interactive gaming certificateholder. The terms and conditions must be stated in a clear and conspicuous manner using plain language and be readily accessible and available for review for the duration of the promotion (even after player accepts a promotion).

(e) An interactive gaming certificateholder or interactive gaming operator shall provide a clear and conspicuous method for a player to cancel his participation in a promotion that utilizes restricted interactive gaming credits. Upon request for cancellation, the interactive gaming certificateholder or interactive gaming operator shall inform the player of the amount of unrestricted funds that will be returned upon cancellation and the value of restricted funds that will be removed from the player's interactive gaming account. If the player elects to proceed with cancellation, unrestricted funds remaining in a player's interactive gaming account must be returned in accordance with the terms and conditions.

(f) An interactive gaming certificateholder or interactive gaming operator may not, once a player has met the terms of a promotion, cap or limit winnings earned while participating in the promotion.

(g) An interactive gaming certificateholder or an interactive gaming operator may be required to discontinue, as expeditiously as possible, the use of a particular promotion upon receipt of written notice from the Board that the Board has determined that the use of the particular promotion in, or with respect to, this Commonwealth could adversely impact the public or the integrity of gaming.

(h) An interactive gaming certificateholder or interactive gaming operator may not offer or conduct a promotion which violates any Federal, State or local law.

(i) An interactive gaming certificateholder or an interactive gaming operator shall develop and submit to the Board, as part of the submission required as part of the certificateholder's or licensee's internal controls, procedures governing the conduct of all promotions to be offered by an interactive gaming certificateholder or interactive gaming operator.

### § 813a.4. Interactive gaming tournaments.

(a) An organized event that permits a player to purchase or be awarded the opportunity to engage in competitive play against other players (that is, a tournament) may be permitted providing all of the following:

(1) Prior to conducting an interactive gaming tournament, an interactive gaming certificateholder or an interactive gaming operator shall file for approval of the terms and conditions of each interactive gaming tournament type with the Bureau of Gaming Operations as part of the certificateholder's or licensee's internal controls. The terms and conditions shall be followed and include, at a minimum, all of the following:

(i) Game type (for example, hold'em poker).

(ii) Rules concerning tournament play and participation.



(iii) All conditions registered players shall meet to qualify for entry into, and advancement through, the tournament.

(iv) Any conditions concerning late arrivals or complete tournament no-shows and how auto-blind posting or initial entry purchase, or both, is handled.

(v) Funding source amounts comprising the prize pool (for example, buy-ins, re-buys or add-ons).

(vi) Prize structure on payout.

(vii) Methodology for determining win.

(viii) Any other information as the Board may require.

(2) While enabled for tournament play, a game may not accept real money from any source, nor pay out real money in any way, and must utilize tournament specific credits, points or chips which do not have cash value.

(b) The terms and conditions of all interactive gaming tournaments communicated to players shall be posted on the interactive gaming web site and stated in a clear and conspicuous manner using plain language. The terms and conditions of each interactive gaming tournament must be readily accessible and remain available for review by the player until the interactive gaming tournament is complete.

(c) An interactive gaming certificateholder or an interactive gaming operator may be required to discontinue, as expeditiously as possible, an interactive gaming tournament upon receipt of written notice from the Board's Executive Director that the Board's Executive Director has determined that the conduct of an interactive gaming tournament could adversely impact the public or the integrity of gaming.

(d) An interactive gaming certificateholder or an interactive gaming operator shall submit a notice of intent to conduct an interactive gaming tournament at least 5 business days prior to the start of the tournament. The notice shall be submitted electronically to the Bureau of Gaming Operations using the Internal Controls and Table Games Submission Form, which is posted on the Board's web site, and must include all of the following:

(1) The type of game to be played.

(2) The dates and times the tournament will be conducted.

(3) Participation eligibility requirements including all of the following:

(i) Who is eligible to participate.

(ii) The minimum and maximum number of participants.

(iii) Entry fees charged.

(4) The monetary amount or description of the prizes to be awarded.

(5) Any other information as the Board may require.

(e) Submission of a proposed schedule may not require the interactive gaming certificateholder or interactive gaming operator to conduct all tournaments in the schedule.

(f) An interactive gaming certificateholder or interactive gaming operator may seek to amend or modify the schedule at any time by filing a written request with the Board's Executive Director.

(g) An interactive gaming certificateholder or interactive gaming operator shall maintain records related to the conduct of interactive gaming tournaments in accordance

with § 465a.6(c) (relating to retention, storage and destruction of books, records and documents). These records shall be made available to Board staff and the Department upon request and must include all of the following:

(1) A full accounting of gross interactive gaming revenue for each tournament including cash received as entry fees and the total of cash or cash equivalents paid out to registered players.

(2) The names and addresses of all prize winners and the prize each winner was awarded.

**§ 813a.5. Record retention and reports.**

(a) Unless otherwise approved by the Board, a record of all bonus and promotional wagering offers related to interactive gaming shall be maintained in an electronic file that is readily available to the Board. All bonus and promotional wagering offers must be stated in clear and unambiguous terms and be readily accessible by the patron.

(b) Unless otherwise exempted by the Board, a gaming system must record all promotional offers (Promotions Log) issued through the system. The log must provide the information necessary to audit compliance with the terms and conditions of current and previous offers.

(c) An interactive gaming system must be able to provide a Promotional Account Summary Report (or similarly named report) on demand for any player loyalty promotions or bonuses, or both, that are redeemable for cash, monetary game play credits or merchandise. The report must contain, at a minimum, all of the following information:

(1) Beginning balance for promotion type.

(2) Total amount of awards by promotion type.

(3) Total amount used by promotion type.

(4) Total amount expired by promotion type.

(5) Total adjustment amount by promotion type.

(6) Ending balance by promotion type.

**CHAPTER 814a. COMPULSIVE AND PROBLEM GAMBLING REQUIREMENTS**

Sec.

814a.1. General requirements.

814a.2. Responsible gaming self-limits.

814a.3. Compulsive and problem gambling plan.

814a.4. Employee training program.

814a.5. Reports.

814a.6. Web site requirements.

**§ 814a.1. General requirements.**

(a) Interactive gaming shall only be engaged in by registered players who have established an interactive gaming account for interactive gaming.

(b) The message "IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP IS AVAILABLE, CALL 1-800-GAMBLER," or comparable language approved the Board, must be prominently displayed to a person visiting or logging onto and logging off of the interactive gaming certificateholder or interactive gaming operator's interactive gaming skin.

(c) When a registered player logs on to an interactive gaming system, the system must display the date and time of the registered player's previous log on.

(d) If a registered player has suspended his account, an interactive gaming certificateholder or interactive gaming operator may not send gaming-related electronic or direct postal mail to that player while the account is suspended.

(e) Software utilized for interactive gaming must display the all of following information, in addition to the minimum display standards in this subpart:

(1) The current time in the time zone where the registered player is physically located and the time elapsed while in the current registered player session.

(2) Cause a pop-up notification, at least every hour, to be prominently displayed on the interactive gaming device advising the registered player of the amount of time elapsed since his log on, and the amount of money wagered since his log on.

(3) Offer the registered player the option to select a pop-notification, in 15-minute and 30-minute increments, advising the registered player of the amount of money wagered since his log on.

(4) Offer the option to activate self-imposed limits during the player account registration process.

(f) An interactive gaming certificateholder or interactive gaming operator offering interactive gaming shall have a dedicated licensed employee responsible for notifying the Board upon detecting a person participating in interactive gaming who is required to be excluded under Board regulations or any person who is otherwise prohibited from engaging in interactive gaming. This employee shall be licensed as a key employee.

(g) All terms and conditions for interactive gaming must be included as an appendix to the internal controls or, when specified, as part of the interactive gaming compulsive and problem gambling plan of the interactive gaming certificateholder or interactive gaming operator addressing all aspects of the operation, including all of the following:

(1) Registered player's right to set responsible gaming limits and to self-exclude.

(2) Registered player's right to suspend his account for any selected period of time.

(3) Information to be displayed on a registered player protection page, which shall be accessible to a registered player during a registered player session. The registered player protection page must contain, at a minimum, all of the following:

(i) A prominent message, which states "If you or someone you know has a gambling problem, help is available. Call 1-800-Gambler" in a size and font as approved the Director of the Office of Compulsive and Problem Gaming (OCPG).

(ii) A direct link to all of the following:

(A) The Council on Compulsive Gambling of Pennsylvania's web site.

(B) The Department of Drug and Alcohol Programs' (or successor agency) gambling addiction participating provider list webpage.

(C) The OCPG webpage.

(iii) All of the following responsible gaming information that shall be approved by the Board's Director of the OCPG:

(A) A clear statement of the interactive gaming certificateholder or interactive gaming operator's policy and commitment to responsible gaming.

(B) Informational documents, which shall be reviewed and updated annually by the interactive gaming certificateholder or interactive gaming operator, regarding all of the following subjects, or a direct link to information

regarding all of the following subjects, if available, from an organization based in this Commonwealth or the United States dedicated to helping people with potential gambling disorders and labeled as:

(I) Rules of responsible gambling.

(II) Myths about gambling.

(III) Risks associated with gambling.

(IV) Signs and symptoms of gambling disorders.

(V) The Board's self-exclusion brochure.

(C) Rules governing self-imposed responsible gaming limits, including all of the following:

(I) List of each type of self-imposed limit.

(II) How to enroll in each type of self-imposed limit.

(iv) The following statement: "A person who has enrolled in interactive gaming self-exclusion or has otherwise been excluded from interactive gaming activities, and individuals who are under the age of 21, shall not participate in interactive gaming or interactive gaming activities and will have their winnings forfeited and interactive gaming accounts suspended upon violation." The text and font size of the notices shall be submitted for approval to the Director of the OCPG.

(h) An interactive gaming system must comport with all requirements regarding player accounts in Chapter 812a (relating to interactive gaming player accounts).

#### **§ 814a.2. Responsible gaming self-limits.**

An interactive gaming system must be capable of allowing a registered player to establish the following responsible gaming limits. Any decrease to these limits may not be effective later than the registered player's next login. Any increase to these limits must become effective only after the time period of the previous limit has expired and the registered player reaffirms the requested increase:

(1) A deposit limit must be offered on a daily, weekly and monthly basis and must specify the maximum amount of money a registered player may deposit into his interactive gaming account during a particular period of time.

(2) A limit on the amount of money spent within a daily, weekly and monthly basis must be offered. The registered player shall be unable to participate in gaming for the remainder of the time selected if the registered player reaches the loss limit.

(3) A limit on the maximum amount of any single wager on any interactive game.

(4) A time-based limit must be offered on a daily basis and must specify the maximum amount of time, measured hourly from the registered player's login to log off, a registered player may spend engaging in interactive gaming, provided that if the time-based limit is reached a registered player is permitted to complete any round of play, or active or prepaid tournament.

(5) A table limit must be offered and must specify the maximum amount a registered player may bring to a peer-to-peer interactive gaming table.

(6) A temporary suspension of a player's interactive gaming account must be offered for any number of hours or days, as selected by the registered player, which shall not be less than 72 hours.

(7) The interactive gaming certificateholder or interactive gaming operator shall provide a mechanism by which

a registered player may change the controls of paragraphs (1)—(6). Notwithstanding any other provision in this section, the registered player may not change gaming controls while an interactive gaming account is suspended. The registered player shall continue to have access to the interactive gaming account and shall be permitted to withdraw funds from the account upon proper application for the funds to the interactive gaming certificateholder or interactive gaming operator.

**§ 814a.3. Compulsive and problem gambling plan.**

(a) An interactive gaming certificate or interactive gaming operator applicant shall submit a compulsive and problem gambling plan for review at the time of submission of the application that conforms with § 501a.2 (relating to compulsive and problem gambling plan).

(b) In addition to the requirements in § 501a.2, an interactive gaming certificateholder's or interactive gaming operator applicant's compulsive and problem gambling plan must include all of the following:

- (1) The goals of the plan.
- (2) The identification of the individual who will be responsible for the implementation and maintenance of the plan.
- (3) Policies and procedures including all of the following:
  - (i) The commitment of the interactive gaming certificateholder or interactive gaming operator to train appropriate employees.
  - (ii) The duties and responsibilities of the employees designated to implement or participate in the plan, including the dedicated employee who is responsible for ensuring the operation and integrity of interactive gaming and reviewing all reports of suspicious behavior.
  - (iii) The responsibility of registered players with respect to responsible gambling.
  - (iv) Procedures to identify registered players and employees with suspected or known compulsive and problem gambling behavior.
  - (v) Procedures for prominently posting the message "IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP IS AVAILABLE, CALL 1-800-GAMBLER," or comparable language approved by the Board, on all interactive gaming sites and displaying the message to a person visiting or logging onto and logging off the interactive gaming certificateholder or interactive gaming operator's interactive gaming skin or interactive gaming web site.
  - (vi) Procedures on displaying the date and time of the registered player's previous log on each time that registered player logs on to his interactive gaming account.
  - (vii) Procedures for preventing an underage person or a person on the interactive gaming self-exclusion list from being mailed any advertisement, promotion or other target mailing, including those sent electronically, no later than 5 business days after receiving notice from the Board that the person has been placed on the interactive gaming self-exclusion list.
  - (viii) A policy and procedures for the display of the time in the time zone where the registered player is physically located and the time elapsed while in the current registered player session and the cause of a pop-up notification, at least every hour, to be prominently displayed on the interactive gaming device advising the

registered player of the amount of time elapsed and the money wagered since his log on.

(ix) Procedures for offering registered players the option to select a pop-up notification in 15-minute and 30-minute increments advising the registered player of the amount of money wagered since his log on.

(x) Procedures for reviewing, updating and posting information on the interactive gaming certificateholder or interactive gaming operator's web site regarding gambling addiction treatment services, gamblers anonymous programs, compulsive gambling organizations and informational documents on all of the following:

- (A) Rules of responsible gambling.
- (B) Myths about gambling.
- (C) Risks associated with gambling.
- (D) Signs and symptoms of gambling disorders.
- (E) Randomness of play.

(xi) Procedures for posting links to all of the following organizations' web sites on the interactive gaming certificateholder/operator licensee's web site:

- (A) The Council on Compulsive Gambling of Pennsylvania.
- (B) The National Council on Problem Gambling.
- (C) The Department of Drug and Alcohol Programs' (or successor agency) gambling addiction participating provider list.
- (D) Gamblers Anonymous of PA.
- (E) Gam-Anon of PA.
- (F) The Board's Office of Compulsive and Problem Gambling.
- (G) A Pennsylvania or United States suicide prevention organization's webpage and telephone number.

(xii) Procedures for responding to patron requests for information regarding gambling addiction treatment services, gamblers anonymous programs, compulsive gambling organizations, and other informational documents.

(A) The interactive gaming certificateholder or interactive gaming operator shall provide examples of the materials to be used as part of its plan, including the problem gambling helpline number and message, informational documents and other posted material, including all of the following:

- (I) Rules of responsible gambling.
- (II) Myths about gambling.
- (III) Risks associated with gambling.
- (IV) Signs and symptoms of gambling disorders.
- (V) Randomness of play.
- (VI) Self-exclusion brochure.

(4) Policies and procedures on the governing of self-imposed limits and suspension.

(5) An employee training program as required under this chapter, including training materials to be utilized and a plan for annual reinforcement training.

(6) A certification process established by the interactive gaming certificateholder or interactive gaming operator to verify that each employee has completed the training required by the plan.

(7) An estimation of the cost of development, implementation and administration of the plan.

(8) Procedures to prevent underage gambling as required under § 513a.3(b) (relating to responsibilities of licensees, permittees, registrants and certification holders).

(9) Procedures to prevent excluded persons from gambling.

(10) Procedures to prevent self-excluded and temporarily suspended persons from gambling.

(11) Procedures to monitor all interactive gaming sites for suspicious activity including those who are:

(i) Engaging in or attempting to engage in, or who are reasonably suspected of, cheating, theft, embezzlement, collusion, money laundering or any other illegal activities.

(ii) Required to be excluded under Board regulations.

(iii) Prohibited by the interactive gaming certificateholder or interactive operator licensee from interactive gaming.

(12) Procedures on the reporting of those who may have or have a known gambling disorder.

(13) Details of outreach programs which the interactive gaming certificateholder or interactive gaming operator intends to offer to employees and individuals who are not employees of the interactive gaming certificateholder or interactive gaming operator.

(14) The plan for posting the statement "If you or someone you know has a gambling problem, help is available. Call 1-800-GAMBLER" on the interactive gaming certificateholder's or interactive gaming operator's webpage and each skin.

(c) The compulsive and problem gambling plan of an applicant for an interactive gaming certificate or interactive gaming license that has been approved to receive an interactive gaming certificate or interactive gaming license shall be approved by the Director of the Office of Compulsive and Problem Gaming (OCPG). An applicant for an interactive gaming certificate or interactive gaming license who has been approved to receive an interactive gaming certificate or interactive gaming license will be notified in writing of any deficiencies in the plan and may submit revisions to the plan to the Director of the OCPG. An interactive gaming certificateholder or interactive gaming operator may not commence operations until the Director of the OCPG approves the plan.

(d) Compliance with the plan approved under this chapter will be a condition of interactive gaming certificate or interactive gaming license renewal.

(e) An interactive gaming certificateholder or interactive gaming operator shall submit any other policies and procedures intended to be used beyond what is required under subsection (d) to prevent and raise awareness of gambling disorders.

(f) An interactive gaming certificateholder or interactive gaming operator shall submit amendments to the compulsive and problem gambling plan to the Director of the OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The interactive gaming certificateholder or interactive gaming operator may implement the amendments on the 30th calendar day following the filing the amendments unless the interactive gaming certificateholder or interactive gaming operator receives a notice under subsection (h) objecting to the amendments.

(g) If during the 30-day review period the Director of the OCPG determines that the amendments may not

promote the prevention of compulsive and problem gambling or assist in the proper administration of responsible gaming programs, the Director of the OCPG may, by written notice to the interactive gaming certificateholder or interactive gaming operator, object to the amendments. The objection will:

(1) Specify the nature of the objection and, when possible, an acceptable alternative.

(2) Direct that the amendments not be implemented until approved by the Director of the OCPG.

(h) When amendments have been objected to under subsection (g), the interactive gaming certificateholder or interactive gaming operator may submit revised amendments for review in accordance with subsections (f) and (g).

#### § 814a.4. Employee training program.

(a) The annual employee training program required under this chapter must include instruction on all of the following:

(1) Characteristics and symptoms of compulsive behavior, including compulsive and problem gambling.

(2) The relationship of gambling disorders to other addictive behavior.

(3) The social and economic consequences of a gambling disorder, including debt, treatment costs, suicide, criminal behavior, unemployment and domestic issues.

(4) Techniques to be used when a gambling disorder is suspected or identified.

(5) Techniques to be used to discuss a gambling disorder with registered players and advise registered players to contact 1-800-GAMBLER to receive information regarding community, public and private treatment services.

(6) Procedures for suspending an interactive gaming account belonging to an underage individual or a person on the interactive gaming self-exclusion list, if necessary, procedures that include obtaining the assistance of appropriate law enforcement personnel.

(7) Procedures for preventing an excluded person or a person on the interactive gaming self-exclusion list from being mailed any advertisement, promotion or other target mailing no later than 5 business days after receiving notice from the Board that the person has been placed on the interactive gaming self-exclusion list.

(8) Procedures for preventing an individual under 21 years of age from receiving any advertisement, promotion or other target mailing.

(9) Procedures to prevent an individual under 21 years of age or a person on the interactive gaming self-exclusion list from having access to or from receiving complimentary services, or other like benefits.

(b) Training and training materials shall be updated annually and include current research and information on responsible and problem gambling.

(c) As part of each employee's orientation, and prior to the start of their job duties, responsible and problem gambling training for employees shall be conducted by a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs as part of the employee's orientation. If an online training program is utilized, the training shall be created

and maintained by a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs.

(d) Employees who have received training shall be certified by the interactive gaming certificateholder or interactive gaming operator under this chapter upon completion of the training.

(e) Employees are required to receive periodic reinforcement training at least once every calendar year starting with the year following the year in which the employee was hired. The date of the reinforcement training shall be recorded in each employee's personnel file.

(f) Employees shall report persons with a suspected or identified gambling disorder to a designated employee or other supervisory employee.

(g) The identity of an individual with suspected or known problem gambling behavior must be confidential except as provided under Board regulations regarding interactive gaming self-exclusion list and section 1516(d) of the act (relating to list of persons self-excluded from gaming activities).

(h) An interactive gaming certificateholder or interactive gaming operator may collaborate with a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs to develop an in-house or Internet-based employee training program to provide the training and reinforcement training required under this chapter.

(i) Interactive gaming certificateholder or interactive gaming operators may enact policies or procedures, or both, that are more stringent than those listed in these regulations, including stricter rules for those who sign up for a self-exclusion list.

**§ 814a.5. Reports.**

(a) An interactive gaming certificateholder or interactive gaming operator shall submit to the Director of the Office of Compulsive and Problem Gaming (OCPG) an annual summary of its compulsive and problem gambling program by the last business day of July.

(b) The annual summary must contain, at a minimum, detailed information regarding all of the following:

- (1) Employee training, including all of the following:
  - (i) The dates of new hires and annual reinforcement compulsive gambling training.
  - (ii) The individual or group who conducted the training.
  - (iii) The number of employees who completed the new hire compulsive gambling training.
  - (iv) The number of employees who completed the annual reinforcement compulsive gambling training.
- (2) The amount spent on the Compulsive and Problem Gambling Plan for all of the following:
  - (i) Employee training.
  - (ii) Outreach including community training and sponsorships.
- (3) Additional information including all of the following:
  - (i) The number of underage individuals who were denied interactive gaming access.
  - (ii) The number of self-excluded individuals who were denied interactive gaming access.

(iii) A summary of any community outreach conducted by the certificateholder/operator licensee.

**§ 814a.6. Web site requirements.**

Under section 1509(c) of the act (relating to compulsive and problem gambling program), each interactive gaming certificateholder/operator licensee shall cause the words "IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP IS AVAILABLE, CALL 1-800-GAMBLER" or comparable language approved by the Board, which must include the words "gambling problem" and "call 1-800-GAMBLER" to be prominently displayed to a person visiting or logging onto the interactive gaming certificateholder or interactive gaming operator's interactive gaming skin or interactive gaming web site.

**CHAPTER 815a. INTERACTIVE GAMING SELF-EXCLUDED PERSONS**

Sec.	
815a.1.	Scope.
815a.2.	Definitions.
815a.3.	Requests for interactive gaming self-exclusion.
815a.4.	Interactive gaming self-exclusion list.
815a.5.	Certificateholder and operator duties.
815a.6.	Removal from the interactive gaming self-exclusion list.
815a.7.	Exceptions for individuals on the interactive gaming self-exclusion list.
815a.8.	Disclosures of information related to persons on the self-exclusion list.

**§ 815a.1. Scope.**

The purpose of this chapter is to provide players with a process to self-exclude from interactive gaming activities in this Commonwealth and detail the process by which individuals may exclude themselves from interactive gaming activity and restore their ability to participate in interactive gaming activity in this Commonwealth.

**§ 815a.2. Definitions.**

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

*Fully executed gaming transaction*—An activity involving interactive gaming or interactive sports wagering occurring in this Commonwealth which results in an individual obtaining any money or thing of value from or being owed any money or thing of value by an interactive gaming certificateholder or interactive gaming operator.

*Gaming activity*—The play of interactive gaming or interactive sports wagering including play during contests, tournaments or promotional events.

*Gaming related activity*—An activity related to interactive gaming or interactive sports wagering including applying for player club memberships or credit, cashing checks or accepting a complimentary gift, service, promotional item or other thing of value from an interactive gaming certificateholder, interactive gaming operator or an affiliate thereof.

*Interactive gaming self-excluded person*—A person whose name and identifying information is included, at the person's own request, on the interactive gaming self-exclusion list maintained by the Board.

*Interactive gaming self-exclusion list*—A list of names and identifying information of persons who, under this chapter, have voluntarily agreed to be:

- (i) Excluded from engaging in interactive gaming or interactive sports wagering in this Commonwealth.
- (ii) Prohibited from collecting any winnings or recovering any losses resulting from interactive gaming or interactive sports wagering activity in this Commonwealth.

*Winnings*—Any money or thing of value received from, or owed by, an interactive gaming certificateholder or interactive gaming operator as a result of a fully executed gaming transaction.

**§ 815a.3. Requests for interactive gaming self-exclusion.**

(a) A person requesting placement on the interactive gaming self-exclusion list shall submit a completed Request for Voluntary Self-Exclusion from Gaming Activities Form to the Board by one of the following methods:

(1) Electronically on the Board's web site.

(2) In person by scheduling an appointment at the Board's Harrisburg office, one of the Board's other offices or at a licensed facility. To make an appointment, a person shall contact the OCPG at (717) 346-8300 or [problemgambling@pa.gov](mailto:problemgambling@pa.gov).

(b) A request for interactive gaming self-exclusion must include all of the following identifying information:

(1) Name, including any aliases or nicknames.

(2) Date of birth.

(3) Address of current residence.

(4) Telephone number.

(5) Social Security number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a). At a minimum, the last 4 digits of the Social Security number must be provided.

(6) Physical description of the person, including height, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person.

(c) The information provided in subsection (b) shall be updated by the interactive gaming self-excluded person within 30 days of a change. Updated information shall be submitted on a Change of Information Form to the following address. A copy of the form can be obtained by calling the OCPG at (717) 346-8300, by e-mail at [problemgambling@pa.gov](mailto:problemgambling@pa.gov), or by writing to:

PENNSYLVANIA GAMING CONTROL BOARD  
OFFICE OF COMPULSIVE AND  
PROBLEM GAMBLING  
P.O. BOX 69060  
HARRISBURG, PA 17106-9060

(d) The length of interactive gaming self-exclusion requested by a person must be one of the following:

(1) One year (12 months).

(2) Five years.

(3) Lifetime.

(e) A request for self-exclusion from interactive gaming activities in this Commonwealth must include a signed release which:

(1) Acknowledges that the request for interactive gaming self-exclusion has been made voluntarily.

(2) Certifies that the information provided in the request for interactive gaming self-exclusion is true and accurate.

(3) Acknowledges that the individual requesting interactive gaming self-exclusion is or may be a problem gambler.

(4) Acknowledges that a person requesting a lifetime exclusion may only request removal from the interactive gaming self-exclusion list in accordance with the proce-

dures set forth in § 815a.6 (relating to removal from the interactive gaming self-exclusion list) and that a person requesting a 1-year or 5-year exclusion will remain on the interactive gaming self-exclusion list until the period of exclusion expires.

(5) Acknowledges that if the individual is discovered participating in interactive gaming, that the individual's interactive gaming account will be suspended and the individual's winnings will be subject to confiscation and remittance to support compulsive and problem gambling programs.

(6) Releases, indemnifies, holds harmless and forever discharges the Commonwealth, the Board and all interactive gaming certificateholders or interactive gaming operators from claims, damages, losses, expenses or liability arising out of, by reason of or relating to the self-excluded person or to any other party for any harm, monetary or otherwise, which may arise as a result of one or more of the following:

(i) The failure of an interactive gaming certificateholder or interactive gaming operator to withhold interactive gaming privileges from or restore interactive gaming privileges to an interactive gaming self-excluded person.

(ii) Otherwise permitting or not permitting an interactive gaming self-excluded person to engage in interactive gaming activities in this Commonwealth while on the list of interactive gaming self-excluded persons.

(iii) Confiscation of the individual's winnings.

(f) A person submitting an interactive gaming self-exclusion request shall present or submit electronically a copy of that person's valid government-issued identification containing the person's signature and photograph when the person submits the request, or if the person does not possess a valid government-issued identification, some other documentation to verify the identity of the person (for example, a utility or other bill in the person's name at the same address provided).

(g) A person requesting self-exclusion under this chapter shall upload a photo of his current valid government-issued photo identification during self-exclusion enrollment.

**§ 815a.4. Interactive gaming self-exclusion list.**

(a) The Board will maintain the official interactive gaming self-exclusion list and will make all necessary additions or deletions within 5 business days of the verification of the information received under § 815a.3 (relating to requests for interactive gaming self-exclusion) and shall make the interactive gaming self-exclusion list available to interactive gaming certificateholders and interactive gaming operators electronically by means of the Board's self-exclusion system.

(b) The information made available to interactive gaming certificateholder and interactive gaming operators by means of the Board's self-exclusion system will include the following information concerning a person who has been added to the interactive gaming self-exclusion list:

(1) Name, including any aliases or nicknames.

(2) Date of birth.

(3) Address of current residence.

(4) Telephone number.

(5) Social Security number, when voluntarily provided by the person requesting interactive gaming self-exclusion under section 7 of the Privacy Act of 1974 (5 U.S.C.A.

§ 552a). At a minimum, the last 4 digits of the Social Security number will be provided.

(6) Physical description of the person, including height, gender, hair color, eye color and other physical characteristic, that may assist in the identification of the person.

(c) The information made available to interactive gaming certificateholders and interactive gaming operators by the Board concerning a person whose name has been removed from the interactive gaming self-exclusion list will include the name and date of birth of the person.

(d) An interactive gaming certificateholder and interactive gaming operator shall maintain a copy of the interactive gaming self-exclusion list and establish procedures to ensure that the copy of the interactive gaming self-exclusion list is updated at least every 2 business days with the information made available by means of the Board's self-exclusion system and that all appropriate employees and agents of the interactive gaming certificateholder or interactive gaming operator are notified of any additions to or deletions from the list.

(e) Information furnished to or obtained by the Board under this chapter will be deemed confidential and will not be disclosed except in accordance with this chapter.

(f) Interactive gaming certificateholders or interactive gaming operators, employees or agents thereof may not disclose the name of, or any information about, a person who has requested self-exclusion from interactive gaming to anyone other than employees and agents of the interactive gaming certificateholder or interactive gaming operator whose duties and functions require access to the information. Notwithstanding the foregoing, an interactive gaming certificateholder or interactive gaming operator may disclose the identity of an interactive gaming self-excluded person to appropriate employees of affiliated gaming entities in this or other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs.

(g) An interactive gaming self-excluded person may not collect in any manner or in any proceeding any winnings or recover any losses arising as a result of any interactive gaming activity for the entire period of time that the person is on the Board's interactive gaming self-exclusion list.

(h) Winnings incurred by an interactive gaming self-excluded person shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(i) For the purposes of this section, winnings issued to, found on or about or redeemed by an interactive gaming self-excluded person's interactive gaming account shall be presumed to constitute winnings subject to remittance to the Board.

#### § 815a.5. Certificateholder and operator duties.

(a) An interactive gaming certificateholder or interactive gaming operator shall train its employees and establish procedures to do all of the following:

(1) Refuse wagers from and deny gaming privileges to an interactive gaming self-excluded person.

(2) Deny gaming related activities and benefits to an interactive gaming self-excluded person.

(3) Ensure that interactive gaming self-excluded persons do not receive, either from the interactive gaming certificateholder, interactive gaming operator or any agent thereof, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to interactive gaming activities.

(4) Make available to patron's materials explaining the interactive gaming self-exclusion program.

(b) An interactive gaming certificateholder or interactive gaming operator shall submit a copy of its procedures and training materials established under this subsection to the Director of the Office of Compulsive and Problem Gaming (OCPG) for review and approval at least 30 days prior to initiation of interactive gaming activities on interactive gaming sites. The interactive gaming certificateholder or interactive gaming operator will be notified in writing of any deficiencies in the procedures and training materials and may submit revisions to the procedures and training materials to the Director of the OCPG. An interactive gaming certificateholder or interactive gaming operator may not commence operations until the Director of the OCPG approves the procedures and training.

(c) An interactive gaming certificateholder or interactive gaming operator shall submit amendments to the procedures and training materials required under this subsection to the Director of the OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The interactive gaming certificateholder or interactive gaming operator may implement the amendments on the 30th calendar day following the filing of the amendments unless the interactive gaming certificateholder or interactive gaming operator receives a notice under this subsection objecting to the amendments.

(d) If during the 30-day review period the Director of the OCPG determines that the amendments to the procedures and training materials may not promote the prevention of interactive gaming by self-excluded individuals or assist in the proper administration of the interactive gaming self-exclusion program, the Director of the OCPG may, by written notice to the interactive gaming certificateholder or interactive gaming operator, object to the amendments. The objection will:

(1) Specify the nature of the objection and, when possible, an acceptable alternative.

(2) Direct that the amendments not be implemented until approved by the Director of the OCPG.

(e) When the amendments to the procedures and training materials have been objected to under this subsection, the interactive gaming certificateholder or interactive gaming operator may submit revised amendments in accordance with this subsection (c).

(f) The list of interactive gaming self-excluded persons is confidential, and any distribution of the list to an unauthorized source constitutes a violation of the act.

(g) Under section 1516 of the act (relating to list of persons self-excluded from gaming activities), interactive gaming certificateholders and interactive gaming operators and employees thereof may not be liable for damages in any civil action, which is based on the following:

(1) Failure to withhold gaming privileges from or restore gaming privileges to an interactive gaming self-excluded person.

(2) Permitting or not permitting an interactive gaming self-excluded person to gamble.

(3) Good faith disclosure of the identity of an interactive gaming self-excluded person to someone, other than those authorized by this chapter, for the purpose of complying with this chapter.

(g) An interactive gaming certificateholder or interactive gaming operator shall report the discovery of an interactive gaming self-excluded person that did or attempt to engage in interactive gaming related activities to the Director of the OCPG within 24 hours.

**§ 815a.6. Removal from the interactive gaming self-exclusion list.**

(a) For individuals who are on the interactive gaming self-exclusion list for 1 year or 5 years, upon the conclusion of the period of self-exclusion, the individual will be removed from the interactive gaming self-exclusion list without further action on his part.

(b) For individuals who have elected to be interactive gaming self-excluded for less than lifetime, the individual may be removed from the interactive gaming self-exclusion list if all of the following has occurred:

(1) The individual has filed a petition with the Board's Office of Hearings and appeals requesting to be removed from the interactive gaming self-exclusion list.

(2) The individual has presented facts and circumstances which, in the Board's discretion, demonstrate a compelling reason for the Board to grant early removal from the interactive gaming self-exclusion list.

(3) The Board has found by a preponderance of the evidence that the person should be removed from the interactive gaming self-exclusion list and issues an order to that effect.

(c) For individuals who selected lifetime interactive gaming self-exclusion under § 815a.3(d)(3) (relating to requests for interactive gaming self-exclusion):

(1) After being on the interactive gaming self-exclusion list for a period of 10 years, the individual may petition the Board to be removed from the interactive gaming self-exclusion list.

(2) The petition shall be filed with the Board in writing, and shall be accompanied by all of the following:

(i) Documentation from a treatment provider who is certified by the International Gambling Counselor Certification Board or who has received a Problem Gambling Endorsement from the Pennsylvania Certification Board to conduct problem gambling assessments that the individual has completed a problem gambling assessment.

(ii) Documentation from a treatment provider that the individual has completed the treatment recommendation, if any, made after the assessment by the state-funded problem gambling treatment provider.

(3) After the petition is filed, OCPG will provide documentation to the Office of Enforcement Counsel regarding whether the individual has been known to engage in or attempt to engage in interactive gaming while self-excluded, including dates and times.

(4) The petition shall be handled in accordance with the procedures for petitions found in Subpart H of the Board's regulations, including all confidentiality provisions.

(5) As the petitioner, the interactive gaming self-excluded individual filing the petition for removal from the interactive gaming self-exclusion list bears the burden of proof in showing that removal from the list would not be detrimental to the individual's physical or mental well-being and would not have a negative impact on gaming in the Commonwealth.

(6) If the Board:

(i) Grants the petition, it shall deliver to the individual by first class mail an Order approving the petition for removal from the interactive gaming self-exclusion list, and provide to the individual the contact information for OCPG for information on how to complete the removal process.

(ii) Denies the petition, it shall deliver to the individual by first class mail an Order denying the petition for removal from the interactive gaming self-exclusion list, which shall notify the individual that he or she shall remain on the interactive gaming self-exclusion list.

(7) Any petitioner whose petition is denied by the Board shall be prohibited from filing a subsequent petition for removal from the lifetime interactive gaming self-exclusion list for a period of five years from the date of denial.

**§ 815a.7. Exceptions for individuals on the interactive gaming self-exclusion list.**

The prohibition against allowing interactive gaming self-excluded persons to engage in activities related to interactive gaming does not apply to an individual who is on the interactive gaming self-exclusion list if all of the following apply:

(1) The individual is carrying out the duties of employment or incidental activities related to employment.

(2) The individual does not otherwise engage in any interactive gaming activities.

**§ 815a.8. Disclosures of information related to persons on the self-exclusion list.**

(a) The Board may periodically release to the public demographics and general information regarding the interactive gaming self-exclusion lists such as the total number of individuals on the list, gender breakdown and age range.

(b) The Board may make selected data available, upon request, for the limited purpose of assisting in the proper administration of responsible gaming programs.

(c) The Board will not disclose identifying information or confirm or deny the existence of an individual's name on the Board's interactive gaming self-exclusion lists.

**CHAPTER 816a. INTERACTIVE GAMING  
LIVE STUDIO**

Sec.

816a.1. Live studio simulcasting.

816a.2. Submission of game rules for approval.

**§ 816a.1. Live studio simulcasting.**

(a) An interactive gaming certificateholder or interactive gaming operator shall obtain Board approval to simulcast authorized table games.

(b) An interactive gaming certificateholder or interactive gaming operator shall obtain Board approval for the location of its proposed live simulcast studio.

(c) An entity producing, hosting, offering or otherwise providing live studio services shall be licensed by the Board prior to providing live studio services.

(d) An interactive gaming certificateholder or interactive gaming operator seeking to offer live studio simulcasting, as well as the entity producing, hosting, offering or otherwise providing live studio services, shall adhere to § 465a.9 (relating to surveillance system; surveillance department control; surveillance department restrictions),



Chapter 611a (relating to table game minimum training standards) and game approval as set forth in this chapter.

(e) Table game simulcasting must utilize a simulcast control server for the purpose of recording all wagering activity and game results. The simulcast control server must do all of the following:

- (1) Provide the player with real time visual access to the live game being played.
- (2) Prevent anyone from accessing the wagering outcome prior to finalizing a wager.
- (3) Record dealer-verified game results before posting.
- (4) Be equipped with a mechanism to void game results, if necessary.
- (f) All of the following information, at a minimum, must be readily available on an interactive gaming certificateholder's or interactive gaming operator's skin/web site before a player begins play and at all times during play:

- (1) The table number and location.
- (2) The table minimum and maximum wagers.
- (3) The number of decks used, if applicable.
- (4) Dealer actions, if applicable.
- (5) The amount wagered.
- (6) The game outcome.
- (7) Vigorish amount, if applicable.
- (8) Payout odds, when applicable.
- (9) The amount won or lost.

**§ 816a.2. Submission of game rules for approval.**

(a) Prior to offering a live studio table game authorized under this subpart governing interactive gaming in this Commonwealth, the interactive gaming certificateholder or interactive gaming operator shall submit and obtain approval of a Rules Submission which specifies which options the interactive gaming certificateholder or interactive gaming operator will use in the conduct of the live studio table game.

(b) The initial Rules Submission for any live studio interactive game and any amendment to the Rules Submission shall be submitted electronically to the Bureau of Gaming Operations using the form specified on the Board's web site at [www.gamingcontrolboard.pa.gov](http://www.gamingcontrolboard.pa.gov).

(c) An interactive gaming certificateholder or interactive gaming operator may implement the provisions in a Rules Submission upon receipt of written notice of approval from the Board's Executive Director or on the 15th calendar day following the filing of the Rules Submission unless the interactive gaming certificateholder or interactive gaming operator receives written notice under subsection (d) tolling the Rules Submission or written notice of disapproval from the Board's Executive Director.

(d) If during the 15-day review period in subsection (c) the Bureau of Gaming Operations determines that a provision in the Rules Submission is inconsistent with the regulations for the conduct of that interactive game, the Bureau of Gaming Operations, by written notice to the interactive gaming certificateholder or interactive gaming operator, will:

(1) Specify the nature of the inconsistency and, when possible, an acceptable alternative procedure.

(2) Direct that the 15-calendar day review period in subsection (c) be tolled and that the Rules Submission not be implemented until approved under subsection (e).

(e) When a Rules Submission has been tolled under subsection (d), the interactive gaming certificateholder or interactive gaming operator may submit a revised Rules Submission within 15 days of receipt of the written notice from the Bureau of Gaming Operations. The interactive gaming certificateholder or interactive gaming operator may implement the revised Rules Submission upon receipt of written notice of approval from the Board's Executive Director or on the 15th calendar day following the filing of the revised Rule Submission unless the interactive gaming certificateholder or interactive gaming operator receives written notice under subsection (d) tolling the revised Rules Submission or written notice of disapproval from the Board's Executive Director.

(f) The current version of each Rules Submission of an interactive gaming certificateholder or interactive gaming operator shall be maintained and made available in electronic form through secure computer access to the internal audit and surveillance departments of the interactive gaming certificateholder or interactive gaming operator and the Board's casino compliance representatives and other Board employees. Each page of the Rules Submission must indicate the date on which it was approved by the Board's Executive Director.

(g) An interactive gaming certificateholder or interactive gaming operator shall maintain a copy, either in paper or electronic form, of any superseded Rules Submission for a minimum of 5 years.

**CHAPTER 817a. INTERACTIVE GAMING COMMENCEMENT OF OPERATIONS**

- Sec.  
 817a.1. Definitions.  
 817a.2. Commencement of operations generally.  
 817a.3. Interactive gaming skins.

**§ 817a.1. Definitions.**

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

*Remote game server or remote game content*—Interactive gaming system hardware and software separate from that which comprises the gaming platform which allows access to games or may drive the features common to game offerings, game configurations, random number generators, reporting, and the like. The registered player initially communicates directly with the interactive gaming platform which can be integrated with one or more remote game servers or include remote game content, or both.

**§ 817a.2. Commencement of operations generally.**

(a) Prior to the commencement of interactive gaming operations, an interactive gaming certificateholder or interactive gaming operator shall submit all of the following:

- (1) Documentation verifying the platform and related information to include all of the following:
  - (i) Platform version number.
  - (ii) A list of all submitted games.
  - (iii) Documentation listing the entity that created the submitted games.

(iv) Certification that the system operates in accordance with Commonwealth law and regulations.

(v) A list of all critical files within the interactive gaming system.

(vi) A list of any remote game content providers that will work in conjunction with the submitted platform.

(2) Testing results for the platform as well as all games.

(3) Documentation that provides a detailed overview of the interactive gaming system including system architecture, encryption methods utilized, user roles and permission settings, configuration settings, and logical and physical security.

(4) Documentation that provides an overview of the random number generator which must include a method that allows for extraction of the random number generator values for statistical analysis.

(5) A list of devices that will work in conjunction with the submitted platform.

(6) Details regarding the location and security standards for the primary and secondary equipment as well as data warehouses, data safes and other system related equipment.

(7) Copies of signed contracts between the interactive gaming certificateholder or interactive gaming operator and any third party integrating with the submitted platform.

(8) Documentation demonstrating, to the satisfaction of Board staff, implementation of all accounting and internal controls governing all of the following:

- (i) Age and identity verification procedures.
- (ii) Geolocation compliance.
- (iii) Procedures on establishing and maintaining player accounts.
- (iv) Procedures for ensuring player confidentiality.
- (v) Procedures for ensuring accurate and timely submission of revenue and tax information to the Department.
- (vi) Procedures governing player complaints.
- (vii) Procedures for compiling and maintaining all requisite reports and logs.
- (viii) Procedures regarding player protection, including implementation of compulsive and problem gambling and self-exclusion links on the certificateholder's or operator's web site.

(b) Prior to commencement of operations, the interactive gaming certificateholder's or interactive gaming operator's employees required to be licensed or permitted by the Board shall be appropriately licensed or permitted and trained in the performance of their responsibilities.

(c) Prior to commencement of operations, the interactive gaming certificateholder or interactive gaming operator shall ensure that new and existing employees of the certificateholder and interactive gaming operator are regularly informed about the restrictions on placing wagers by the interactive gaming sites offered by or associated with the interactive certificateholder.

(d) Prior to commencement of operations, the interactive gaming certificateholder or interactive gaming operator shall have successfully completed a test period.

(e) The Board will establish a commencement date upon which interactive gaming may commence in this Commonwealth.

(f) All interactive gaming certificateholders and interactive gaming operators shall commence operations on the date established by the Board unless granted an extension by the Board, upon a showing of good cause by the interactive gaming certificateholder or interactive gaming operator, up to 12 months from that date. Failure to commence interactive gaming operations within the time directed by the Board may result in administrative sanctions up to and including revocation of the certificate or license to operate interactive gaming in this Commonwealth.

#### § 817a.3. Interactive gaming skins.

(a) Under the act, the Board may issue an interactive gaming certificate to slot machine licensees to conduct interactive gaming in this Commonwealth, directly or through an interactive gaming operator acting on behalf of the interactive gaming certificateholder under the terms of an interactive gaming agreement that has been approved by the Board. For purposes of this subpart, "slot machine licensee" includes all Category 1, 2 and 3 slot machine licensees, and eligible qualified gaming entities.

(b) Under the act, the Board may authorize interactive gaming certificateholders or interactive gaming operators operating an interactive gaming system on behalf of an interactive gaming certificateholder to deploy interactive gaming skins or interactive gaming web sites, including through mobile applications, to facilitate the conduct of interactive gaming activities for registered players in this Commonwealth or registered players in any other state or jurisdiction which the Commonwealth has entered into an interactive gaming reciprocal agreement.

(c) Interactive gaming operators are not permitted to offer interactive games in this Commonwealth independent from an interactive gaming certificateholder and the interactive gaming certificateholder's webpage or the webpage of an entity within the interactive gaming certificateholder's organizational structure.

(d) Interactive gaming certificateholders and interactive gaming operators acting on behalf of an interactive gaming certificateholder may only offer interactive gaming in this Commonwealth through the interactive gaming certificateholder's webpage or mobile application or the webpage or mobile application of an entity within the interactive gaming certificateholder's organizational structure.

(e) Interactive gaming certificateholders and interactive gaming operators operating an interactive gaming system on behalf of an interactive gaming certificateholder shall obtain Board approval of all interactive gaming skins operated on behalf of the interactive gaming certificateholder for purposes of conducting interactive gaming in this Commonwealth.

(f) To ensure compliance with the act, a slot machine licensee or eligible qualified gaming entity shall petition for and obtain its own interactive gaming certificate to operate interactive gaming operations in this Commonwealth.

(g) Nothing in this section is intended to prohibit interactive gaming certificateholders from entering into interactive gaming operation agreements with multiple licensed interactive gaming operators to offer interactive games the Board has authorized the interactive gaming certificateholder to conduct.

(h) Nothing in this section is intended to prohibit interactive gaming operators from entering into interactive gaming operation agreements with multiple interactive gaming certificateholders to offer interactive games the Board has authorized the interactive gaming certificateholder to conduct.

(i) Nothing in this section is intended to prohibit interactive gaming certificateholders or interactive gaming operators operating an interactive gaming system on behalf of an interactive gaming certificateholder from conducting interactive gaming utilizing players registered in other jurisdictions with which the Commonwealth has entered into a reciprocal agreement permitting interstate interactive gaming.

**CHAPTER 830a. MULTIUSE COMPUTING DEVICE GAMING PROVISIONS**

Sec.	Scope.
830a.1.	Board authorization required.
830a.3.	Airport authority or concession operator agreements.
830a.4.	Multiuse computing device gaming petition and standards of review.
830a.5.	Multiuse computing device gaming fees and taxes.
830a.6.	Licensure requirements.
830a.7.	Multiuse computing device and gaming platform requirements.
830a.8.	Multiuse computing device gaming accounting and internal controls; required reports.
830a.9.	Eligible passengers; accounts; funding of play; withdrawals.
830a.10.	Compulsive and problem gaming; self-exclusion.
830a.11.	Commencement of multiuse computing device gaming.

**§ 830a.1. Scope.**

The purpose of this chapter is to govern the operation of interactive gaming at qualified airports through the use of multiuse computing devices in this Commonwealth. The provisions of 4 Pa.C.S. §§ 1101—1904 (relating to Pennsylvania Race Horse Development and Gaming Act) as amended by the act of October 30, 2017 (P.L. 419, No. 42), and the Board regulations promulgated thereunder shall apply when not in conflict with this chapter.

**§ 830a.2. Board authorization required.**

(a) Upon petition, the Board may authorize an interactive gaming certificateholder to provide for the conduct of interactive gaming, directly or indirectly through an interactive gaming operator under an interactive gaming agreement, at a qualified airport through the use of multiuse computing devices by eligible passengers in an airport gaming area.

(b) If the interactive gaming certificateholder intends to operate interactive gaming at a qualified airport through the use of multiuse computing devices under an interactive gaming agreement, the interactive gaming operator that is party to the interactive gaming agreement shall have been issued an interactive gaming license or will be issued an interactive gaming license prior to the commencement of operations.

(c) The interactive gaming agreement shall be subject to the review and approval of the Board.

(d) The interactive gaming certificateholder or interactive gaming operator may only offer on the interactive gaming system on the multiuse computing devices the categories of interactive gaming it has been authorized to offer under 4 Pa.C.S. § 13B11(a.2) (relating to authorization to conduct interactive gaming).

**§ 830a.3. Airport authority or concession operator agreements.**

(a) Prior to petitioning for authorization from the Board an interactive gaming certificateholder or interac-

tive gaming operator on behalf of an interactive gaming certificateholder shall have in place an agreement as follows:

(1) For the conduct of interactive gaming at a qualified airport which is located partially in a county of the first class and partially in a county contiguous to a county of the first class, the written agreement shall be with either the airport authority or its designee or a concession operator, except that, if the written agreement is with a concession operator, the airport authority or its designee must have approved or consented to lawful gaming within the airport gaming area through the concession operator's concession contract, and the airport authority must have received a copy of the written agreement with the certificateholder or the interactive gaming operator.

(2) For the conduct of interactive gaming at a qualified airport which is not located partially within a county of the first class and partially in a county contiguous to a county of the first class, the written agreement shall be with the airport authority or its designee.

(b) The written agreement shall be subject to the review and approval of the Board.

**§ 830a.4. Multiuse computing device gaming petition and standards of review.**

(a) An interactive gaming certificateholder or interactive gaming operator on behalf of an interactive gaming certificateholder seeking to offer interactive gaming at a qualified airport through the use of multiuse computing devices in this Commonwealth that satisfies the requirements in 4 Pa.C.S. § 13B20 (relating to authorization) may petition the Board for authorization in accordance with this chapter.

(b) The petition filed by an interactive gaming certificateholder or interactive gaming operator on behalf of an interactive gaming certificateholder shall comply with the requirements of 4 Pa.C.S. § 13B20(c) and shall be in a form as proscribed by the Board.

(c) The Board shall approve the petition submitted under subsection (a) upon review and approval of the information submitted under subsection (b) and a determination by the Board by clear and convincing evidence that:

(1) The interactive gaming certificateholder and the interactive gaming operator, if applicable, have paid all required fees and taxes payable.

(2) The interactive gaming certificateholder, or the interactive gaming operator, as the case may be, possesses the necessary funds or has secured adequate financing to commence the conduct of interactive gaming at the qualified airport.

(3) The proposed internal and external security and surveillance measures at the qualified airport and within the airport gaming area are adequate.

(4) Interactive gaming at the qualified airport will be conducted and operated in accordance with this chapter.

**§ 830a.5. Multiuse computing device gaming fees and taxes.**

(a) Upon authorization from the Board to conduct interactive gaming at a qualified airport through the use of multiuse computing devices, an interactive gaming certificateholder or interactive gaming operator shall pay a one-time, nonrefundable fee, which upon receipt by the Board shall be deposited in the General Fund.

(b) The amount of the authorization fee paid shall be as provided for in 4 Pa.C.S. § 13B20.3 (relating to fee).

(c) An interactive gaming certificateholder or interactive gaming operator authorized to conduct interactive gaming at a qualified airport shall report to the Department of Revenue and pay the multiuse gaming device tax and multiuse gaming device local share assessment as required by the Act on the gross interactive airport gaming revenue from multiuse computing devices in qualified airports.

**§ 830a.6. Licensure requirements.**

(a) Any interactive gaming operator, interactive gaming manufacturer, interactive gaming supplier or interactive gaming service provider seeking to participate in the conduct of interactive gaming through the use of multiuse computing devices by eligible passengers in an airport gaming area shall have been issued a license, certification, registration or other authorization from the Board to participate in interactive gaming in accordance with Chapters 803a (relating to interactive gaming operators) and 805a—807a (relating to interactive gaming manufacturer; interactive gaming supplier; and interactive gaming service providers). For purposes of this section, a concession operator shall be licensed as an interactive gaming supplier.

(b) Any interactive gaming principal, interactive gaming key employee or interactive gaming employee seeking to participate in the conduct of interactive gaming through the use of multiuse computing devices by eligible passengers in an airport gaming area shall have been issued a license, permit, registration or other authorization from the Board in accordance with Chapter 808a (relating to interactive gaming principals and key, gaming and nongaming employees).

(c) Any employee of a concession operator as defined in the Act and this subpart whose job duties include oversight, management, maintenance or other tasks involving interactive gaming through multiuse computing devices at a qualified airport, including but not limited to handling player complaints, providing player assistance or supervising play on the multiuse computing devices, must be licensed as an interactive gaming employee.

(d) The Board may, in its discretion, determine at any time that other entities or employees not described in the preceding subparagraphs shall be licensed, permitted, certified, registered or otherwise authorized by the Board.

**§ 830a.7. Multiuse computing device and gaming platform requirements.**

(a) A multiuse computing device must:

(1) Be located and accessible to eligible passengers only in an airport gaming area.

(2) Allow an eligible passenger to play an authorized interactive game. To ensure the multiuse computing device is operated only by an eligible passenger, the device shall provide for verification of age and passenger status through automated means on the device, unless otherwise approved by the Board.

(3) Be approved by the Board.

(4) Communicate with a server that is in a location approved by the Board.

(5) Have the capability of providing all necessary reports for calculation of gross interactive airport gaming revenue as required by the Department.

(6) Be tethered or otherwise secured in a manner to prevent removal from the airport gaming area.

(7) Offer a player additional functions which includes Internet browsing, the capability of checking flight status, and ordering food or beverages.

(i) An interactive gaming certificateholder, interactive gaming operator or concession operator may restrict access to other interactive gaming web sites in the Internet browsing function on the multiuse computing device.

(ii) An interactive gaming certificateholder, interactive gaming operator or concession operator shall not, acting directly or indirectly in concert with an airport authority or other entity, restrict access to other interactive gaming web sites on public wireless Internet offered to persons at a qualified airport.

(8) Be equipped with software or a program that would allow an authorized onsite interactive gaming employee to temporarily disable the device or terminate an interactive gaming session.

(b) The interactive gaming system and interactive gaming platform used to conduct interactive gaming through the use of multiuse computing gaming devices at a qualified airport shall be subject to the requirements set forth in Chapters 809a and 810a (relating to interactive gaming platform requirements; and interactive gaming testing and controls) as they relate to the conduct of interactive gaming through the use of multiuse computing devices.

(c) The interactive gaming system and interactive gaming platform used to conduct interactive gaming through the use of multiuse computing devices by eligible passengers at a qualified airport shall not be subject to the requirement of section 809a.7 (relating to geolocation requirements).

**§ 830a.8. Multiuse computing device gaming accounting and internal controls; required reports.**

(a) The interactive gaming certificateholder or interactive gaming operator offering interactive gaming through multiuse computing devices at a qualified airport in an airport gaming area shall be subject to the requirements of Chapter 811a (relating to interactive gaming accounting and internal controls).

(b) If applicable, the internal controls shall include protocols and procedures for the involvement of a concession operator and its employees in the offering of interactive gaming through multiuse computing devices at a qualified airport in an airport gaming area, including but not limited to licensure of employees, account funding and withdrawals, handling player complaints, providing player assistance, supervising play on the multiuse computing devices or other items the Board may request be included in the internal controls.

(c) The interactive gaming system used to offer interactive gaming through multiuse computing devices at a qualified airport in an airport gaming area shall be designed to generate reports as specified by the Board which comply with the requirements of § 811a.9(a)—(c) (relating to required reports; reconciliation).

**§ 830a.9. Eligible passengers; accounts; funding of play; withdrawals.**

(a) Prior to engaging in interactive gaming through multiuse computing devices at a qualified airport in an airport gaming area, the player shall be verified as an eligible passenger, as defined in this subpart, by auto-

mated means provided on the multiuse computing device, or as otherwise approved by the Board.

(b) An eligible passenger shall create an account with the interactive gaming certificateholder, interactive gaming operator or concession operator, which shall last for the duration of the player's interactive gaming session and the withdrawal of the player's winnings, if applicable.

(i) If a player has established an interactive gaming account under Chapter 812a (relating to interactive gaming player accounts) with an interactive gaming certificateholder or interactive gaming operator who also offers interactive gaming through multiuse computing devices at a qualified airport in an airport gaming area, the player may use his or her established interactive gaming account to engage in interactive gaming on the multiuse computing device.

(c) A player's account may be funded through the use of all of the following:

- (1) A player's credit card or debit card, including prepaid cards.
- (2) A player's reloadable prepaid card.
- (3) Cash complementaries, promotional credits or bonus credits.
- (4) Automated clearing house (ACH) transfer, provided that the interactive gaming certificateholder, interactive gaming operator, or concession operator has security measures and controls to prevent ACH fraud.
- (5) Any other means as approved by the Board.

(d) An interactive gaming certificateholder, interactive gaming operator or concession operator shall establish protocols for players to withdraw funds at the end of the player's interactive gaming session in accordance with its approved internal controls.

(e) Funds may be withdrawn from the player's account at the end of the interactive gaming session through the use of all of the following:

- (1) The issuance of a check from the interactive gaming certificateholder, interactive gaming operator or concession operator.
- (2) Transfer to a player's reloadable prepaid cash card.
- (3) Transfer directly to the player's individual account with a bank or other financial institution (banking account) provided that the interactive gaming certificateholder, interactive gaming operator or concession operator verifies the validity of the account with the financial institution.
- (4) Any other means approved by the Board.

**§ 830a.10. Compulsive and problem gaming; self-exclusion.**

(a) Any interactive gaming certificateholder or interactive gaming operator seeking to participate in the conduct of interactive gaming through the use of multiuse computing devices by eligible passengers at a qualified airport in an airport gaming area shall comply with the

provisions of Chapters 814a and 815a (relating to compulsive and problem gambling requirements; and interactive gaming self-excluded persons).

**§ 830a.11. Commencement of multiuse computing device gaming.**

(a) Prior to the commencement of interactive gaming through multiuse computing devices at a qualified airport in an airport gaming area, an interactive gaming certificateholder or interactive gaming operator shall submit all of the required information set forth in § 817a.2(a) (relating to commencement of operations generally), excluding the Geolocation compliance information from § 817a.2(a)(8)(ii).

(b) Prior to commencement of operations, the interactive gaming certificateholder's, interactive gaming operator's or concession operator's interactive gaming principals, interactive gaming key employees or interactive gaming employees shall be appropriately licensed or permitted and trained in the performance of their responsibilities.

(1) At all times when interactive gaming through the use of multiuse computing devices at a qualified airport in an airport gaming area is offered, the interactive gaming certificateholder, interactive gaming operator or concession operator shall have an adequate number of interactive gaming employees onsite, based upon quantity of multiuse computing devices available for use and the dimensions of the airport gaming area, at a number to be approved by the Board to handle matters related to the oversight, management, maintenance or other tasks involving interactive gaming through multiuse computing devices, including but not limited to player complaints, providing player assistance or supervising play on multiuse computing devices.

(2) If at any time it appears or is reported to an interactive gaming employee or employees that the multiuse computing device is being operated in violation of this chapter and this subpart, the interactive gaming employee shall terminate the interactive gaming session, with such procedure for termination to be detailed in the internal controls.

(c) Prior to commencement of operations, the interactive gaming certificateholder, interactive gaming operator or concession operator licensee shall ensure that new and existing employees of the interactive gaming certificateholder or interactive gaming operator, and employees of the concession operator licensed by the Board, are regularly informed about the restrictions in § 808a.1(g) (relating to general provisions), restricting the placement wagers on the interactive gaming sites offered by or associated with the interactive certificateholder, interactive gaming operator or concession operator.

(d) Prior to commencement of operations, the interactive gaming certificateholder or interactive gaming operator shall have successfully completed a test period.

[Pa.B. Doc. No. 20-1143. Filed for public inspection August 22, 2020, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending August 11, 2020.

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>
08-10-2020	Firsttrust Savings Bank Conshohocken Montgomery County	32 West Pennsylvania Avenue Towson Baltimore County, MD	Opened
08-10-2020	CNB Bank Clearfield Clearfield County	1669 West Fifth Avenue Columbus Franklin County, OH	Opened

##### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
08-07-2020	CNB Bank Clearfield Clearfield County	2821 Fishing Road Upper Arlington Franklin County, OH	Closed

#### CREDIT UNIONS

##### Branch Applications

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
08-05-2020	Armco Credit Union Butler Butler County	<i>To:</i> 1031 Aster Way Mars Butler County  <i>From:</i> 963 Route 228 Mars Butler County	Filed

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

RICHARD VAGUE,  
*Acting Secretary*

[Pa.B. Doc. No. 20-1144. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Wild Resource Conservation Program Public Input

The Department of Conservation and Natural Resources (Department) gives an invitation for public input from all interested persons to make recommendations to the Wild Resource Conservation Board (Board) regarding the allocation of funds to the conservation of wild resources in this Commonwealth.

Due to the novel coronavirus (COVID-19) pandemic, in-person hearings are not taking place. Therefore, the Department will accept written comments only. For information on this year's grant priorities, visit the Department's Wild Resource Conservation Program web site at <https://www.dcnr.pa.gov/Conservation/Biodiversity/WildResourceConservationProgram/Pages/default.aspx>. Comments should be e-mailed or postmarked on or before Friday, September 11, 2020, to make recommendations to the Board about grant funding in Fiscal Year 2020-2021.

Comments should be e-mailed to [RA-WRCP@pa.gov](mailto:RA-WRCP@pa.gov).

Hard-copy comments should be mailed to the Wild Resource Conservation Program, Rachel Carson State Office Building, P.O. Box 8552, Harrisburg, PA 17105-8552.

Questions concerning this request for public comment can be directed to Jennifer Girton, (717) 787-3212, jgirton@pa.gov; or Rebecca Bowen, (717) 772-0258, rebbowen@pa.gov. Individuals who plan to make comments should contact either Jennifer Girton or Rebecca Bowen.

Persons in need of accommodations as provided for the Americans With Disabilities Act of 1990 should contact Rebecca Bowen directly at (717) 772-0258 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. 20-1145. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application by South University to Operate a Location in this Commonwealth

#### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department)

will consider the application for approval for South University to open a location in Pittsburgh, PA. South University has applied to open a marketing office in Pittsburgh for the purpose of providing operational support to the university.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodations to participate, should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

PEDRO A. RIVERA,  
*Secretary*

[Pa.B. Doc. No. 20-1146. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the

Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

### I. NPDES Renewal Applications.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Phone: 814.332.6942, Email: RA-EPNPDES\_NWRO@pa.gov.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0264288 (Sewage)	Jimmy W. Sudul Jr. SRSTP 4618 Hatch Run Road Warren, PA 16365-8154	Warren County Glade Township	Hatch Run (CWF) (16-B)	Y

### 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, Email: RA-EPNPDES\_SERO@pa.gov.*

**PA0042943**, Sewage, SIC Code 8211, **Owen J Roberts School District**, 901 Ridge Road, Pottstown, PA 19465. Facility Name: East Coventry Elementary School WWTP. This existing facility is located in East Coventry Township, **Chester County**.

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

The receiving stream(s), Pigeon Creek (HQ-TSF), is located in State Water Plan watershed 3-D and is classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0082 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	2.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	XXX	XXX	XXX	25.0	XXX	50
May 1 - Oct 31	XXX	XXX	XXX	15.0	XXX	30
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	15.0	XXX	30
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10



Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): sludge is sent off to Pottstown WWTP for treatment and disposal.

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

- No stormwater into sanitary sewage
- Proper sludge disposal
- TRC minimization requirement
- Notification for designation of responsible operator
- Operation 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 Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

**PA0275883**, Industrial, SIC Code 1389, **Fluid Recovery Services, LLC**, P.O. Box 232, 5035 Route 110, Creekside, PA 15732. Facility Name: FRS Kingsley Facility. This facility is located in Lenox Township, **Susquehanna County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.252 MGD. (From Permit Effective Date to Permit Expiration Date).

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Oil and Grease	XXX	XXX	XXX	15.0	30.0	37.5
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Acidity (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Total Alkalinity (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Net Total Alkalinity (as CaCO <sub>3</sub> )	XXX	XXX	0.0	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	53.0	163	163
Total Suspended Solids	XXX	XXX	XXX	11.3	29.6	29.6
Total Dissolved Solids	XXX	XXX	XXX	500	1,000	1,250
Chloride	XXX	XXX	XXX	250	500	625
Bromide	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	16.2	32.4	32.4
Antimony, Total	XXX	XXX	XXX	0.0312	0.111	0.111
Arsenic, Total	XXX	XXX	XXX	0.0199	0.0993	0.0993
Barium, Total	XXX	XXX	XXX	10.0	20.0	25.0
Cadmium, Total	XXX	XXX	XXX	0.0102	0.0172	0.0255
Chromium, Total	XXX	XXX	XXX	0.0522	0.167	0.167
Cobalt, Total	XXX	XXX	XXX	0.0703	0.182	0.182
Copper, Total	XXX	XXX	XXX	0.216	0.659	0.659
Iron, Total	XXX	XXX	XXX	3.5	7.0	8.75
Iron, Dissolved	XXX	XXX	XXX	XXX	7.0	7.0
Lead, Total	XXX	XXX	XXX	0.160	0.350	0.4
Mercury, Total	XXX	XXX	XXX	0.000246	0.000641	0.000641
Nickel, Total	XXX	XXX	XXX	0.309	0.794	0.794
Selenium, Total	XXX	XXX	XXX	0.0698	0.176	0.176
Silver, Total	XXX	XXX	XXX	0.0122	0.0318	0.0318
Strontium, Total	XXX	XXX	XXX	10.0	20.0	25.0
Tin, Total	XXX	XXX	XXX	0.0367	0.0955	0.0955

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Titanium, Total (as Ti)	XXX	XXX	XXX	0.00612	0.0159	0.0159
Vanadium, Total	XXX	XXX	XXX	0.0518	0.0628	0.1295
Zinc, Total	XXX	XXX	XXX	0.252	0.657	0.657
Toluene	XXX	XXX	XXX	Report	Report	XXX
Ethylbenzene	XXX	XXX	XXX	Report	Report	XXX
Xylenes, Total	XXX	XXX	XXX	Report	Report	XXX
2-Butanone	XXX	XXX	XXX	1.85	4.81	4.81
Acetone	XXX	XXX	XXX	7.97	30.2	30.2
n-Decane	XXX	XXX	XXX	0.437	0.948	1.092
n-Octadecane	XXX	XXX	XXX	0.302	0.589	0.755
Phenol	XXX	XXX	XXX	1.08	3.65	3.65
Pyridine	XXX	XXX	XXX	0.182	0.370	0.455
2,4,6-Trichlorophenol	XXX	XXX	XXX	0.106	0.155	0.265
Acetophenone	XXX	XXX	XXX	0.0562	0.114	0.1405
Acrylonitrile (µg/L)	XXX	XXX	XXX	3.6	5.1	7.2
Bis(2-Ethylhexyl) Phthalate	XXX	XXX	XXX	0.101	0.215	0.252
Butyl Benzyl Phthalate	XXX	XXX	XXX	0.0887	0.188	0.2217
Carbazole	XXX	XXX	XXX	0.276	0.598	0.69
Fluoranthene	XXX	XXX	XXX	0.0268	0.0537	0.67
o-Cresol	XXX	XXX	XXX	0.561	1.92	1.92
p-Cresol	XXX	XXX	XXX	0.205	0.698	0.698
Uranium, Total (µg/L)	XXX	XXX	XXX	2.0	4.0	5.0
Radium-226 and Radium-228, Total (pCi/L)	XXX	XXX	XXX	1.0	2.0	2.5
Gross Alpha Radioactivity (pCi/L)	XXX	XXX	XXX	3.0	6.0	7.5
Beta, Total (pCi/L)	XXX	XXX	XXX	4.0	8.0	10.0
1,4-Dioxane	XXX	XXX	XXX	Report	XXX	XXX

Avg Qrtly

The proposed effluent limits for Outfall 001 are based on a design flow of 0.252 MGD. (From Permit Effective Date to 3 Years After Permit Effective Date).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Benzene	XXX	XXX	XXX	Report	Report	XXX
BTEX, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.252 MGD. (From 3 Years After Permit Effective Date to Permit Expiration Date).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Benzene	XXX	XXX	XXX	0.001	0.002	0.0025
BTEX, Total	XXX	XXX	XXX	0.1	0.2	0.25

The proposed effluent limits for Outfall 001 are based on a design flow of 0.252 MGD. (From Permit Effective Date to Permit Expiration Date).

<i>Parameters</i>	<i>Mass Units (lbs)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	0	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	0	XXX	XXX	XXX	XXX

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

- Chesapeake Bay Nutrient Requirements
- WQBELs Below Quantitation Limits
- Chemical Additives
- Requirements Applicable to Stormwater
- Toxics Reduction Evaluation

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

The EPA Waiver is in effect.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**PA0203815**, Industrial, SIC Code 4952, **Allegheny County Airport Authority**, Landside Building, P.O. Box 12370, Pittsburgh, PA 15231-0370. Facility Name: Pittsburgh International Airport. This existing facility is located in Findlay Township, **Allegheny County**.

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

The receiving stream(s), McClarens Run (TSF), Unnamed Tributary to Montour Run (TSF), Unnamed Tributary of Montour Run (TSF), Unnamed Tributary to McClarens Run (TSF), and Unnamed Tributary to Raredon Run (WWF), is located in State Water Plan watershed 20-G and 20-D and is classified for Warm Water Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0144 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	3.5	7.0	XXX
Manganese, Total	XXX	XXX	XXX	2.0	4.0	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0144 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX

The proposed effluent limits for Outfalls 002—004—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Minimum	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 005—009, 011—015, 017—020, 023—032, 036, 038—075, 085—090—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Minimum	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 016, 021, 022, 037—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Calcium, Total	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 076 are based on a design flow of 4.3 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</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
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	20.0	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	10.0	20.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen	XXX	XXX	XXX	5.0	10.0	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	2.5	5.5	XXX
May 1 - Oct 31	XXX	XXX	XXX	1.5	3.5	XXX
Total Phosphorus	XXX	XXX	XXX	0.5	1.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Cadmium, Total (ug/L)	XXX	XXX	XXX	0.271	0.542	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	9.4	18.8	XXX
Iron, Dissolved	XXX	XXX	XXX	0.3	0.6	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total (ug/L)	XXX	XXX	XXX	3.2	3.4	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	3.8	7.6	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Propylene Glycol	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfalls 077—084 are based on a design flow of 4.3 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</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
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	20.0	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	10.0	20.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen	XXX	XXX	XXX	5.0	10.0	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	2.5	5.5	XXX
May 1 - Oct 31	XXX	XXX	XXX	1.5	3.5	XXX
Total Phosphorus	XXX	XXX	XXX	0.5	1.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Cadmium, Total (ug/L)	XXX	XXX	XXX	0.271	0.542	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	9.4	18.8	XXX
Iron, Dissolved	XXX	XXX	XXX	0.3	0.6	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total (ug/L)	XXX	XXX	XXX	3.2	3.4	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	3.8	7.6	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Propylene Glycol	XXX	XXX	XXX	Report	Report	XXX

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

The EPA Waiver is not in effect.

**PA0255700**, Sewage, SIC Code 8800, **David McCloskey**, 317 McCloskey Lane, Altoona, PA 16601. Facility Name: McCloskey Property SRSTP. This proposed facility is located in Allegheny Township, **Cambria County**.

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

The receiving stream(s), Unnamed Tributary to Beaverdam Run (CWF, MF), is located in State Water Plan watershed 08-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	400	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min XXX	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	Report Avg Mo	XXX	XXX	XXX

Sludge use and disposal description and location(s): To be hauled off-site by a certified septic hauler.

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

The EPA Waiver is in effect.

---

*Northwest Region: Clean Water Program Manager; 230 Chestnut Street, Meadville, PA 16335-3481, Phone: 814.332.6942, Email: RA-EPNPDES\_NWRO@pa.gov.*

**PA0288641**, Sewage, SIC Code 8800, **Frank B. Robasky**, 8670 Carberry Road, Albion, PA 16401-8946. Facility Name: Frank Robasky SRSTP. This proposed facility is located in Elk Creek Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to Little Elk Creek (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min XXX	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage will be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0288594**, Sewage, SIC Code 8800, **Michael Kraynik**, 205 Blossom Drive, Butler, PA 16001-8809. Facility Name: Michael Kraynik SRSTP. This proposed facility is located in Butler Township, **Butler County**.

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

The receiving stream(s), Unnamed Tributary to Connoquenessing Creek (WWF), is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage will be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0288616**, Sewage, SIC Code 8800, **Mary Dekruif**, 8734 Franklin Pike, Meadville, PA 16335-5106. Facility Name: Mary Dekruif SRSTP. This proposed facility is located in West Mead Township, **Crawford County**.

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

The receiving stream(s), Unnamed Tributary to French Creek (WWF), is located in State Water Plan watershed 16-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage will be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

---

**III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).**


---

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

**WQM Permit No. 3520401**, Sewage, **Lackawanna River Basin Sewer Authority (LRBSA)**, 145 Rear Boulevard Avenue, Throop, PA 18512.

This proposed facility is located in Clinton Township, **Wayne County**.

Description of Proposed Action/Activity: Vandling Pump Station/CSO Outfall No. 009 removal and replacement by gravity main to the LRBSA Clinton Township Treatment Plant.

**WQM Permit No. 4503401 A-1**, Sewage, **Barley Creek Associates, LP**, 1174 Sullivan Trail, Tannersville, PA 18372.

This existing facility is located in Pocono Township, **Monroe County**.

Description of Proposed Action/Activity: The project is for upgrades to the wastewater treatment plant, including: the addition of four 1,500 gallons equalization tanks, the addition of two new chemical dosing pumps, the addition of an effluent multimedia filter, the addition of a submersible sludge pump and 3,000 gallons sludge holding tank, and several air flow and monitoring upgrades to the SBR tank.

**WQM Permit No. 5420402**, Sewage, **NP New Castle, LLC**, 4825 NW 41st Street, Suite 500, Riverside, MO 64150-7806.

This existing facility is located in New Castle Township, **Schuylkill County**.

Description of Proposed Action/Activity: The project is for the addition of a dechlorination tank with aeration and a dechlorination tablet feeder at the Schuylkill Mall sewage treatment plant.

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

**WQM Permit No. 3685413**, Sewerage, **Model Enterprises, Inc.**, 630 Delp Road, Lancaster, PA 17601-3077.

This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Wastewater treatment plant upgrade and rehabilitation.

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

**WQM Permit No. 0220402**, Sewage, **Judith A Whitehead**, 2149 Henry Road, Sewickley, PA 15143.

This proposed facility is located in Sewickley Hills Borough, **Allegheny County**.

Description of Proposed Action/Activity: Construction of a 600 GPD single residence sewage treatment plant to serve an existing three-bedroom residential dwelling and a one-bedroom loft.

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

**WQM Permit No. 3283201 A-3**, Industrial, **Keystone Conemaugh Project LLC**, 175 Cornell Road, Suite 1, Blairsville, PA 15717.

This existing facility is located in West Wheatfield Township, **Indiana County**.

Description of Proposed Action/Activity: Reconstruction of four existing ash filter ponds.

---

**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, Email: RA-EPNPDES\_SERO@pa.gov.*

**PAI130041**, MS4, **Lansdale Borough**, One Vine Street, Lansdale, PA 19446. 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 Lansdale Borough, **Montgomery County**. The receiving streams, Unnamed Tributary to Towamencin Creek (TSF, MF), Wissahickon Creek (TSF, MF), and Unnamed Tributary to West Branch Neshaminy Creek (WWF, MF), are located in State Water Plan watershed 3-F, 3-E, and 2-F and are classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910 or by contacting our regional Records Management unit via e-mail at RA-SERecordsReview@pa.gov.

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, Email: RA-EPNPDES\_SCRO@pa.gov.*

**PAI133517**, MS4, **Carlisle Borough Cumberland County**, 53 W South Street, Carlisle, PA 17013-3458. 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 Carlisle Borough, **Cumberland County**. The receiving stream(s), Letort Spring Run (HQ-CWF (existing use)), is located in State Water Plan watershed 7-B and is classified for, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(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 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.**

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160, Email: ra-epww-sero@pa.gov.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090006	LifeQuest 2460 John Fries Highway Quakertown, PA 18951	Bucks	Milford Township	Unami Creek HQ-TSF-MF

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

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

*Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401, 610-391-9583.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390162	The Pennsylvania Turnpike Commission 700 S. Eisenhower Blvd. Middletown, PA 17057	Lehigh	Washington Township	UNT to Trout Creek (CWF, MF) EV Wetlands

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708, 570-674-7991.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD400035	Hazleton Creek Properties LLC Mark Simko 282 S Church St Hazleton, PA 18201	Luzerne	Hazle Twp Hazleton City	Cranberry Creek (CWF, MF)

*Northampton County Conservation District, 14 Gracedale Ave, Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480124	James A Vozar Crossroads XOX LLC 1265 Miller Rd Wind Gap, PA 18091	Northampton	Upper Nazareth Twp	Monocacy Creek (HQ-CWF, MF) EV Wetlands

*Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733, 570-622-3742.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540019	PF Nonwovens LLC 500 Oak Ridge Rd Hazle Twp, PA 18202	Schuylkill	East Union Twp	Tomhicken Creek (CWF, MF) Little Tomhicken Creek (CWF, MF) EV Wetlands



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

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD180024	Sugar Valley Rural Charter School Gymnasium Addition 236 East Main Street Loganton, PA 17747	Clinton	Loganton Boro	Fishing Creek HQ-CWF

**STATE CONSERVATION COMMISSION**

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) 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>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Howard Reyburn 1021 Limestone Road Oxford, PA 19363	Chester	160 Total, 152.4 for Nutrient Application	716.05	Swine	NA	Renewal
Kulp Family Dairy LLC 1691 Millerstown Rd Martinsburg, PA 16662	Blair	2,736.5	4,799.6	Dairy	HQ	Renewal
Cleveland Pork Inc. 110 Center School Rd. Elysburg, PA 17824 Joel Knoebel	Columbia	38.6	1,387.18	Swine	HQ Mugser Run	Renewal adding 2nd barn
Funk Family Farm 18255 Ft Davis Rd Mercersburg, PA 17236	Franklin	354	641.85	Swine	None	Renewal
Todd Chestnut 50 Eberly Road Newville, PA 17241	Cumberland	631.6	676.89	Steers, Beef Cows, Broilers, Swine, Goats	NA	Renewal
Stone Chimney Farms, LLC 3449 Delta Rd. Airville, PA 17302	York	20.9	760.64	Poultry, Swine	NA	Renewal
Bruce King Farm 1417 Peters Rd Troy, PA 16947	Bradford	405.8	910.53	Swine/Dairy	NA	Renewal

## PUBLIC WATER SUPPLY 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. 2620505**, Public Water Supply.

Applicant	<b>Indian Creek Valley Water Authority</b> 2019 Indian Head Road P.O. Box 486 Indian Head, PA 15446
Township or Borough	Saltlick Township
County	<b>Fayette</b>
Responsible Official	R. Kerry Witt Manager
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	July 31, 2020
Description of Action	Construction of a water storage tank with a mixing system and rehabilitation of the existing Clinton water storage tank that includes the installation of a mixing system.

**Permit No. 3020504**, Public Water Supply.

Applicant	<b>Southwestern Pennsylvania Water Authority</b> 1442 Jefferson Road P.O. Box 187 Jefferson, PA 15344
Township or Borough	Franklin, German, and Richhill Townships
County	<b>Greene</b>
Responsible Official	Timothy Faddis Manager
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	July 17, 2020
Description of Action	Installation of a mixing system in the South East Franklin Reservoir; installation of a power vent and pallet exhaust vent in the German Township Tank, Waynesburg Reservoir, Wind Ridge Tank and South East Franklin Reservoir.

### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

**Application No. 3020505MA**, Minor Amendment.

Applicant	<b>Southwestern Pennsylvania Water Authority</b> 1442 Jefferson Road P.O. Box 187 Jefferson, PA 15344
Township or Borough	Jefferson Township
County	<b>Greene</b>
Responsible Official	Timothy Faddis Manager
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received Date	July 31, 2020
Description of Action	Installation of a bulk load meter vault (Skib vault).

**Application No. 2620504MA**, Minor Amendment.

Applicant	<b>Pennsylvania American Water Company</b> 852 Wesley Drive Mechanicsburg, PA 17055
Township or Borough	Luzerne Township
County	<b>Fayette</b>
Responsible Official	Bruce Aiton, VP Engineering

Type of Facility	Water system
Consulting Engineer	Pennsylvania American Water Company 300 Galley Road McMurray, PA 15317
Application Received Date	July 31, 2020
Description of Action	Installation of a cover and liner replacement at the Hiller Reservoir.

**Application No. 6320502MA, Minor Amendment.**

Applicant	<b>Authority of the Borough of Charleroi</b> 3 McKean Avenue Charleroi, PA 15022
Township or Borough	Fallowfield Township
County	<b>Washington</b>
Responsible Official	Charles Cardinale General Manager
Type of Facility	Water system
Consulting Engineer	KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205
Application Received Date	July 14, 2020
Description of Action	Installation of 6-inch and 12-inch diameter water main (SR0481 waterline replacement project).

## 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—6026.908).**

---

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) 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. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who 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 any 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 NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), 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 following specified date. During this comment period the municipality may request that the following identified person, 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 NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**Ringtown American Legion Post 289**, 560-594 West Main Street, Ringtown, PA 17967, Ringtown Borough, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Ringtown American Legion Post 289, P.O. Box 162, Ringtown, PA 17967, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an underground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Republican Herald* on July 4, 2020.

**Marshall Machinery**, 348 Bethel School Road, Honesdale, PA 18431, Berlin Township, **Wayne County**. Bluestone Environmental, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of John Marshall, 348 Bethel School Road, Honesdale, PA 18431, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an underground storage tank. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in *The Tri-County Independent* on June 2, 2020.

**198 Whispering Pine Road**, 198 Whispering Pine Road, Kunkletown, PA 18058, Polk Township, **Monroe County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Nicholas Vincent, 446 Upper Smith Gap Road, Saylorsburg, PA 18353, submitted a Notice of Intent to Remediate. Groundwater was contaminated by a release of heating oil. Future use of the site will be residential. The Notice of Intent to Remediate was published in the *Pocono Record* on August 1, 2020.

*Northwest Region: Environmental Cleanup and Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**MarPac Corporation**, 394 Amsterdam Road, Liberty Township, **Mercer County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of MarPac Corporation, 394 Amsterdam Road, Grove City, PA 16127 has submitted a Notice of Intent to Remediate. A release of refined petroleum solvent, methanol-based windshield cleaning concentrate, and water based alkaline detergent occurred from a building fire resulting in contamination of site soil and site groundwater. Intended future use of the property will remain commercial. The Notice of Intent to Remediate was published in *The Herald/Allied News* on August 3, 2020.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

**Application(s) received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a modification to coverage under an Infectious and Chemotherapeutic Waste Processing Facility General Permit.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGI005A. Merck Sharp and Dohme Corp.**, 770 Summeytown Pike, West Point, PA 19486-0004, **Montgomery County**. Merck Sharp and Dohme Corp. submitted an application to modify its coverage under WMGI005A. The application, if approved, would allow Merck Sharp and Dohme Corp. to expand regulated medical waste processing operations into additional buildings. Activities in one additional building will utilize thermal inactivation and an autoclave, and activities in another additional building will utilize an Effluent Deactivation System. The application also requests approval of two new disinfectant agents for use under WMGI005A. No changes to the WMGI005 permit will be made as a result of this request to modify Merck Sharp and Dohme's coverage under WMGI005A. The application was received by Central Office on June 17, 2020.

Persons interested in obtaining more information about the general permit application may contact Jason Dunham, Environmental Engineer Specialist, Central Office, 400 Market Street, Harrisburg, PA 17105-8472, 717-787-1982. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984

**General Permit Application No. WMGI005D003. Sanofi Pasteur, Inc.**, 1 Discovery Dr., Swiftwater, PA 18370-0187, **Monroe County**. Sanofi Pasteur, Inc. submitted an application to modify its coverage under WMGI005D003. This application, if approved, would allow Sanofi Pasteur, Inc. to process additional strains of infectious agents using already approved disinfection techniques. No changes to the WMGI005 permit will be made as a result of this request to modify Sanofi Pasteur, Inc.'s coverage under WMGI005D003. The application was received by Central Office on June 5, 2020.

Persons interested in obtaining more information about the general permit application may contact Jason Dunham, Environmental Engineer Specialist, Central Of-

ice, 400 Market Street, Harrisburg, PA 17105-8472, 717-787-1982. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chap-

ters 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 18701-1915.*

*Contact: Raymond Kempa, New Source Review Chief, (570) 826-2531.*

**40-00144A: Ball Metal Beverage Container Corporation** (9300 W. 108th Circle, Westminster, CO 80021) for the construction of a beverage can manufacturing plant with controls at a facility to be located in Jenkins Twp., Luzerne 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.**

*Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**11-00541A: Cleveland Brothers Equipment Company, Inc.** (100 Commerce Drive, Ebensburg, PA 15931-4122) pursuant to 25 Pa. Code §§ 127.44 and 127.45 for intent to issue Air Quality plan approval for authorization to construct and operate sources and controls associated with an industrial natural gas engine rebuilding facility at the former Siemens Gamesa Renewable Energy Wind, LLC, facility in Cambria Township, Cambria County. Proposed sources include one (1) 4,500-bhp engine dynamometer and one (1) 8,000-bhp engine dynamometer; surface coating operations within one (1) natural gas-fired heated paint booth; two (2) 0.4 MMBtu/hr natural gas-fired heated cabinet washers, one (1) 1.0 MMBtu/hr natural gas-fired heated immersion tank, and two (2) 1.0 MMBtu/hr natural gas-fired heated engine block washers; one (1) arc-spray metal coating system with a 1,000 cfm dust collector; and various machining and polishing operations. The facility will also operate multiple previously installed natural gas-fired water and building heating units with combined maximum heat input of approximately 11 MMBtu/hr and one (1) previously installed 900-bhp Tier 2-certified diesel-fired emergency genset.

Potential to emit (PTE) for the proposed sources will not exceed 13.0 tons of NO<sub>x</sub>, 18.0 tons of CO, 6.0 tons of VOC, 2.0 tons each of PM, PM<sub>10</sub>, and PM<sub>2.5</sub>, 1.5 ton of a single HAP (formaldehyde), and 3.0 tons of total HAPs, annually. The proposed plan approval has been conditioned to ensure compliance with all applicable require-

ments specified in 25 Pa. Code and includes work practice, monitoring, and recordkeeping requirements, and operating restrictions and emissions limitations. Best available technology (BAT) for the proposed sources will include the use of low- and non-VOC detergents in cabinet and immersion tank washers, low-VOC coatings applied using air-assisted paint guns and 99.8% minimum control efficiency paint booth filters for surface coating operations, and good engineering and operating practices.

The plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To schedule an appointment to review the plan approval application or proposed plan approval, or to receive an electronic copy of the Department's Air Quality review memorandum or an electronic copy of the Department's proposed Air Quality plan approval for the facility, a person may contact Devin P. Tomko, P.E. via email at dtomko@pa.gov or via telephone at 412-442-5231.

A person may oppose the proposed Air Quality plan approval by filing a written protest with the Department or may submit written comments through Devin P. Tomko via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; written comments may also be submitted via email to dtomko@pa.gov or via fax to 412-442-4194. Each set of written comments or protest must contain the name, address, and telephone number of the person submitting the comments or protest, identification of the proposed plan approval (PA-11-00541A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication. A protest to the proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice).

**04-00061C: Nalco Water Company** (125 Nalco Way, Ellwood City, PA 16117). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection ("Department") intends to issue Air Quality Plan Approval: PA-04-00061C to Nalco Company ("Nalco") for the installation and operation of a new chemical process area to produce Stabrex that will include installation and operation of 6 storage tanks and 2 reactor vessels to store sodium based chemicals at their Nalco facility located at 125 Nalco Way Ellwood City, in Franklin Township, Beaver County. The particulate emissions from the chemical process area shall be controlled by a Packed-Bed wet scrubber (99% control efficiency) on certain portions of the process area.

The estimated emissions from this project are: 3.0 tpy of PM and 3.0 tpy of PM<sub>10</sub> based on a 12-month rolling basis and 8,760 hours of operation. This authorization is subject to State regulations including 25 Pa. Code Chapters 123 and 127. Plan approval conditions include operational restrictions, monitoring requirements, work practice standards, associated recordkeeping, and reporting requirements. Once compliance with the plan approval is demonstrated, the applicant will be required to revise the current SOOP (OP-04-00061) application in accordance with 25 Pa. Code Subchapter F. Nalco's Plan Approval application, the Department's Air Quality Review Memo-

random, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact Jesse Parihar at [jparihar@pa.gov](mailto:jparihar@pa.gov) or 412.442.4030.

A person may oppose the proposed Plan Approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to [jparihar@pa.gov](mailto:jparihar@pa.gov); or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00061C) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

**PA-26-00613: ACF Group LLC** (120 Mine Street, Allison, PA 15413). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46, that the Department of Environmental Protection ("Department") intends to issue an Air Quality Plan Approval PA-26-00613 to ACF Group LLC ("ACF") to authorize the temporary operations of metal cutting operations, machining operations, spray painting activities, part grinding, full-service welding, and custom jobs at their Allison Custom Fabrication facility located in Luzerne Township, **Fayette County**. The particulate emissions from the cutting and grinding operations shall be controlled by a dedicated baghouse rated at 10,000 SCFM with 99% control efficiency.

Upon authorization of this plan approval the facility potential to emit will not exceed 1.0-ton NO<sub>x</sub>, 1.0-ton CO, 3.0 tons VOC, 1.0-ton HAP, 2.0 tons PM, and 2.0 tons PM<sub>10</sub> on an annual basis. The ACF facility is subject to the best available technology (BAT). This authorization is subject to State regulations including 25 Pa. Code Chapters 121—145. Plan approval conditions include operational restrictions, monitoring requirements, work practice standards, associated recordkeeping, and reporting requirements. ACF's Plan Approval application, the Department's Air Quality Review Memorandum, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact Jesse Parihar at [jparihar@pa.gov](mailto:jparihar@pa.gov) or 412.442.4030.

A person may oppose the proposed Plan Approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to [jparihar@pa.gov](mailto:jparihar@pa.gov); or fax to 412.442.4194. Additional written comments may

also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00613) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

## 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.

*Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**11-00378: Interpower Alcon Partners LP** (2929 Alen Parkway, Suite 3275, Houston, TX 77019-7120). In accordance with 25 Pa. Code §§ 127.441, 127.425, and 127.521, the Department is providing notice that they intend to issue a renewed Title V Operating Permit for the continued operation of a waste coal-fired electrical power plant, known as the Colver Power Project, located in Cambria and Blacklick Townships in **Cambria County**.

The Colver Power Project produces electrical power for the PJM grid. The main source at the Colver Power Project is one (1) circulating fluidized bed (CFB) waste coal-fired boiler (Source ID 031), with a maximum fuel heat input of 1,214.5 MMBtu/hour, which powers a single electrical generator. Net electrical output from the system is 102-MW. Nominal heat content of the waste coal is 6,800 Btu/pound. The waste coal was abandoned in the past and reprocessed. Emissions from the CFB boiler is controlled by limestone fed into the fluidized bed to control sulfur dioxide (SO<sub>2</sub>) emissions, low combustion temperatures, rotating opposed fire air (ROFA), and selective non-catalytic reduction systems (SNCR) with urea injection, to control NO<sub>x</sub> emissions, coarse particulate cyclone separation with reinjection into the bed, followed by fabric filters to control PM emissions and further control SO<sub>2</sub> emissions. Supporting equipment at this site includes one (1), 28 MMBtu/hr, propane-fired fuel dryer, one (1) 5.7 MMBtu/hr, propane-fired propane vaporizer, two (2), 780-bhp and 412-bhp, emergency, diesel engines, coal processing, handling and conveying equipment, an ash handling system, and plant roads.

Annual facility-wide potential emissions are 1,268 tons of CO, 954 tons of NO<sub>x</sub>, 49 tons of VOC, 86 tons of PM<sub>10</sub>, and 51 tons of PM<sub>2.5</sub>. The plant also has annual emissions of 170 tons of hydrogen chloride, 1.2 ton of hydrogen fluoride. The annual sum of all HAP emissions is 172 tons. Annual emission of greenhouse gases is 1,287,020 tons per year. Sources at the Colver Power Project are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Da—Standards of Performance for Electric Utility Steam Generating Units, 40 CFR Part 63, Subpart A—General Provisions, 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, Subpart UUUUU—National Emission Standards for

Hazardous Pollutants for Coal- and Oil-fired Electric Steam Utility Steam Generating Units, and 25 Pa. Code Chapters 121—145, Air Resources. No equipment changes are being approved by this action. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, workpractice, and reporting requirements for the plant.

The application, the 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>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit TVOP-11-00378) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

---

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

---

*Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**56-00158: Turkeyfoot Valley Area School District** (172 Turkeyfoot Rd., Confluence, PA 15424-2420). In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice that they intend to issue a natural minor State Only Operating Permit for the renewal of an Air Quality Natural Minor State Only Operating Permit (SOOP) to authorize the operation of the Turkeyfoot Valley Jr/Sr High School located in Lower Turkeyfoot Twp., **Somerset County**.

Equipment at this facility one (1) 4.6 MMBtu/hr coal-fired boiler, one (1) 3.8 MMBtu/hr fuel oil-fired boiler, and one (1) fuel oil-fired emergency generator internal combustion engine. Potential emissions from the facility are as follows: 5.42 tons per year of NO<sub>x</sub>, 2.23 tons per year of CO, 10.04 tons per year of SO<sub>2</sub>, 4.04 tons per year of PM<sub>10</sub>, and 2.55 tons per year of VOC. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed SOOP renewal includes conditions relating to applicable emissions restrictions,

testing, monitoring, recordkeeping, reporting, and work practice standards requirements.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit 56-00158) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

**04-00443: Evoqua Water Technologies, LLC** (118 Park Road, Darlington, PA 16115). Synthetic Minor State-Only Operating Permit is for a hazardous and non-hazardous spent sorbent (activated carbon) regeneration facility located in Darlington Township, **Beaver County**. In accordance with 25 Pa. Code § 127.541, the Department of Environmental Protection (DEP) is providing notice that it intends to modify an Air Quality Operating Permit for the previously-mentioned facility as a Department-initiated permit modification. This permit modification is for the removal of HAP ton per year emission limits and an in-line quench control device that were incorporated into the operating permit in error. Existing short-term emission limits (lb/hr) from the Waste Analysis Plan and PA-04-00443B that were incorporated into the initial operating permit will remain. Sources of emissions consist of five rotary kilns of varying sizes and associated supporting equipment such as dry feed hoppers, storage tanks, and screening operations. The kilns are controlled by varying sizes of afterburners, followed by a venturi scrubber and packed column adsorber in series. Material handling and screening operations are controlled by baghouses. Facility-wide potential emissions are projected to be 23.5 tons per year (TPY) NO<sub>x</sub>; 15.4 TPY CO; 3.5 TPY VOC; 30.8 TPY PM<sub>10</sub>; 30.8 TPY PM<sub>2.5</sub>; 0.2 TPY SO<sub>x</sub>; 8.7 TPY total HAP; and 4.4 TPY for single HAP (HCl). The air quality permit includes operation requirements, emission limits, monitoring requirements, and recordkeeping requirements for the site. Stack testing is required once every five years.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the modification of the Synthetic Minor State-Only Operating Permit may submit the

information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00443) 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 Tom Joseph, Facilities Permit Chief, 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>.

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

*Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.*

**10-00360: Thompson-Miller Funeral Home, Inc.** (300 East Jefferson St., Butler, PA 16001). The Department intends to issue the initial State-Only Operating Permit of a funeral home located in Butler City, **Butler County**. Permitted air contamination sources at the facility are two crematories, one for cremating human remains and the other for cremating animal remains. The two cremators are subject to requirements established through PA 10-360A. In this renewal, a requirement is added on the use of opacity monitoring devices to monitor visible emissions. With PTEs below major source thresholds, the facility is Natural Minor for permitting purposes.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal for a Minor State Only Operating Permit for the following facility:

**OP20-000033: Citizens Bank Park** (One Citizens Bank Park Way, Philadelphia, PA 19148) for the operation of a baseball stadium in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) 191 HP (or 8.0 MMBtu/hr) boilers firing diesel and natural gas, an 1,818 BHP (or 1,250 kW) natural gas-fired generator, and a 2,889 BHP (or 2,000 kW) natural gas-fired generator. Both generators are equipped with oxidation catalysts.

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

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

The City of Philadelphia, Air Management Services (AMS) intends to issue an initial Minor State Only Operating Permit for the following facility:

**OP20-000026: Lutheran Theological Seminary at Philadelphia** (7301 Germantown Avenue, Philadelphia, PA 19119) for the operation of an educational facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include one (1) 1.2 MMBtu/hr boiler, one (1) 2.0 MMBtu/hr boiler, one (1) 1.01 MMBtu/hr boiler, two (2) 1.75 MMBtu/hr gas boilers—all firing natural gas, and one (1) 154 kW emergency generator firing diesel.

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

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

The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Synthetic Minor (State Only) Operating Permit for the following facility:

**OP18-000007: City of Philadelphia—Department of Commerce—Division of Aviation—Philadelphia International Airport** (8800 Essington Avenue, Philadelphia, PA 19153) for the operation of air pollution sources at an international airport, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include twelve (12) boilers firing both # 2 fuel oil and natural gas, of which four (4) are rated 30.62 million British thermal units per hour (MMBtu/hr), three (3) are rated 28.58 MMBtu/hr, one (1) is rated 20.40 MMBtu/hr, two (2) are rated 6.28 MMBtu/hr, and two (2) are rated 5.23 MMBtu/hr; one (1) boiler firing # 2 fuel oil, rated 0.84 MMBtu/hr; seventy-two (72) small combustion units firing natural gas, of which two (2) are rated 2.60 MMBtu/hr, one (1) is rated 2.09 MMBtu/hr, two (2) are rated 1.96 MMBtu/hr, one (1) is rated 1.25 MMBtu/hr, one (1) is rated 1.22 MMBtu/hr, one (1) is rated 1.20 MMBtu/hr, three (3) are rated 1.00 MMBtu/hr, one (1) is rated 0.91 MMBtu/hr, ten (10) are rated 0.85 MMBtu/hr, ten (10) are rated 0.75 MMBtu/hr, one (1) is rated 0.72 MMBtu/hr, four (4) are rated 0.64 MMBtu/hr, twelve (12) are rated 0.56 MMBtu/hr, fifteen



(15) are rated 0.40 MMBtu/hr, and eight (8) are rated 0.35 MMBtu/hr; twelve (12) diesel-fired emergency generators, of which one (1) is rated 2,000 kilowatts (kW) and is equipped with selective catalytic reduction (SCR), two (2) are rated 1,600 kW, one (1) is rated 350 kW, one (1) is rated 320 kW, one (1) is rated 275 kW, one (1) is rated 246 kW, one (1) is rated 200.5 kW, one (1) is rated 124 kW, and three (3) are rated 80 kW; and one (1) non-emergency generator firing diesel fuel, rated 350 kW and equipped with non-selective catalytic reduction (NSCR).

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

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

The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Natural Minor (State Only) Operating Permit for the following facility:

**OP18-000041: Transflo Terminal Services** (36th and Moore St, Philadelphia, PA 19145, (904) 359-1323) for the operation of Solid Material Transfer Equipment and Vapor recovery system to control VOC vapors used in Railcar Load Liquid Product Transfer Operations, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include Enclosed Conveyer(s) with Dust collectors, Pneumatic Blower Pack(s) with dust collector and Vapor recovery system. Previously the facility owned and operated a Crude Oil Transfer Operations between rail car and tank truck and Crude Oil Transfer Operations—an operating mode that involves transfer between Railcars and a Manifold System and was a synthetic Minor facility. However; the facility ceased the crude oil transfer operation and removed the equipment related to Crude oil transfer activities, thus requested to become a natural minor facility.

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

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

---

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

---

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Raymond Kempa, New Source Review Chief, (570) 826-2531.*

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Allentown Terminals—DE LLC** (P.O. Box 2621, Harrisburg, PA 17105-2621) for their facility located in Allentown, **Lehigh County**. This **Plan Approval No. 39-00023A** will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 39-00023A is for the modification of existing storage tanks and the relocation of the existing VCU unit. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. The company must comply with all applicable requirements of 40 CFR Part 60, Subparts Kb and XX. The company must comply with all applicable requirements of 40 CFR Part 63, Subpart BBBB.

Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of the Vapor Combustion Unit (VCU). These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00023A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests

for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). 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 of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above 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 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

above 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 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to 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.

Requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), 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.

Where a National Pollutant Discharge Elimination System (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*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100, (Contact: Bonnie Herbert).*

**32061303 and NPDES Permit No. PA0235725. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES permit for installation of a degas borehole for Heilwood Mine in Pine and Cherryhill Townships, **Indiana County**, affecting 0.5 proposed surface acre. No additional discharges. The application was considered administratively complete on July 24, 2020. Application received: June 25, 2020.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, (Contact: Melanie Ford-Wigfield).*

**Permit 56950106 and NPDES No. PA0213161. PBS Coals Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541. Permit renewal for the continued operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County** affecting 62.8 acres. Receiving streams: unnamed tributaries to/and Schrock Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 3, 2020.

*Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).*

**17080111 and NPDES PA0256901. Waroquier Coal Company**, P.O. Box 128, Clearfield, PA 16830, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Lawrence Township, **Clearfield**

**County** affecting 176.5 acres. Receiving stream(s): unnamed tributaries to and the West Branch Susquehanna River classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 22, 2020.

**17950106 and NPDES PA0220060. Waroquier Coal Company**, P.O. Box 128, Clearfield, PA 16830, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Greenwood Township, **Clearfield County** affecting 111.2 acres. Receiving stream(s): unnamed tributaries to Watts Creek and Watts Creek classified for the following use(s): HQ. There are no potable water supply intakes within 10 miles downstream. Application received: July 22, 2020.

**17030109 and NPDES PA0243515. Tamburlin Bros. Coal Company**, P.O. Box 1419, Clearfield, PA 16830, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Huston Township, **Clearfield County** affecting 147.5 acres. Receiving stream(s): Grapevine Run and Heath Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 22, 2020.

**17851501, NPDES PA0215694 and GP12-17851501. RES Coal LLC**, 51 Airport Road, Clearfield, PA 16830, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Boggs Township, **Clearfield County** affecting 50.4 acres. Receiving stream(s): Long Run, Clearfield Creek/Clearfield Creek Watershed classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: July 24, 2020.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, (Contact: Tracy Norbert).*

**26-19-01 and NPDES Permit No. PA0278475. Stash Mining, LLC**, 675 Old Route 51, Waltersburg, PA 15488. Application for commencement, operation and restoration for a Government Financed Construction Contract, located in Franklin Township, **Fayette County**, affecting 25.9 acres. Receiving streams: unnamed tributary to Redstone Creek. Application received: July 17, 2020.

*Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Table 2

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

\* The parameter is applicable at all times.

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

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, (Contact: Melanie Ford-Wigfield).*

**Permit 50890301 and NPDES No. PA0594431. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit located in Buffalo Township, **Perry County**. Receiving streams: unnamed tributary to Susquehanna River, classified for the following uses: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 5, 2020.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, (Contact: Tracy Norbert).*

**65930601. Hoover Stone Quarry, LLC**, 3497 State Route 981, Saltsburg, PA 15681, revision application to add additional acres to an existing large noncoal surface mine located in Loyalhanna Township, **Westmoreland County**, affecting 94.7 acres. Receiving stream(s): unnamed tributary to Conemaugh River classified for the following use(s): WWF. The first downstream potable water supply intake from the point of discharge is Saltsburg Water Authority. Application Received: August 3, 2020.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

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

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

#### *Effluent Limits for Noncoal Mining Activities*

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

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

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

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

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

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

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

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

#### *Coal NPDES Draft Permits*

*California District Mining Office: 25 Technology Drive, California Technology Park, Coal Center, PA 15423, (724) 769.1100, (Contact: Bonnie Herbert).*

**NPDES No. PA0215074 (Mining Permit No. 04971301) Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, a renewal to the NPDES and mining activity permit for Beaver Valley Mine in Greene Township, **Beaver County**, affecting 16.8 surface acres. Receiving stream(s): Unnamed Tributary "S" to Peggs Run classified for the following use: WWF. Ohio River TMDL. The application was considered administratively complete: February 16, 2018. The application was received: February 16, 2018.

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

*Outfall N/A* discharges to: UNT "S" to Peggs Run

The proposed effluent limits for *Outfall N/A from Sediment Pond* (Lat: 40° 36' 20" Long: -80° 25' 25") are:

The Permittee is authorized to discharge from sediment traps specifically designed using best management practices to capture and contain sediment from normal stormwater runoff.

The Following Conditions Apply at All Times:

1. PH not less than 6.0 or greater than 9.0 standard units at all times.
2. Settleable Solids less than 0.5 ML/L.
3. Alkalinity must exceed acidity at all times.
4. The permittee shall not discharge oil and grease in such quantities "as may be harmful" pursuant to section 311(b)(4) of the CWA and further defined in 40 CFR 110.3(a)(b) to not violate applicable water quality standards; or cause a film or sheen upon or discoloration of the surface of the water or adjoining shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines.
5. The permittee shall not discharge runoff or other water that has come in contact with coal or other pollution forming materials.

*Outfall N/A* Discharges To: UNT "S" To Peggs Run

The Proposed Effluent Limits for *Outfall N/A from Treatment Pond* (Lat: 40° 36' 21" Long: -80° 25' 24") are:

The Permittee is authorized to discharge from sediment traps specifically designed using best management practices to capture and contain sediment from normal stormwater runoff.

The Following Conditions Apply at All Times:

1. PH not less than 6.0 or greater than 9.0 standard units at all times.
2. Settleable Solids less than 0.5 ML/L.
3. Alkalinity must exceed acidity at all times.
4. The permittee shall not discharge oil and grease in such quantities "as may be harmful" pursuant to section 311(b)(4) of the CWA and further defined in 40 CFR 110.3(a)(b) to not violate applicable water quality standards; or cause a film or sheen upon or discoloration of the surface of the water or adjoining shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines.
5. The permittee shall not discharge runoff or other water that has come in contact with coal or other pollution forming materials.

*Outfall N/A* Discharges To: UNT "S" To Peggs Run

The Proposed Effluent Limits for *Outfall N/A from Sediment Pond* (Lat: 40° 36' 15" Long: -80° 25' 14") are:

The Permittee is authorized to discharge from sediment traps specifically designed using best management practices to capture and contain sediment from normal stormwater runoff.

The Following Conditions Apply at All Times:

1. PH not less than 6.0 or greater than 9.0 standard units at all times.
2. Settleable Solids less than 0.5 ML/L.
3. Alkalinity must exceed acidity at all times.
4. The permittee shall not discharge oil and grease in such quantities "as may be harmful" pursuant to section 311(b)(4) of the CWA and further defined in 40 CFR 110.3(a)(b) to not violate applicable water quality standards; or cause a film or sheen upon or discoloration of the surface of the water or adjoining shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines.
5. The permittee shall not discharge runoff or other water that has come in contact with coal or other pollution forming materials.

The EPA Waiver is not in effect.

**NPDES No. PA0235563 (Mining Permit No. 03031301) Bedrock Mines, LP**, 111 Freeport Road, Pittsburgh, PA 15215, a renewal to the NPDES and mining activity permit for Keystone East Mine in Plumcreek Townships, **Armstrong County**, affecting 32.6 surface acres and 768.0 underground acres. Receiving stream(s): South Branch Plum Creek for the following use: CWF. Crooked Creek Watershed. The application was considered administratively complete: March 29, 2019. The application was received: November 21, 2018.

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

*Outfall 001* discharges to: South Branch Plum Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 43' 25" Long: 79° 17' 07") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	REPORT
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	REPORT
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	REPORT
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	-	REPORT
Sulfate	(mg/l)	-	-	-	REPORT
Chloride	(mg/l)	-	-	-	REPORT
Arsenic	(mg/l)	-	-	-	REPORT
Cadmium	(mg/l)	-	-	-	REPORT
Mercury	(mg/l)	-	-	-	REPORT

*Outfall 002* discharges to: South Branch Plum Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 43' 25.1" Long: 79° 17' 07") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	REPORT
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	REPORT
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	REPORT
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	-	REPORT
Sulfate	(mg/l)	-	-	-	REPORT
Chloride	(mg/l)	-	-	-	REPORT
Arsenic	(mg/l)	-	-	-	REPORT
Cadmium	(mg/l)	-	-	-	REPORT
Lead	(mg/l)	-	-	-	REPORT
Mercury	(mg/l)	-	-	-	REPORT

*Outfall 003* discharges to: South Branch Plum Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 43' 22" Long: 79° 17' 07") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	REPORT
Iron	(mg/l)	-	1.5	3.0	3.75
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	REPORT
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	REPORT
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	REPORT
Total Dissolved Solids	(mg/l)	-	-	-	REPORT
Sulfate	(mg/l)	-	-	-	REPORT
Chloride	(mg/l)	-	-	-	REPORT
Copper	(mg/l)	-	-	-	REPORT
Cadmium	(mg/l)	-	-	-	REPORT
Lead	(mg/l)	-	-	-	REPORT
Mercury	(mg/l)	-	-	-	REPORT

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Nickel	(mg/l)	-	-	-	REPORT
Thallium	(mg/l)	-	-	-	REPORT
Zinc	(mg/l)	-	-	-	REPORT

The EPA Waiver is not in effect.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Ford-Wigfield).*

**NPDES No. PA0269417 (Mining Permit No. 56130104), Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, renewal of an NPDES permit for a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 71.5 acres. Receiving stream(s): Unnamed Tributaries to the Stonycreek River, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: June 17, 2020.

The following treated wastewater outfall discharges to unnamed tributaries to the Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond TP1)	N

The proposed effluent limits for the previously listed outfall 001 are as follows:

<i>Outfall: 001 (TP1) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

Alkalinity must exceed acidity at all times.

The following treated wastewater outfall discharges to Unnamed Tributary B to the Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002 (Treatment Pond TP2)	N

The proposed effluent limits for the previously listed outfall 002 are as follows:

<i>Outfall: 002 (TP2) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

Alkalinity must exceed acidity at all times.

The following treated wastewater outfall discharges to Unnamed Tributary B to the Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003 (Treatment Pond TP3)	N

The proposed effluent limits for the previously listed outfall 003 are as follows:

<i>Outfall: 003 (TP3) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

Alkalinity must exceed acidity at all times.

The following treated wastewater outfall discharges to Unnamed Tributary C to the Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004 (Sediment Pond SP1)	N

The proposed effluent limits for the previously listed outfall 004 are as follows:

<i>Outfall: 004 (SP1) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75

<i>Outfall: 004 (SP1) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following treated wastewater outfall discharges to Unnamed Tributary B to the Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005 (Treatment Pond SP2)	N

The proposed effluent limits for the previously listed outfall 002 are as follows:

<i>Outfall: 005 (SP2) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).*

**NPDES No. PA0243566 (Mining Permit No. 17030112). Clearfield Properties, Inc.,** 2151 Lisbon Road, Kennerdell, PA 16374, renewal of an NPDES permit for discharge of water due to coal refuse reprocessing activities in Chest Township, **Clearfield County**, affecting 148.9 acres. Receiving stream(s): unnamed tributaries to North Camp Run, classified for the following use(s): CWF. This receiving stream is included in the North Camp Run Watershed TMDL. Application received: April 2, 2020.

The following outfalls discharge to unnamed tributaries to North Camp Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Facility 1)	N

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

<i>Outfalls: 001 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002 (Sediment Pond A)	N
003 (Sediment Pond B)	N

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

<i>Outfalls: 002 &amp; 003 (Dry Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	Monitor & Report	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	

<i>Outfalls: 002 &amp; 003 (≤10-yr/24-hr Precip. Event) Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	



*Noncoal NPDES Draft Permits*

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).*

**NPDES No. PA0278343 (Mining Permit No. 65980401), New Enterprise Stone & Lime** (3912 Brumbaugh Road, New Enterprise, PA 16664). Application for a new permit located in Donegal Township, **Westmoreland County**. Receiving streams: Unnamed Tributary to Indian Creek classified for the following use(s): HQ-CWF. Application received: 01/02/2019.

The following stormwater facility outfall discharges to an injection well.

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

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

<i>Parameter</i>	<i>Instant. Maximum</i>
Iron (mg/l)	7.00
Manganese (mg/l)	5.00
Aluminum (mg/l)	1.87
Total Suspended Solids (mg/l)	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.	
Alkalinity must exceed acidity at all times.	

The following stormwater outfall discharges to UNT to Indian Creek in response to precipitation that exceeds a 10 yr/24 hr event.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	Y	SWO

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

<i>Parameter</i>	<i>Instant. Maximum</i>
Iron (mg/l)	7.00
Manganese (mg/l)	5.00
Aluminum (mg/l)	1.87
Total Suspended Solids (mg/l)	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.	
Alkalinity must exceed acidity at all times.	

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**NPDES Permit No. PA0225649. KPK Development Corporation** (149 Newbold Road, Fairless Hills, PA 19030), revision of NPDES Permit on SMP No. 7975SM5 in Falls Township, **Bucks County** affecting 278.93 acres. The NPDES permit is located in the Martins Creek/Crosswicks-Neshaminy Watersheds and classified for the following uses: warm water and migratory fishes. No discharge is proposed for the NPDES permit. Non-Discharging Best Management Practices will be in effect. Application received: April 9, 2020

**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 of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of 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 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above

the 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 the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

**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 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.*

**Permit No. E1501220-026, PECO Energy Company,** 2301 Market Street, Philadelphia, PA 19103, Tredyffrin Township, **Chester County,** ACOE Philadelphia District.

PECO Energy Company is proposing to construct a total of 1,270 linear feet of 5-inch diameter plastic electrical conduit using the method of horizontal directional drill (HDD) along North Valley Road with the construction and maintenance of 285 linear feet of 5-inch plastic electrical conduit within the floodway of Valley Creek (EV, MF) resulting in 285 linear feet (119 square feet) of permanent floodway impact and 295 linear feet (1,475 square feet) of temporary floodway impact due to drilling pits and erosion & sedimentation BMP controls.

This project is located adjacent to North Valley Road, north and south of North Valley Bridge over Valley Creek in Tredyffrin Township, Chester County (USGS PA Valley Forge Quadrangle—Latitude 40.065245, Longitude 75.489980 W).

**Permit No. EA1501220-021/WL1501220-002, Natural Lands Trust,** 640 South Swedesford Road, Ambler, PA 19002, West Vincent Township, **Chester County,** ACOE Philadelphia District.

Natural Lands Trust is proposing to daylight and restore an intermittent unnamed tributary to Pickering Creek (HQ-TSF) by removing a 238-foot long, 24-inch RCP culvert associated with the Bryn Coed Farm Preserve—Pickering Creek Headwaters Restoration Design Project. Construction activities will result in 278 linear feet (929 square feet, 0.002 acre) of stream restoration, 696 square feet (0.02 acre) of permanent floodway impact, and 665 square feet (0.02 acre) of temporary floodway impact due to removal of the 24-inch culvert, to perform grading and temporary workspace. Additional impacts include impact to a wetland area which includes 16,890 square feet (0.39 acre) of permanent indirect wetland impact due to dewatering operations and 333 square feet (0.01 acre) of temporary wetland impact due to the placement of timber matting and dewatering operations. All activities are to be covered under the Waiver 16.

This project is located within the Bryn Coed Farm Preserve in West Vincent Township, Chester County (USGS PA Pottstown Quadrangle—Latitude 40.127217 N, Longitude 75.629371 W).

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

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**E3902220-028. Eric Scheler,** 10285 Ziegels Church Road, Upper Macungie, PA 18031, in Upper Macungie Township, **Lehigh County,** U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream crossing of an Unnamed Tributary of the Schaefer Run (HQ-CWF, MF) and a de minimus area of adjacent PFO wetlands (EV) consisting of a 40-foot long, 42-inch diameter circular HDPE culvert having an invert depressed 6-inch below existing streambed elevation. The purpose of the project is to provide access to an existing dwelling located at 10285 Ziegels Church Road. The project is located approximately 0.2 mile southwest of the intersection of Weiss Road and Ziegels Church Road (Topton, PA Quadrangle Latitude: 40° 33' 48"; Longitude: -75° 40' 35") in Upper Macungie Township, Lehigh County. (Topton, PA Quadrangle, Latitude: 40° 33' 48"; Longitude: -75° 40' 35").

**E3902220-024. City of Allentown,** 3000 Parkway Boulevard, Allentown, PA 18104, in Allentown City, **Lehigh County,** U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a section of the Jordan Creek Greenway Trail. The proposed 10-foot wide paved multi-use path is in a detailed FEMA Flood Zone of Jordan Creek (TSF, MF). The total limit of disturbance is 4.5 acres. Of the 4.5 acres, 1.22 acre is in the floodway, 2.22 acres is in the 100-year floodplain (Zone AE), and 0.17 acre is located in the 100-year floodplain (Zone X). The project is located in the City of Allentown, Lehigh County. Quadrangle Latitude: 40° 36' 54" Longitude: -75° 28' 05".

**E5402220-024. Tamaqua Partners Site, LLC,** 690 Iron Street, Lehigh, PA 18235, in Tamaqua Borough, **Schuylkill County,** U.S. Army Corps of Engineers, Philadelphia District.

To fill and maintain a 0.2-acre area within the floodway of the Little Schuylkill River (CWF, MF) consisting of a portion of a 9,266 ft<sup>2</sup> building addition, a loading dock, a concrete sidewalk, and a 6-inch diameter PVC sewer line with concrete manholes. The project is located directly east of the existing Boyers Food Market building, directly southwest of the intersection of Spruce Street and Cedar Street (Tamaqua, PA Quadrangle Latitude: 40° 47' 46.11" Longitude: -75° 58' 1.66") in Tamaqua Borough, Schuylkill County. (Tamaqua, PA Quadrangle, Latitude: 40° 47' 46.11"; Longitude: -75° 58' 1.66").

**E3502220-022. Langen Development Economics LLC,** 203 W Monroe Street, Easton, PA 18042, in Olyphant Borough, **Lackawanna County,** U.S. Army Corps of Engineers, Baltimore District.

To fill seven isolated wetland pockets that were created as a result of past earth moving operations on the site. The site is a proposed 1 million square foot warehouse facility. The wetlands have been field delineated and survey located. The project proposes to mitigate the wetland impacts, approximately 0.9 acre. The proposed mitigation area is located 500 feet east of eastern part of the proposed warehouse development. The mitigation will be accomplished by further enlarging a wetland that was previously subject to enlargement under a separate mitigation project, # E35-452. The treated stormwater from the new project site will be directed into the wetland mitigation site to maintain hydrology. The project is located on Corporate Way (Condell Park Drive) in Olyphant Borough, Lackawanna County. Quadrangle Latitude: 41° 27' 49.10" Longitude: -75° 35' 16.40".

**E3902220-001. Justin Strahorn,** 404 N. Sumneytown Pike, Suite 200, North Wales, PA 18041, in Upper Milford Township, **Lehigh County,** U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 24-inch reinforced concrete pipe, riprap apron, and endwall for outfall to Liebert Creek (HQ-CWF, MF). The proposed outfall structure will not impact the watercourse but will require excavation within 50-feet of the floodplain.

To construct and maintain a 30-foot long x 6-foot wide pedestrian bridge over Liebert Creek (CWF, MF), one 8-inch waterline, and one 3-inch sanitary forcemain, UNT to Liebert Creek (HQ-CWF, MF). The proposed bridge passes the 100-year flood event with an elevation of 666.18 ft. The project is located on Main Road West in Upper Milford Township, Lehigh County. Quadrangle Latitude: 40° 30' 21.14" Longitude: -75° 30' 38.28".

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E2203220-025. Core 5 Industrial Partners LLC**, 1250 N. Mountain Road, Harrisburg, PA 17112 in Londonderry Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) place and maintain fill in palustrine emergent/forested wetlands impacting 7.24 acres of palustrine emergent and 0.01 acre of palustrine forested wetland; and 2.) place and maintain fill in unnamed tributaries to Lynch Run (TSF, MF), permanently impacting 1,225 linear feet of stream, all for the purpose of constructing proposed distribution warehouses. The project will occur on two separate properties located along S.R. 230 (Latitude: 40° 11' 22.45" N; Longitude: 76° 40' 22.34" W; and Latitude: 40° 12' 2.29" N; Longitude: 76° 42' 35.22" W) in Londonderry Township, Dauphin County. To compensate for wetland impacts, the applicant proposes to create 7.60 acres of palustrine emergent/scrub shrub wetlands and to enhance 4.0 acres of existing palustrine emergent wetlands through tree plantings on the property located at Latitude: (40° 12' 2.29" N); Longitude: (76° 42' 35.22" W).

**E2203220-002. H-T Partners LLC**, P.O. Box 277, Landisville, PA 17538 in Middletown Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) install and maintain a 24.0-inch diameter SLCPP in an unnamed tributary to Swatara Creek (WWF, MF); and 2.) place and maintain fill in palustrine forested wetlands, permanently impacting 0.01 acre of wetland; all for the purpose of expanding a residential subdivision. The project is located north of the intersection of Woodland Avenue and Vine Street (Latitude: 40° 12' 44.46" N; Longitude: 76° 43' 31.57" W) in Middletown Borough, Dauphin County. Wetland impacts are de minimus and replacement is not required.

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**E0829220-025: Appalachia Midstream, LLC**, 30351 Route 6, Wysox, PA 18854, Monroe Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 10-inch diameter natural gas line and a temporary timber mat bridge impacting 4,095 square feet of a Palustrine Forested Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41° 36' 54", Longitude: -76° 29' 41");
2. a temporary timber mat bridge impacting 173 square feet of a Palustrine Emergent Wetland (Dushore, PA Quadrangle, Latitude: 41° 36' 53", Longitude: -76° 29' 32");
3. a 10-inch diameter natural gas line and a temporary timber mat bridge impacting 57 linear feet of an unnamed tributary to Ladds Creek (CWF, MF) and impacting 3,093 square feet of an adjacent Palustrine Forested Wetland (EV) and 828 square feet of an adjacent Palustrine Scrub-Shrub Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41° 36' 55", Longitude: -76° 29' 10");
4. a 10-inch diameter natural gas line and a temporary timber mat bridge impacting 12,197 square feet of a Palustrine Emergent Wetland (Dushore, PA Quadrangle, Latitude: 41° 32' 49", Longitude: -76° 16' 29");
5. a 10-inch diameter natural gas line and a temporary timber mat bridge impacting 349 square feet of a

Palustrine Emergent Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41° 32' 54", Longitude: -76° 16' 50");

The project will result in 57 linear feet or 174 square feet of temporary stream impacts and 12,719 square feet (0.29 acre) of PEM, 828 square feet (0.02 acre) of PSS and 7,188 square feet (0.17 acre) of PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Monroe Township, Bradford County.

*Regional Permit Coordination Office: Domenic Rocco, PE, Program Manager; Rachel Carson State Office Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, 717-772-5987.*

**E0983220-024. Pennsylvania Turnpike Commission**, 700 S. Eisenhower Blvd, Middletown, PA 17057. Milford and West Rockhill Townships, **Bucks County**, U.S. Army Corps of Engineers, Philadelphia District.

To authorize and maintain the following water obstructions and encroachments associated with the Bucks County portion of the PA Turnpike Northeast Extension Roadway and Bridge Reconstruction MP A37.4 to MP A43.3:

1. To place fill for southbound lane widening within wetland (WW5). Permanent impact (RA-W14) of 0.177 acre (7,707 square feet) of PEM wetland (WW5). The proposed permanent fill will consist of earthfill and rock for the widened roadway and new embankment, one 18-inch pipe (RCP, HDPE, or CMP) for a roadway drainage outfall (OF-7), and new roadway pavement and guiderail. (Lat. 40.369187°, Long. -75.401250°)
2. To excavate and place fill to construct a new drainage swale (Swale 9) along the proposed roadway embankment's toe-of-slope within wetland (WW5). Permanent impact (RA-W15) of 0.129 acre (6,363 square feet) of PEM wetland (WW5). The proposed permanent fill will consist of earthfill for the berm along the new drainage swale. (Lat. 40.369482°, Long. -75.401482°)
3. To place fill for northbound lane widening within wetland (EW16). Permanent impact (RA-W18) of 0.160 acre (6,967 square feet) of PFO wetland (EW16). The proposed permanent fill will consist of earthfill and rock for the new roadway embankment. (Lat. 40.368566°, Long. -75.400286°)
4. To place fill for northbound lane widening in a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW19). Permanent impact (RA-S7) of 472 linear feet (3,928 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (EW19). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, new roadway pavement and guiderail, and the concrete wingwall and rock armoring associated with the new NB-200 bridge structure. (Lat. 40.368652°, Long. -75.400323°)
5. To replace an existing 68.79-foot long, 40-foot wide, 14.6-foot high single-span reinforced concrete T beam bridge and construct and maintain a 125.38-foot long, 68.5-foot wide, 11.6-foot high single-span composite prestressed concrete PA bulb-T beam bridge, NB-200 over Ridge Valley Creek (HQ-TSF, MF) (Stream EW26/WW6). This work includes permanent aerial crossing (RA-S10, RA-S12, RA-S15) of 156 linear feet (3,265 square feet) of Ridge Valley Creek (HQ-TSF, MF) (WW6 & EW26) for the new bridge deck and ITS conduit. This work also includes the permanent placement of riprap armoring to protect the new structure and maintain a stable channel through

the structure which will result in permanent impacts (RA-S9, RA-S11, RA-S14) totaling 186 linear feet (2,623 square feet) of Ridge Valley Creek (HQ-TSF, MF) (WW6 & EW26). This work also includes the permanent placement of fill in wetlands. To place fill to construct the new bridge structure (earthfill and rock, concrete wingwall, and riprap armoring) within 0.008 acre (345 square feet) of PEM wetland (WW5, RA-W16). To place fill to construct the new bridge structure (riprap armoring) within 0.005 acre (208 square feet) of PEM wetland (EW20, RA-W19). To place fill to construct the new bridge structure (concrete wingwall, earthfill grading, riprap armoring) within 0.021 acre (931 square feet) of PFO wetland (WW8, RA-W25). This work also includes excavation within 0.011 acre (472 square feet) of PSS wetland (EW21, RA-W20), 0.006 acre (246 square feet) of PFO wetland (EW21, RA-W21), 0.009 acre (381 square feet) of PFO wetland (EW22, RA-W22), 0.004 acre (171 square feet) of PSS wetland (EW22, RA-W23), and 0.021 acre (936 square feet) of PFO wetland (WW8, RA-W24). This work also includes the placement of riprap and bridge appurtenances in a tributary to Ridge Valley Creek (HQ-TSF, MF) (EW29) resulting in permanent impact (RA-S16) of 20 linear feet (128 square feet). Relocation of the filled section of Stream EW29 will require permanent fill and excavation that will impact (RA-S17) 83 linear feet (678 square feet) to construct a channel that drains to Ridge Valley Creek (HQ-TSF, MF). (Lat. 40.369747°, Long. -75.401571°)

6. To place fill for southbound lane widening within wetland (WW8). Permanent impact (RA-W27) of 0.298 acre (12,997 square feet) of PFO wetland (WW8). The proposed permanent fill will consist of earthfill and rock for the new roadway embankment, new roadway pavement and guiderail, and one 18-inch pipe (RCP, HDPE, or CMP) for roadway drainage outfall (OF-8), and riprap armoring. (Lat. 40.370214°, Long. -75.401837°)

7. To excavate and place fill to construct a new drainage swale along the proposed roadway embankment's toe-of-slope within wetland (WW8). Permanent impact (RA-W28) of 0.130 acre (5,674 square feet) of PFO wetland (WW8). The proposed permanent fill will consist of earthfill to construct the berm along the new drainage swale and rock armoring where a roadway drainage outfall (OF-8) discharges to the swale. (Lat. 40.370191°, Long. -75.401920°)

8. To place fill for northbound lane widening within wetland (EW28). Permanent impact (RA-W30) of 0.172 acre (7,481 square feet) of PFO wetland (EW28). The proposed permanent fill will consist of earthfill and rock for the new roadway embankment. (Lat. 40.370661°, Long. -75.401402°)

9. To excavate and place fill to construct a new drainage swale along the proposed roadway embankment's toe-of-slope within wetland (EW28). Permanent impact (RA-W31) of 0.112 acre (4,864 square feet) of PFO wetland (EW28). The proposed permanent fill will consist of earthfill for the berm along the drainage swale. (Lat. 40.370690°, Long. -75.401333°)

10. To place fill for southbound lane widening and relocation of a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream WW11) within wetland (WW10). Permanent impact (RA-W34) of 0.232 acre (10,998 square feet) of PFO wetland (WW10). The proposed permanent fill within the wetland will consist of earthfill, rock, concrete/stone block, and wall anchor system for the retaining wall, a 30-inch pipe (RCP, HDPE, or CMP) outlet pipe from Basin to a concrete manhole, and a 42-inch pipe

(RCP, HDPE, or CMP) with concrete headwall which will outlet to the relocated stream channel. Permanent impact (RA-S18) of 595 linear feet (4,188 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (WW11) for the placement of two rock filters. The proposed permanent fill within the watercourse will consist of earthfill and rock for the roadway embankment and relocated channel, concrete stone/block and wall anchor system for the retaining wall, and a concrete manhole structure. (Lat. 40.375816°, Long. -75.405180°)

11. To extend and rehabilitate a 48-inch corrugated metal stream enclosure by lining and grouting the existing stream enclosure with a 24-inch high-density polyethylene plastic pipe. The permanent fill to widen the northbound lane over the extended pipe will include an ITS conduit. The pipe conveys a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW30-Pipe). Permanent impact (RA-S20) of 224 linear feet (895 square feet) of a piped tributary to Ridge Valley Creek (HQ-TSF, MF) (EW30-Pipe). (Lat. 40.376831°, Long. -75.404935°)

12. To place fill for northbound lane widening within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW30). Permanent impact (RA-S21) of 163 linear feet (1,202 square feet) of watercourse tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW30). The proposed permanent fill will consist of earthfill and rock for the roadway embankment and Basin 6. (Lat. 40.376437°, Long. -75.404657°)

13. To extend and maintain an existing stream enclosure by 39 feet to widen the northbound lane within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW34). Permanent impact (RA-S22) of 39 linear feet (301 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (EW34). The proposed permanent fill will consist of earthfill grading, 18-inch pipe (RCP, HDPE, or CMP), concrete inlet box structure and headwall. (Lat. 40.376893°, Long. -75.404829°)

14. To place fill for northbound lane widening within a piped tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW34-Pipe). Permanent impact (RA-S23) of 23 linear feet (32 square feet) of piped tributary to Ridge Valley Creek (HQ-TSF, MF) (EW34-Pipe). The existing pipe will be removed during construction and the footprint filled with earthfill. (Lat. 40.376916°, Long. -75.404694°)

15. To place fill to widen the northbound lane within a piped tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW31-Pipe). Permanent impact (RA-S24) of 26 linear feet (43 square feet) of piped tributary to Ridge Valley Creek (HQ-TSF, MF) (EW31-Pipe). The existing pipe will be removed during construction and the footprint filled with earthfill and graded. (Lat. 40.377091°, Long. -75.404842°)

16. To place fill to widen the northbound lane within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW31). Permanent impact (RA-S25) of 244 linear feet (1,877 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (EW31). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. This work will also place fill within wetlands (EW32, EW120, & EW33) located along the tributary to Ridge Valley Creek (HQ-TSF, MF). To place fill to construct the roadway embankment (earthfill and rock) within 0.005 acre (202 square feet) of PFO wetland (EW32, RA-W36). To place fill to construct the roadway embankment (earthfill and rock) within 0.006 acre (247 square feet) of PEM wetland (EW120, RA-W37). To place fill to construct

the roadway embankment (earthfill and rock) within 0.006 acre (245 square feet) of PFO wetland (EW33, RA-W38). (Lat. 40.377370°, Long. -75.405257°)

17. To place fill to widen the northbound lane within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW39). Permanent impact (RA-S26) of 27 linear feet (157 square feet) of watercourse (EW39). The proposed permanent fill will consist of earthfill grading. (Lat. 40.377284°, Long. -75.405094°)

18. To place fill to widen the northbound lane within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW35) at 40.377345° N, 75.405118° W. Permanent impact (RA-S27) of 25 linear feet (227 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (EW35). The proposed permanent fill will consist of earthfill and rock for the roadway embankment.

19. To place fill to construct permanent stormwater management facilities (Basin 7) within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW35). Permanent impact (RA-S28) of 65 linear feet (397 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (EW35). The proposed permanent fill will consist of earthfill and rock for the basin's berm and spillway. (Lat. 40.377488°, Long. -75.405113°)

20. To place fill to construct stormwater management facilities (Basins 6 & 7), drainage swales (Swales 19 & 24), and convert a man-made pond (EW36, PUB) into an emergent wetland enhancement area. The area will be regraded and planted as a wetland enhancement and restoration area to serve as on-site mitigation. Permanent impact (RA-W39) of 0.387 acre (16,858 square feet) of PUB wetland (EW36, man-made pond). The proposed permanent fill will consist of earthfill and rock to fill the existing pond and regrade that area to function as wetland enhancement and creation area. (Lat. 40.377230°, Long. -75.404663°)

21. To place fill to construct permanent stormwater management facilities within wetland (EW38). Permanent impact (RA-W41) of 0.008 acre (351 square feet) within PFO wetland (EW38). The proposed permanent fill will consist of earthfill to construct the basin's berm, rock armoring, one 36-inch pipe (RCP, HDPE, or CMP) and concrete headwall with riprap apron. (Lat. 40.377412°, Long. -75.405010°)

22. To place fill to widen the southbound lane and replace the existing 30-inch pipe with a longer 18-inch culvert pipe, place a concrete headwall and scour protection, and grade banks for stormwater conveyance within a tributary to Unami Creek (HQ-TSF, MF) (Stream WW12). Permanent impact (RA-S29) of 56 linear feet (409 square feet) of tributary to Unami Creek (HQ-TSF, MF) (WW12). The proposed fill will consist of an 18 pipe (RCP, HDPE, or CMP) headwall, riprap apron, and earth fill grading. The proposed activity which will result in a permanent loss of tributary to Unami Creek (HQ-TSF, MF) (WW12) upstream of Camp Skymount Road. Currently, tributary to Unami Creek (HQ-TSF, MF) begins at the outlet of the existing 30-inch stormwater pipe under I-476. In the proposed condition, tributary to Unami Creek (HQ-TSF, MF) (WW12) will begin at the inlet of the pipe under Camp Skymount Road (WW12-Pipe) and continue to the existing open channel downstream of Camp Skymount Road. (Lat. 40.381697°, Long. -75.408654°)

23. To place fill to widen the southbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream WW26). Permanent impact (RA-S30) of 1,232 linear feet (10,196 square feet) of tributary to Unami Creek (HQ-TSF, MF)

(WW26). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, new roadway pavement and guiderail, two 18-inch drainage system pipes (RCP, HDPE, or CMP) that outlet to Basins 9 & 10. (Lat. 40.387075°, Long. -75.410023°)

24. To place fill to construct permanent stormwater management facilities (Basins 9 & 10) within tributaries to Unami Creek (HQ-TSF, MF) (Streams WW15 & WW16). Permanent impact (RA-S31) of 274 linear feet (2,417 square feet) of tributary to Unami Creek (HQ-TSF, MF) (WW15). The proposed permanent fill within tributary to Unami Creek (HQ-TSF, MF) (WW15) will consist of earthfill and rock to construct the basin's berm, gravel for the access road, 18-inch pipe (RCP, HDPE, or CMP), concrete inlet structure, and headwall with riprap apron, and underdrain pipes in Basin 9. Permanent impact (RA-S32) of 175 linear feet (1,361) of tributary to Unami Creek (HQ-TSF, MF) (WW16). The proposed permanent fill within tributary to Unami Creek (HQ-TSF, MF) (WW16) will consist of earthfill and rock for the basin's berm and riprap at the basin's outfall. This work will also include excavation or fill within wetlands (WW135 & WW136) located along the tributary to Unami Creek (HQ-TSF, MF) (WW15). To excavate within 0.003 acre (128 square feet) of PEM wetland (RA-W42, WW135). To place fill to construct the berm (earthfill) between Basins 9 & 10 within of 0.001 acre (63 square feet) of PEM wetland (RA-W43, WW136). (Lat. 40.387878°, Long. -75.410508°)

25. To place fill to widen the southbound lane and construct permanent stormwater management facilities (Basin 10) within wetland (WW17). Permanent impact (RA-W46) of 0.045 acre (1,957 square feet) of PEM wetland (WW17). The proposed permanent fill will consist of earthfill and rock for the roadway embankment and earthfill grading and rock armoring downstream of Basin 10 and its outfall. (Lat. 40.389705°, Long. -75.410672°)

26. To place fill to widen the northbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream EW41). Permanent impact (RA-S35) of 1,793 linear feet (10,809 square feet) of tributary to Unami Creek (HQ-TSF, MF) (EW41). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.387911°, Long. -75.409676°)

27. To place fill to widen the northbound lane and excavation to relocate the channel of a tributary to Unami Creek (HQ-TSF, MF) (Stream EW41) within wetland (WW42). Permanent impact (RA-W48) of 0.167 acre (7,262 square feet) of PFO wetland (WW42). The proposed permanent fill will consist of earth fill and rock for the roadway embankment. (Lat. 40.388677°, Long. -75.409759°)

28. To place fill to widen the southbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream WW24). Permanent impact (RA-S34) of 142 linear feet (962 square feet) of tributary to Unami Creek (HQ-TSF, MF) (WW24). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.391037°, Long. -75.410821°)

29. To place fill to widen the northbound lane within wetland (EW47). Permanent impact (RA-W50) of 0.267 acre (11,622 square feet) of PFO wetland (EW47). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.391004°, Long. -75.410075°)

30. To excavate a new drainage swale along the proposed roadway embankment's toe-of-slope within wetland

(EW47). Permanent impact (RA-W51) of 0.005 acre (229 square feet) of PFO wetland (EW47). (Lat. 40.392446°, Long. -75.410269°)

31. To place fill to widen the southbound lane within wetland (WW20). Permanent impact (RA-W53) of 0.472 acre (20,556 square feet) of PFO wetland (WW20). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.392539°, Long. -75.411051°)

32. To excavate a new drainage swale along the proposed roadway embankment's toe-of-slope within wetland (WW20). Permanent impact (RA-W54) of 0.072 acre (3,145 square feet) of PFO Wetland (WW20). (Lat. 40.392456°, Long. -75.411122°)

33. To place fill to widen the northbound lane within wetland (EW46). Permanent impact (RA-W56) of 0.232 acre (10,107 square feet) of PFO wetland (EW46). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.393042°, Long. -75.410437°)

34. To excavate a new drainage swale along the proposed roadway embankment's toe-of-slope within wetland (EW46). Permanent impact (RA-W57) of 0.070 acre (342 square feet) of PFO wetland (EW46). (Lat. 40.393059°, Long. -75.410371°)

35. To replace an existing 106.41-foot long, 182.32-foot wide, 16.6-foot high, three-span continuous multi-steel girder bridge and construct and maintain a 215.90-foot long, 209.95-foot wide, 14.7-foot high, three-span continuous composite prestressed concrete PA bulb-T beam bridge, NB-204 over Unami Creek (HQ-TSF, MF) (Stream EW44/WW23). This work includes permanent aerial crossing (RA-S40, RA-S41, RA-S43, RA-S46) of 331 linear feet (19,519 square feet) of Unami Creek (HQ-TSF, MF) (EW44/EW44-Bridge/WW23) for the new bridge deck and ITS conduit. This work also includes the placement of fill (earthfill and rock) to widen the northbound lane and grading activities within a tributary to Unami Creek (HQ-TSF, MF) (Stream EW43). Permanent impact (RA-S37) of 253 linear feet (5,560 square feet) of tributary to Unami Creek (HQ-TSF, MF) (EW43). This work also includes permanent fill (earthfill and rock armoring) within 0.025 acre (1,077 square feet) of PFO wetland (EW49, RA-W58). (Lat. 40.393772°, Long. -75.411028°)

36. To place fill to widen the northbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream EW50). Permanent impact (RA-S47) of 466 linear feet (3,648 square feet) of tributary to Unami Creek (HQ-TSF, MF) (EW50). The proposed permanent fill will consist of earthfill and rock for the roadway embankment, new guiderail, and an ITS conduit.

37. To excavate and place fill to widen the southbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream WW132). Permanent impact (RA-S48) of 609 linear feet (2,647 square feet) of tributary to Unami Creek (HQ-TSF, MF) (WW1 32). The permanent fill will consist of earthfill grading and two 18-inch drainage pipes (RCP, HDPE, or CMP). (Lat. 40.398206°, Long. -75.411933°)

38. To excavate a new drainage swale within wetland (WW28). Permanent impact (RA-W60) of 0.062 acre (2,701 square feet) of PEM wetland (WW28). (Lat. 40.399949°, Long. -75.412226°)

39. To place fill to widen the southbound lane within wetland (WW30). Permanent impact (RA-W61) of 0.007 acre (314 square feet) of PEM wetland (WW30). The

proposed permanent fill will consist of earthfill and rock to widen the roadway and new roadway pavement and guiderail. (Lat. 40.399946°, Long. -75.412109°)

40. To place fill to widen the southbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream WW31). Permanent impact (RA-S49) of 269 linear feet (1,316 square feet) of tributary to Unami Creek (HQ-TSF, MF) (WW31). The proposed permanent fill will consist of earthfill and rock to widen the roadway, new roadway pavement and guiderail, and one 18-inch pipe (RCP, HDPE, or CMP) for roadway drainage outfall (OF-27). (Lat. 40.399973°, Long. -75.412120°)

41. To excavate a stormwater conveyance swale within a tributary to Unami Creek (HQ-TSF, MF) (Stream WW131). Permanent impact (RA-S50) of 27 linear feet (142 square feet) of tributary to Unami Creek (HQ-TSF, MF) (WW131). (Lat. 40.400791°, Long. -75.412377°)

42. To place fill to widen the southbound lane and extend the upstream end of a 6-foot wide by 3-foot high, 94-foot long, concrete box culvert (NB-206) and a 6-foot wide by 3-foot high, 110-foot long, concrete box culvert, stream enclosure (NB-207) conveying tributaries to Unami Creek (HQ-TSF, MF) (Streams WW131-Pipe and WW29-Pipe) within wetland (Wetland WW29). Fill within the wetland (WW29) includes fill material to widen the roadway and the concrete box culvert extensions. To extend the NB-206 culvert, a 32-foot long, 6-foot wide by 3-foot high concrete box culvert extension will be added to the upstream end and a similar 34-foot long extension will be added to the downstream end of the existing 94-foot long NB-206 culvert, which will result in a 160-foot long stream enclosure with concrete wingwalls and aprons for a total length of 185 feet. To extend the NB-207 stream enclosure, a 30-foot long, 6-foot wide by 3-foot high concrete box culvert extension will be added to the upstream end and a similar 31-foot long extension will be added to the downstream end of the existing 110-foot long NB-207 stream enclosure, which will result in a 171-foot long stream enclosure with concrete wingwalls and aprons for a total length of 183 feet. Permanent impact (RA-W62) of 1.035 acre (45,074 square feet) of PEM wetland (WW29). The proposed permanent fill within Wetland WW29 (RA-W62) will consist of earthfill and rock to widen the roadway, two concrete box culvert extensions (NB-206 and NB-207) with rock armoring, and new roadway pavement and guiderail. (Lat. 40.403011°, Long. -75.412598°)

43. To excavate to construct permanent stormwater management facilities (Basin 12) within wetland (WW29-Seep & WW33). Permanent impact (RA-W63) of 0.012 acre (517 square feet) of PEM wetland (WW29-Seep) and permanent impact (RA-W65) of 0.090 acre (3,939 square feet) of PFO wetland (WW33). (Lat. 40.401839°, Long. -75.412633°)

44. To place fill to widen the southbound lane within wetland (WW33). Permanent impact (RA-W66) of 0.003 acre (124 square feet) of PFO wetland (WW33). The proposed permanent fill will consist of earthfill and rock to construct the roadway embankment. (Lat. 40.402744°, Long. -75.412619°)

45. To place fill to widen the northbound lane and extend the downstream end of a 6-foot wide by 3-foot high concrete box culvert (NB-206) conveying a tributary to Unami Creek (HQ-TSF, MF) (Stream WW131-Pipe) within Unami Creek (HQ-TSF, MF) (Stream EW51). Fill within the watercourse includes earthfill and rock material to widen the roadway, rock for the retaining wall,

new guiderail and ITS conduit, and the 34-foot long, 6-foot wide by 3-foot high, concrete box culvert extension on the downstream end of existing NB-206. Widening the roadway and NB-206 will result in permanent impact (RA-S52) of 420 linear feet (7,142 square feet) of Unami Creek (HQ-TSF, MF). This work also includes the excavation and realignment of Unami Creek (HQ-TSF, MF) including channel restoration as on-site stream mitigation, which will result in permanent impact (RA-S53) of 591 linear feet (30,293 square feet) of Unami Creek (HQ-TSF, MF) (Unami Creek, EW51). This work also includes permanent excavation within wetland (EW56) resulting in permanent impact (RA-W67) of 0.007 acre (305 square feet) of PSS wetland (EW56). (Lat. 40.401417°, Long. -75.411806°)

46. To place fill to widen the northbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream EW52). Permanent impact (RA-S54) of 25 linear feet (227 square feet) of Unami Creek (HQ-TSF, MF) (EW52). The proposed permanent fill will consist of earthfill and road for the roadway embankment. (Lat. 40.402155°, Long. -75.411935°)

47. To place fill to widen the northbound lane within wetland (EW53). Permanent impact (RA-W69) of 0.021 acre (905 square feet) and temporary impact (RA-W68) of 0.012 acre (513 square feet) of PFO wetland (EW53). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.402242°, Long. -75.411971°)

48. To place fill to widen the northbound lane within a tributary to Unami Creek (HQ-TSF, MF) (Stream EW54). Permanent impact (RA-S56) of 15 linear feet (446 square feet) of Unami Creek (HQ-TSF, MF) (EW54). The proposed permanent fill will consist of earthfill and road for the roadway embankment. (Lat. 40.402549°, Long. -75.412045°)

49. To place fill to widen the northbound lane within wetland (EW60). Permanent impact (RA-W72) of 0.041 acre (1,780 square feet) of PEM wetland (EW60). The proposed permanent fill will consist of earthfill and rock for the roadway embankment and new guiderail. (Lat. 40.404000°, Long. -75.412272°)

50. To place fill to widen the northbound lane within wetland (EW80). Permanent impact (RA-W73) of 0.050 acre (2,165 square feet) of PFO wetland (EW80). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, and new roadway pavement and guiderail. (Lat. 40.404777°, Long. -75.412404°)

51. To place fill to widen the northbound lane within wetland (EW83). Permanent impact (RA-W76) of 0.001 acre (43 square feet) of PFO wetland (EW83). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.406703°, Long. -75.412631°)

52. To place fill to widen the northbound lane within wetland (EW77). Permanent impact (RA-W77) of 0.021 acre (907 square feet) of PFO wetland (EW77). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, and new roadway pavement and guiderail. (Lat. 40.407198°, Long. -75.412767°)

53. To place fill to widen the northbound lane, install ITS conduit, and extend the downstream end of a 6-foot wide by 3-foot high, 110-foot long concrete box culvert (NB-207) stream enclosure conveying a tributary to Unami Creek (HQ-TSF, MF) (WW29-Pipe) within wetland

(EW76). To extend the NB-207 stream enclosure, a 31-foot long, 6-foot wide by 3-foot high concrete box culvert extension will be added to the downstream end and a similar 30-foot long extension will be added to the downstream end of the existing stream enclosure, which will result in a 171-foot long stream enclosure with concrete wingwalls and aprons for a total length of 183 feet. This work will result in permanent impact (RA-W78) of 0.011 acre (479 square feet) of PEM wetland (EW76). The proposed permanent fill within Wetland EW76 (RA-W78) will consist of the concrete box culvert extension and riprap apron, earthfill grading, ITS conduit, new roadway pavement and guiderail. (Lat. 40.407337°, Long. -75.412797°)

54. To place fill to widen the northbound lane within wetland (EW75). Permanent impact (RA-W80) of 0.123 acre (5,364 square feet) of PFO wetland (EW75). The proposed permanent fill will consist of earth and rock to widen the roadway and construct the roadway embankment, and new pavement and guiderail. (Lat. 40.407898°, Long. -75.412885°)

55. To excavate to construct a stormwater conveyance within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW34). The stormwater conveyance will direct flow from tributary to Schmoutz Creek (HQ-TSF, MF) (WW34) to the upstream end of the NB-207 box culvert. Permanent impact (RA-S58) of 21 linear feet (115 square feet) of watercourse (WW34). (Lat. 40.407100°, Long. -75.413395°)

56. To place fill to widen the southbound lane within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW34). Permanent impact (RA-S59) of 10 linear feet (93 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW34). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.407100°, Long. -75.413352°)

57. To place fill to widen the southbound lane within wetland (WW35). Permanent impact (RA-W82) of 0.058 acre (2,540 square feet) of PEM wetland (WW35). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.407875°, Long. -75.413447°)

58. To place fill to widen the southbound lane within wetland (WW36). Permanent impact (RA-W83) of 0.285 acre (12,403 square feet) of PFO wetland (WW36). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.409304°, Long. -75.413643°)

59. To place fill to construct permanent stormwater management facilities (Basin 13) within wetland (WW36). Permanent impact (RA-W84) of 0.258 acre (11,237 square feet) of PFO wetland (WW36). The proposed permanent fill will consist of earthfill to construct the basin, rock armoring of the basin's spillway, underdrain system pipes (RCP, HDPE, or CMP), an 18-inch pipe (RCP, HDPE, or CMP) for the roadway drainage outfall to the basin, a concrete outlet structure, and an 18-inch pipe (RCP, HDPE, or CMP) for the basin's outfall. (Lat. 40.409785°, Long. -75.413953°)

60. To replace an existing 68.79-foot long, 36.06-foot wide, 12.7-foot high, single-span, reinforced concrete T-beam bridge and construct and maintain a 177.31-foot long, 67.71-foot wide, and 12.10-foot high, single-span composite prestressed concrete PA bulb-T beam bridge, NB-208 over Schmoutz Creek (HQ-TSF, MF) (Stream WW38/EW68). This work includes permanent placement of riprap armoring to protect the new structure, and

earthfill grading, rolled soil lifts and stabilization matting to reconstruct the streambank, which will result in permanent impacts (RA-S63) of 47 linear feet (394 square feet) of Schmoutz Creek (HQ-TSF, MF) (EW68). This work also includes permanent placement of riprap armoring along the waterway (banks only) through the new bridge to protect the new structure and maintain a stable channel through the structure, which will result in permanent impacts (RA-S66) of 108 linear feet (1,601 square feet) of Schmoutz Creek (HQ-TSF, MF) (WW38-Bridge). The permanent aerial crossing (RA-S64, RA-S65, & RA-S67) of 177 linear feet (3,085 square feet) of Schmoutz Creek (HQ-TSF, MF) (WW38, WW38-Bridge, EW68) for the new bridge deck and ITS conduit. This work also includes the excavation within wetland (EW69) resulting in permanent impact (RA-W89 & RA-W90) of 0.007 acre (299 square feet) of PSS and 0.005 acre (199 square feet) of PFO wetland (EW69). (Lat. 40.410052°, Long. -75.413136°)

61. To place fill to widen the northbound lane within Schmoutz Creek (HQ-TSF, MF) (Stream EW68). Permanent impact (RA-S61) of 142 linear feet (719 square feet) of Schmoutz Creek (HQ-TSF, MF) (Schmoutz Creek, EW68). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. This work also includes the excavation and realignment of Schmoutz Creek (HQ-TSF, MF) and channel restoration as on-site mitigation. Permanent impact (RA-S62) of 308 linear feet (5,098 square feet) of Schmoutz Creek (HQ-TSF, MF) (Schmoutz Creek, EW68). This work also includes the excavation for the permanent removal of the Doerr Road Bridge over Schmoutz Creek (HQ-TSF, MF) and concrete channel and stream restoration as on-site mitigation. Permanent impact (RA-S68) of 161 linear feet (3,390 square feet) of Schmoutz Creek (HQ-TSF, MF) (Schmoutz Creek, WW38). This work also includes permanent placement of fill within wetlands of 0.001 acre (36 square feet) of PSS and 0.001 (53 square feet) of PFO wetland (EW70, RA-W85 & RA-W86). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. This work also includes permanent placement of fill within wetlands of 0.034 acre (1,473 square feet) of PFO wetland (WW40, RA-W95). The proposed permanent fill will consist of earthfill to create a cul-de-sac on the remaining portion of Doerr Road and regrade the former footprint of Doerr Road and rock armoring associated with a road drainage outfall. This work also includes excavation within wetlands (EW71, WW37, WW39) which will result in permanent wetland impacts of 0.011 acre (459 square feet) of PSS wetland (EW71, RA-W87), 0.035 acre (1,532 square feet) of PEM wetland (WW37, RA W97), and 0.011 acre (465 square feet) of PEM wetland (WW39, RA-W98). (Lat. 40.409775°, Long. -75.413117°)

62. To place fill to widen the mainline within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW47 & WW47-Pipe). Permanent impact (RA-S70) of 70 linear feet (396 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW47). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, new roadway pavement and guiderail. This work will also place fill within the tributary to Schmoutz Creek (HQ-TSF, MF) that is conveyed through a pipe (WW47-Pipe) resulting in permanent impact (RA-S71) of 120 linear feet (256 square feet) of piped tributary to Schmoutz Creek (HQ-TSF, MF) (WW47-Pipe). The piped portion of the watercourse will no longer convey water because the upstream channel

will be filled to widen the roadway (RA-S70). The existing pipe will be abandoned in place. (Lat. 40.410738°, Long. -75.413859°)

63. To place fill to widen the mainline within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream EW66). Permanent impact (RA-S72) of 2,349 linear feet of tributary to Schmoutz Creek (HQ-TSF, MF) (EW66). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment. This work will also permanently place fill within wetland (EW67) resulting in permanent impact (RA-W91) of 0.101 acre (4,392 square feet) of PEM wetland (EW67). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. This work also includes excavation for the channel relocation of a tributary to Schmoutz Creek (HQ-TSF, MF) (EW66) within wetland (EW67) resulting in permanent impact (RA-W92) of 0.058 acre (2,512 square feet) of PEM wetland. (Lat. 40.417407°, Long. -75.414361°)

64. To place fill to widen the southbound lane within wetland (WW46). Permanent impact (RA-W100) of 1.666 acre (72,589 square feet) of PEM wetland (WW46). The proposed permanent fill will consist of earthfill and rock for the roadway embankment, new roadway pavement and guiderail, and five 18-inch pipes (RCP, HDPE, or CMP), concrete headwalls, and rock armoring for five outfalls. (Lat. 40.414088°, Long. -75.414423°)

65. To replace and relocate an existing 18-inch reinforced-concrete pipe conveying a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW54-Pipe). The existing pipe will be replaced with a 14-inch by 23-inch elliptical reinforced-concrete pipe. Permanent impact (RA-S73) of 74 linear feet (223 square feet) of a piped tributary to Schmoutz Creek (HQ-TSF, MF) (WW54-Pipe). (Lat. 40.417648°, Long. -75.414305°)

66. To place fill to widen the southbound lane within wetland (WW45). Permanent impact (RA-W105) of 0.095 acre (4,117 square feet) of PEM wetland (WW45). The proposed fill will consist of earth fill and rock for the roadway embankment. (Lat. 40.417695°, Long. -75.415067°)

67. To excavate and place fill to construct permanent stormwater management facilities (Basin 14) within wetlands (WW45 and WW135W). Permanent excavation will impact (RA-W104) of 0.088 acre (3,844 square feet) of PEM wetland (WW45). Permanent excavation and placement of fill will impact (RA-W103) of 0.028 acre (1,219 square feet) of PEM wetland (WW135W). The proposed fill will consist of earthfill for the basin's berm. (Lat. 40.417375°, Long. -75.415112°)

68. To construct a wetland and stream mitigation site in the vicinity of wetland (WW135W). This work will include the permanent excavation within the floodway of Schmoutz Creek for the creation of a stream channel that will outlet to Schmoutz Creek. Permanent impact (RA-F2) of 914 square feet (0.021 acre) of floodway. (Lat. 40.4167140°, Long. -75.4159790°)

69. To place fill to widen the southbound lane within wetland (WW53). Permanent impact (RA-W106) of 0.147 acre (6,412 square feet) of PEM wetland (WW53). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.418470°, Long. -75.415176°)

70. To place fill to widen the overhead NB-211 bridge within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW54-Bridge) located in an eroded drainage ditch along Kumry Road. Permanent impact (RA-S74) of



99 linear feet (434 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW54-Bridge). The existing channel along Kumry Road under the NB-211 bridge will be filled (earthfill and rock), which will eliminate this section of watercourse. (Lat. 40.417990°, Long. -75.414880°)

71. To place fill to widen the southbound lane within tributaries to Schmoutz Creek (HQ-TSF, MF) (Streams WW54 and WW51). Permanent impact (RA-S75) of 517 linear feet (2,534 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW54). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. This work will result in the permanent loss of this section of tributary to Schmoutz Creek (HQ-TSF, MF) (WW54). The watercourse's drainage will be re-directed to the proposed Lederer Mitigation Site. The stormwater management facility (Basin 15) will control the portion of the drainage area from the roadway. The off-site drainage area will be re-directed via Swales 45 and 46 to the Lederer Mitigation Site. Permanent impact (RA-S77) of 566 linear feet (5,679 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW51). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, new pavement and guiderail, two 18-inch pipes and one 24-inch pipe (RCP, HDPE, or CMP) for the roadway drainage collection system discharging to Basin 15. This work will also place fill within wetland (WW52) located along the tributary to Schmoutz Creek (HQ-TSF, MF) (WW51) resulting in permanent impact (RA-W108) of 0.024 acre (1,066 square feet) of PEM wetland (WW52). The proposed permanent fill will consist of earthfill and rock for the roadway embankment, new roadway pavement and guiderail, and a 24-inch pipe (RCP, HDPE, or CMP) for roadway drainage collection. (Lat. 40.420263°, Long. -75.415414°)

72. To excavate to construct permanent stormwater management facilities within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW54). Permanent impact (RA-S76) of 396 linear feet (2,459 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW54). The permanent fill will consist of earthfill grading, underdrain pipe system in the bottom of the basin, and the outfall headwall and forebay for the roadway drainage outfall to the basin (OF-32). This work will result in the permanent loss of this section of tributary to Schmoutz Creek (HQ-TSF, MF) (WW54). The watercourse's drainage will be re-directed to the proposed Lederer Mitigation Site. The stormwater management facility (Basin 15) will control the portion of the drainage area from the roadway. The off-site drainage area will be re-directed via Swales 45 and 46 to the Lederer Mitigation Site. This work will also excavate and place fill within wetland (WW151) to construct stormwater management facilities and basin access, resulting in a permanent impact (RA-W107) of 0.121 acre (5,272 square feet) of PEM wetland (WW151). The proposed permanent fill will consist of earthfill for the basin access road and grading along the drainage swale. (Lat. 40.419841°, Long. -75.416172°)

73. To excavate to widen the southbound lane within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW49). Permanent impact (RA-S78) of 5 linear feet (16 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW49). This work also includes the excavation within wetland (WW48) resulting in permanent impact (RA-W110) of 0.007 acre (286 square feet) of PEM wetland (WW48). This work also includes excavation to construct a permanent stormwater conveyance within a tributary to Schmoutz Creek (HQ-TSF, MF) (Stream WW49) resulting in permanent impact (RA-S79) of

46 linear feet (139 square feet) of tributary to Schmoutz Creek (HQ-TSF, MF) (WW49). (Lat. 40.423738°, Long. -75.416752°)

74. To place fill to widen the northbound lane within a tributary to Molasses Creek (HQ-TSF, MF) (Stream EW84). Permanent impact (RA-S80) of 9 linear feet (46 square feet) and temporary impact of (RA-S81) 6 linear feet (32 square feet) of tributary to Molasses Creek (HQ-TSF, MF) (EW84). The proposed permanent fill will consist of the concrete headwall and riprap apron.

75. To place fill to construct permanent stormwater management facilities (Basin 16) within wetland (WW55). Permanent impact (RA-W111) of 0.24 acre (1,043 square feet) of PEM wetland (WW55). The proposed permanent fill will consist of earthfill and rock armoring to construct the basin's berm and spillway, a 30-inch pipe (RCP, HDPE, or CMP) with a concrete headwall and riprap apron for the basin's outfall. (Lat. 40.428882°, Long. -75.420018°)

76. To place fill to widen the northbound lane within wetland (EW87). Permanent impact (RA-W113) 0.006 acre (268 square feet) of PSS wetland (EW87). The proposed permanent fill will consist of earthfill and rock for the roadway embankment and new guiderail. (Lat. 40.428957°, Long. -75.418988°)

77. To replace an existing 85.93-foot long, 26-foot wide, 14.45-foot high, single-span reinforced concrete T-beam bridge and construct and maintain a 160.96-foot long, 61.11-foot wide, 10.52-foot high, single-span composite prestressed concrete PA bulb-T beam bridge, NB-212 over Molasses Creek (HQ-TSF, MF) (Stream WW56/EW88). This work includes the permanent aerial crossing (RA-S84, RA-S85, RA-S87) totaling 161 linear feet (3,498 square feet) of Molasses Creek (HQ-TSF, MF) (Molasses Creek, EW88, WW56-Bridge, WW56) for the new bridge deck and ITS conduit. This work also includes the permanent placement of riprap armoring to protect the new structure and maintain a stable channel through the structure, which will result in permanent impacts (RA-S83, RA-S86) totaling 126 linear feet (695 square feet) of Molasses Creek (HQ-TSF, MF) (Molasses Creek, EW88, WW56). This work also includes permanent excavation in 0.006 acre (275 square feet) of PEM and 0.002 acre (87 square feet) of PFO wetland (EW94, RA-W115 & RA-W116). (Lat. 40.429173°, Long. -75.419450°)

78. To place fill to widen the southbound lane within a tributary to Molasses Creek (HQ-TSF, MF) (Stream WW62). Permanent impact (RA-S89) of 127 linear feet (1,056 feet) of Molasses Creek (HQ-TSF, MF) (WW62). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, new pavement and guiderail, a concrete drop inlet box and 18-inch pipe (RCP, HDPE, or CMP) as part of the roadway drainage collection system. (Lat. 40.429493°, Long. -75.419931°)

79. To place fill to widen the northbound lane within a tributary to Molasses Creek (HQ-TSF, MF) (Stream EW95). Permanent impact (RA-S90) of 810 linear feet (9,355 square feet) of tributary to Molasses Creek (HQ-TSF, MF) (EW95). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the embankment, new pavement and guiderail, and four, 18-inch pipes (RCP, HDPE, or CMP) for roadway drainage outfalls (OF-36, OF-37, OF-38, OF-39). (Lat. 40.431164°, Long. -75.420652°)

80. To place fill to widen the northbound lane within wetland (EW96). Permanent impact (RA-W117) of 0.003

acre (128 square feet) of PEM wetland (EW96). The proposed permanent fill will consist of earthfill and rock for the roadway embankment and an 18-inch drainage pipe (RCP, HDPE, or CMP) and rock armoring. (Lat. 40.429456°, Long. -75.419231°)

81. To place fill to construct a stormwater conveyance from Rain Garden 3 to Molasses Creek, within wetland (EW96). Permanent impact (RA-W118) of 0.032 acre (1,375 square feet) of PEM wetland (EW96). The proposed permanent fill will consist of earthfill to construct the swale and an 18-inch drainage pipe (RCP, HDPE, or CMP) and rock armoring. (Lat. 40.429499°, Long. -75.419158°)

82. To place fill to widen the southbound lane within wetland (WW59). Permanent impact (RA-W120) of 0.229 acre (9,978 square feet) of PEM wetland (WW59). The proposed permanent fill will consist of earthfill and rock to widen the roadway and construct the roadway embankment, new roadway pavement and guiderail, and drainage pipes (RCP, HDPE, or CMP) and a concrete drop inlet box. (Lat. 40.430066°, Long. -75.420405°)

83. To place fill to widen the southbound lane within wetland (WW60). Permanent impact (RA-W121) of 0.036 acre (1,548 square feet) of PEM wetland (WW60). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.430449°, Long. -75.420792°)

84. To place fill to construct permanent stormwater management facilities (Rain Garden 3) within wetland (EW97). Permanent impact (RA-W124) of 0.010 acre (417 square feet) of PEM wetland (EW97). The proposed fill will consist of earthfill to construct the rain garden. (Lat. 40.431181°, Long. -75.420548°)

85. To place fill to widen the northbound lane within wetland (EW98). Permanent impact (RA-W125) of 0.369 acre (16,094 square feet) of PEM wetland (EW98). The proposed permanent fill will consist of earthfill and rock to widen the roadway and an ITS conduit. (Lat. 40.432190°, Long. -75.421497°)

86. To place fill to construct permanent stormwater management facilities within wetland (WW63). Permanent impact (RA-W127) of 0.037 acre (1,616 square feet) of PEM wetland (WW63). The proposed permanent fill will consist of earthfill to construct the new rain garden. (Lat. 40.433434°, Long. -75.422954°)

87. To excavate to construct the relocated channel for a tributary to Molasses Creek (HQ-TSF, MF) (Stream EW95) within wetland (EW99). Permanent impact (RA-W129) of 0.044 acre (1,925 square feet) of PEM wetland (EW99). (Lat. 40.434184°, Long. -75.422802°)

88. To place fill for shoulder improvements within wetland (EW119W). Permanent impact (RA-W130) of 0.025 acre (1,097 square feet) of PEM wetland (EW119W). The proposed permanent fill will consist of earthfill and rock. This work also includes permanent placement of fill to grade the outlet of a stormwater conveyance to a tributary to Molasses Creek (HQ-TSF, MF) (Stream EW119S). Permanent impact (RA-S91) of 10 linear feet (25 square feet) of tributary to Molasses Creek (HQ-TSF, MF) (EW119S). The proposed fill will consist of grading to connect the drainage swale to the existing channel. (Lat. 40.434785°, Long. -75.423460°)

In total the project will result in 4.24 acres of permanent stream impact, 5.65 acres of permanent floodway impact, and 8.62 acres of permanent wetland impact. A

total of 0.32 acre of temporary stream impact, 0.01 acre of temporary floodway impact, and 2.57 acres of temporary wetland impact.

This project is located along the Northeast Extension of the Pennsylvania Turnpike at milepost A37.4 to milepost A43.3 (Perkiomenville & Milford Square, PA Quadrangle, Latitude: 40° 22' 11.20"; Longitude: -75° 24' 4.55") in Milford & West Rockhill Townships, Bucks County.

**E4683220-026. Pennsylvania Turnpike Commission**, 700 S. Eisenhower Blvd, Middletown, PA 17057. Salford Township, **Montgomery County**, U.S. Army Corps of Engineers, Philadelphia District.

To authorize and maintain the following water obstructions and encroachments associated with the Montgomery County portion of the PA Turnpike Northeast Extension Roadway and Bridge Reconstruction MP A37.4 to MP A43.3:

1. To excavate for northbound lane widening within wetland (EW10). Permanent impact (RA-W1) of 0.093 acre (4,042 square feet) of PEM wetland (EW10). (Lat. 40.360149°, Long. -75.395733°)

2. To excavate a drainage swale in wetland (EW13/EW14). Permanent impact (RA-W5) of 0.004 ac (162 square feet) of PFO wetland (EW13/EW14). (Lat. 40.362359°, Long. -75.396716°)

3. To excavate to construct a permanent stormwater management facility (Basin 1) in wetland (WW129). Permanent impact (RA-W6) of 0.009 acre (407 square feet) of PEM wetland (WW129). (Lat. 40.363771°, Long. -75.398527°)

4. To place fill to construct a permanent stormwater management facility (Basin 2) in wetland (WW5). Permanent impact (RA-W7) of 0.022 acre (1,206 square feet) of PEM wetland (WW5). The permanent fill will consist of earthfill grading along Basin 2 and Swale 5 and rock armoring of the basin's spillway. (Lat. 40.365202°, Long. -75.399352°)

5. To place fill for southbound lane widening within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream WW4). Permanent impact (RA-S1) of 684 linear feet (7,189 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (WW4). The permanent fill will consist of earth fill and rock to widen the roadway and construct the roadway embankment, new roadway pavement and guiderail, and a concrete drop inlet box and two 18-inch pipes (RCP, HDPE, or CMP) for the roadway drainage collection system. (Lat. 40.365088°, Long. -75.398918°)

6. To place fill for southbound lane widening within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream WW130). Permanent impact (RA-S2) of 24 linear feet (47 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (WW130). The proposed permanent fill will consist of earthfill and rock to construct the new roadway embankment. (Lat. 40.366604°, Long. -75.399820°)

7. To place fill for a stormwater management drainage swale within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream WW130). Permanent impact (RA-S3) of 61 linear feet (123 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (WW130). The proposed permanent fill will consist of earthfill for the berm along the new drainage swale. (Lat. 40.366567°, Long. -75.399908°)

8. To place fill and excavate for a stormwater management drainage swale within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream WW4). Permanent impact

(RA-S4) of 65 linear feet (471 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (WW4). The proposed permanent fill will consist of earthfill to construct the berm that forms the swale. (Lat. 40.366676°, Long. -75.399968°)

9. To place fill for southbound lane widening within wetland (WW5). Permanent impact (RA-W9) of 0.817 acre (35,589 square feet) of PEM wetland (WW5). The proposed permanent fill (RA-W9) will consist of earthfill and rock to widen the roadway and construct the roadway embankment, new roadway pavement and guiderail, and two concrete drop inlet boxes and three 18-inch pipes for drainage outfalls (OF-5, OF-6, and OF-7) for the roadway drainage collection system. (Lat. 40.367858°, Long. -75.400518°)

10. To place fill and excavate for a stormwater management drainage swale in wetland (WW5). Permanent impact (RA-W10) of 0.694 acre (30,229 square feet) of PEM wetland (WW5). The proposed permanent fill will consist of earth fill for the berm along the swale and rock armoring where the drainage outfalls discharge to the swale. (Lat. 40.367707°, Long. -75.400562°)

11. To place fill for northbound lane widening within a tributary to Ridge Valley Creek (HQ-TSF, MF) (Stream EW17). Permanent impact (RA-S6) of 303 linear feet (2,579 square feet) of tributary to Ridge Valley Creek (HQ-TSF, MF) (EW17). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.365894°, Long. -75.398782°)

12. To place fill for northbound lane widening within wetland (EW16). Permanent impact (RA-W12) of 0.395 acre (17,207 square feet) of PFO wetland (EW16). The proposed permanent fill will consist of earthfill and rock for the roadway embankment. (Lat. 40.367978°, Long. -75.399955°)

In total the project will result in 0.24 acre of permanent stream impact, and 2.03 acres of permanent wetland

impact. A total of 15 square feet of temporary stream impact, and 0.46 acre of temporary wetland impact.

This project is located along the Northeast Extension of the Pennsylvania Turnpike at milepost A37.4 to milepost A43.3 (Perkiomenville & Milford Square, PA Quadrangle, Latitude: 40° 22' 11.20"; Longitude: -75° 24' 4.55") in Salford Township, Montgomery County.

**ENVIRONMENTAL ASSESSMENTS**

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, telephone number: 717-787-3411.*

**D02-148EA. Terrance Palmer**, Owner, Bateman NFIA and Associates, LLC, 285 Kappa Drive, Pittsburgh, PA 15238. Lurgan Township, **Franklin County**. USACOE Pittsburgh District.

Project proposes to remove the North Fayette Industrial Park Dam to eliminate a threat to public safety and to restore approximately 400 feet of stream channel to a free-flowing condition. The proposed restoration project includes construction of habitat enhancement structures in the stream channel through the former reservoir. The project is located across a tributary to Robinson Run (WWF) (Oakdale, PA Quadrangle, Latitude: 40.436184; Longitude: -80.235505).

**D48-022EA. Kristie Fach**, Wildlands Conservancy, 3701 Orchid Place, Emmaus, PA 18049. Forks and Palmer Townships, **Northampton County**, USACOE Philadelphia District.

Project proposes to remove the Water Power Dam to eliminate a threat to public safety and to restore approximately 1,700 feet of stream channel to a free-flowing condition. The proposed restoration project includes the installation of habitat enhancement structures in the stream channel through the former reservoir. The project is located across Bushkill Creek (HQ-CWF, MF) (Easton, PA Quadrangle, Latitude: 40.7000; Longitude: -75.2425).

**ACTIONS**

**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**

**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

### I. NPDES Renewal Permit Actions.

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed)</i>	<i>EPA Waived Y/N?</i>
PA0244040 (Sewage)	Shelly Rd Development 528 Main Street Suite 200 Harleysville, PA19438-2266	Montgomery County Upper Salford Township	East Branch Perkiomen Creek (TSF, MF) 3-E	Y

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0088307 (Sewage) Issued	Eagles Crossing Golf Course 501 Conodoguinet Avenue Carlisle, PA 17015-8972	Cumberland County North Middleton Township	Conodoguinet Creek (WWF) in Watershed(s) 7-B	Y
PA0024902 A1 (Sewage) Issued	Upper Allen Township 100 Gettysburg Pike Mechanicsburg, PA 17055-5604	Cumberland County Upper Allen Township	Yellow Breeches Creek in Watershed(s) 7-E	Y
PA0081302 (Sewage) Issued	South Londonderry Campbelltown West STP 27 W Market Street Palmyra, PA 17078-8736	Lebanon County South Londonderry Township	Spring Creek (WWF) in Watershed(s) 7-D	Y

*Northcentral Region: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Phone: 570.327.3636, Email: RA-EPNPDES\_NCRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228184 (Sewage)	J & D Campground 973 Southern Drive Catawissa, PA 17820-8409	Columbia County Franklin Township	Roaring Creek (TSF) (5-E)	Y
PA0228150 (Industrial)	Embassy Powdered Metals P.O. Box 344 Emporium, PA 15834-0344	Cameron County Emporium Borough	Driftwood Branch Sinnemahoning Creek (TSF, MF) (8-A)	Y

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0095737 (Industrial)	Alliance Tubular Holdings, LLC 305 Cannelton Road Darlington, PA 16115	Beaver County Darlington Township	Unnamed Tributary of North Fork Little Beaver Creek (HQ-CWF) (20-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0028134 (Industrial)	PA American Water Kittanning 852 Wesley Drive Mechanicsburg, PA 17055-4436	Armstrong County Rayburn Township	Unnamed Tributary to Allegheny River (WWF) (17-E)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263443 (Sewage)	Linesville Pine Joint STP P.O. Box 382 Linesville, PA 16424-0382	Crawford County Pine Township	Unnamed Stream (20-A)	Y
PA0272965 (Sewage)	Davy J Black SRSTP 4626 Stevenson Hill Road Falls Creek, PA 15840-2424	Jefferson County Washington Township	Unnamed Tributary to Beaverdam Run (HQ-CWF) (17-C)	Y
PA0210625 (Industrial)	Danzer Lumber North America Bradford Facility 1011 Centre Road Wilmington, DE 19805	McKean County Bradford City	East Branch Tunungwant Creek (CWF) and the Rutherford Run (CWF) (16-C)	Y

---

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

---

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

**NPDES Permit PA0026964**, Sewage, **Lower Perkiomen Valley Region Sewer Authority**, P.O. Box 297, Oaks, PA 19456-0297.

This existing facility is located in Upper Providence Township, **Montgomery County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

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

**NPDES Permit No. PA0209350 A-1**, Sewage, SIC Code 4952, **Delmar Township**, 610 N Lawton Road, Wellsboro, PA 16901-7941.

This existing facility is located in Delmar Township, **Tioga County**.

Description of Existing Action/Activity: Issuance of a minor NPDES Permit Amendment for an existing discharge of treated sewage.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**NPDES Permit No. PA0028673**, Sewage, SIC Code 4952, **Gallitzin Borough Sewer & Disposal Authority Cambria County**, 411 Convent Street, Suite 10, Gallitzin, PA 16641-1244.

This existing facility is in Gallitzin Borough, **Cambria County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage. This discharge is in the Chesapeake Bay Watershed.

**NPDES Permit No. PA0254983 A-1**, Storm Water, SIC Code 1241, 4491, **Donora Dock LLC**, 1501 Ligonier Street, Latrobe, PA 15650-2912.

This existing facility is located in Carroll Township, **Washington County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated stormwater.

**NPDES Permit No. PA0255696**, Sewage, SIC Code 4952, **Cecil Township Municipal Authority**, 375 Southpointe Boulevard, Suite 350, Canonsburg, PA 15317-8587.

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

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

---

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

---

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

**WQM Permit No. 5489403 A-1**, Sewage, SIC Code 4952, **Schuylkill Haven Borough Municipal Authority**, 333 Center Avenue, Schuylkill Haven, PA 17972.

This existing facility is located in Schuylkill Haven Borough, **Schuylkill County**.

Description of Proposed Action/Activity: The project is for upgrades to the wastewater treatment plant, including the installation of a new automatic influent screen and replacement of the following: influent and return activated sludge pumps, aeration system for the aeration tanks and aerobic digesters, media within the final filter, and several components of the primary clarifier. The existing belt filter press will be replaced with a screw press.

**WQM Permit No. 5820401**, Sewage, SIC Code 4952, **Harford Township Susquehanna County**, P.O. Box 1, Harford, PA 18823-0001.

This proposed facility is located in Harford Township, **Susquehanna County**.

Description of Proposed Action/Activity: This project consists of the upgrade of an existing minor sewage facility operating under NPDES PA0063100. The upgrades will consist of the addition of headworks, clarifier, air diffusers, blowers, upgrade the influent splitter box, add a 10 ft x 20 ft storage facility building and related appurtenances.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

**WQM Permit No. 6703405 A3**, Sewerage, SIC Code 4952, **Stewartstown STP**, 3750 Stewartstown Road, Stewartstown, PA 17363.

This facility is located in Stewartstown Borough, **York County**.

Description of Proposed Action/Activity:

This amendment approves the construction of sewage facilities consisting of:

The installation of a new septic prescreen (Screenco Systems Model Mini Screen 400) on top of the existing grit chamber.

**WQM Permit No. 2220404**, Sewerage, SIC Code 4952, **Susquehanna Township Sewer System**, 1900 Linglestown Road, Harrisburg, PA 17110.

This facility is located in Susquehanna Township, **Dauphin County**.

Description of Proposed Action/Activity:

This permit approves the construction and operation of sewage facilities consisting of:

—8-inch PVC and 8-inch ductile iron gravity sewers with several manholes and a stream crossing to extend sewer services to the Union Green development.

**WQM Permit No. 2190401 A-2**, Sewerage, SIC Code 4952, **Upper Allen STP**, 100 Gettysburg Pike, Mechanicsburg, PA 17055-5604.

This facility is located in Upper Allen Township, **Cumberland County**.

Description of Proposed Action/Activity:

This (permit/amendment) approves the (modification/operation) of sewage facilities consisting of:

—Paper Rerate of the hydraulic design capacity to 1.37 MGD

—All existing treatment units (i.e., screening units, SBRs, Chlorine Contact Tanks, and sludge processing units) will remain unchanged.

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

**WQM Permit No. 5996403 A-1**, Sewage, SIC Code 4952, **Delmar Township**, 610 N Lawton Road, Wellsboro, PA 16901-7941.

This existing facility is located in Delmar Township, **Tioga County**.

Description of Proposed Action/Activity: Permit amended for conversion of chlorine disinfection to ultraviolet disinfection and addition of flow metering.

**WQM Permit No. 1402404 A-1**, Sewage, SIC Code 4952, **Huston Township Authority**, P.O. Box 40, Julian, PA 16844-0040.

This existing facility is located in Huston Township, **Centre County**.

Description of Proposed Action/Activity: Permit issued authorizing dechlorination system.

**WQM Permit No. 1720404**, Sewage, SIC Code 4952, **Nathan Unch**, 959 Shiloh Road, Woodland, PA 16881-8234.

This proposed facility is located in Bradford Township, **Clearfield County**.

Description of Proposed Action/Activity: New permit issued for existing SFTF.

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**WQM Permit No. 465S118 A-3**, Sewage, SIC Code 9999, **PA State University**, 2 Admin Bldg, New Kensington, PA 15068.

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

Description of Proposed Action/Activity: Replacement of existing chlorine contact tank with a new chlorine contact tank.

**WQM Permit No. 0272419 A-5**, Sewage, SIC Code 4952, **McCandless Township Sanitary Authority Allegheny County**, 418 W Arcadia Drive, Pittsburgh, PA 15237-5506.

This existing facility is located in Hampton Township, **Allegheny County**.

Description of Proposed Action/Activity: construction of Bardenpho aeration tanks, RAS pumps, SCADA system, UV disinfection system, and new aeration blowers at the Pine Creek STP.

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

**WQM Permit No. 3284410 A-1**, Sewage, SIC Code 4952, **Tri Community Sewer Authority**, P.O. Box 86, Bolivar, PA 15923.

This existing facility is located in West Wheatfield Township, **Indiana County**.

Description of Proposed Action/Activity: Amendment to include the use of sodium thiosulfate for dechlorination and associated feed equipment.

**WQM Permit No. 6120401**, Sewage, SIC Code 4952, **Franklin City General Authority Venango County**, 430 13th Street, Franklin, PA 16323-1317.

This proposed facility is located in Franklin City, **Venango County**.

Description of Proposed Action/Activity: Replacement and rehabilitation of public sanitary sewer system.

**WQM Permit No. 1020408**, Sewage, SIC Code 4952, **Marion Township Butler County**, P.O. Box 141, Boyers, PA 16020-0141.

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

Description of Proposed Action/Activity: Treatment plant to replace lagoon system at Village of Boyers.

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

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

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI130507	Charlestown Township 4030 Whitehorse Road P.O. Box 507, Devault, PA 19432-0507	Charlestown Township Chester County	Unnamed Tributary of French Creek (TSF, MF), Unnamed Tributary to Valley Creek (CWF, MF), and Unnamed Tributary to Pickering Creek (HQ-TSF, MF)	N	Y

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI132247	Washington Township 1021 Washington Boulevard Bangor, PA 18031	Washington Township Northampton County	Waltz Creek (HQ-CWF, MF), Martins Creek (TSF, MF), Unnamed Tributary to Martins Creek (TSF, MF), Unnamed Tributary to Waltz Creek (HQ-CWF, MF), and Greenwalk Creek (CWF, MF)/TSF, CWF, MF, and HQ-CWF	N	Y

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

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160, Email: ra-epww-sero@pa.gov.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510058	Relteva, LLC 1515 Des Peres Road Suite 300 St. Louis, MO 63131-1846	Philadelphia	City of Philadelphia	Unnamed Tributary to Pennypack Creek TSF-MF

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

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390156 Authorization/ Issuance	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517-8919	Lehigh	Weisenberg Township Upper Macungie Township	Iron Run (HQ-CWF, MF) Lyons Creek (HQ-CWF, MF) UNT to Lyons Creek (HQ-CWF, MF)
PAD400032 Authorization/ Issuance	Liberty Truck Center, Inc. 2227 Scranton Carbondale Highway Scranton, PA 18509	Luzerne	Dorrance Township	UNT to Balliet Run HQ-CWF, MF)
PAD480116 Authorization/ Issuance	Pennsylvania Venture Capital, Inc. c/o Abraham Atiyeh 823 Third Street Whitehall, PA 18052-6623	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)
PAD640020 Authorization/ Issuance	Pennsylvania Fish and Boat Commission 595 East Rolling Ridge Drive Bellefonte, PA 16823-9620	Wayne	Lebanon Township	Dyberry Creek— East Branch (EV, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140037 A-1 Major Amendment	S&A Homes, Inc. 2121 Old Gatesburg Rd # 200 State College, PA 16803	Centre County	Walker Twp	UNT Little Fishing Creek, Nittany Creek

*Southwest Region: Dana Drake, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD300010	Contura Pennsylvania Land, LLC P.O. Box 1020 158 Portal Road Waynesburg, PA 15370	Greene	Center Township	Pursley Creek (HQ-WWF)
PAD630034	Robinson Power Company, LLC 563 Route 18 Burgettstown, PA 15021-2120 Burns and McDonnell Engineering Company, Inc. 9400 Ward Parkway Kansas City, MO 64114	Washington	Robinson Township	UNTs to Little Raccoon Run (WWF)
PAD630048	Pennsylvania Department of Transportation, District 12-0 825 North Gallatin Avenue Extension Uniontown, PA 15101	Washington	South Strabane Township	UNT to Little Chartiers Creek (HQ-WWF)

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

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

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

PAG-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities



- PAG-04 General Permit for Discharges from Small Flow Treatment Facilities
- PAG-05 General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
- PAG-06 General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
- PAG-07 General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
- PAG-08 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-08 (SSN) Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
- PAG-09 General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
- PAG-09 (SSN) Site Suitability Notice for Land Application Under Approved PAG-09 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*

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160, Email: ra-epww-sero@pa.gov.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC510177	Summit Realty Advisors, LLC 201 South Maple Avenue Suite 100 Ambler, PA 19002	City of Philadelphia Philadelphia County	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC510161	Philadelphia Housing Authority 2013 Ridge Avenue Philadelphia, PA 19121	City of Philadelphia Philadelphia County	Delaware River 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, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC350092 Authorization/ Issuance	Abington Heights School District 200 East Grove Street Clarks Green, PA 18411-1737	Lackawanna	South Abington Township	Tributary to Ackerly Creek (CWF, MF)	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC350090 Authorization/ Issuance	SLPS Realty, LLP 3505 Lawrence Avenue Moosic, PA 18507-1729	Lackawanna	Moosic Borough	Lackawanna River (CWF, MF)	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086

*Southcentral Region: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC380172 Issued	Ray E. Lausch 508 Jonestown Road Jonestown, PA 17038	Lebanon	Union Township	UNT Swatara Creek (WWF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC380179 Issued	Wellspring Properties, Inc. 2500 South George Street York, PA 17043	Lebanon	Union Township	UNT Swatara Creek (WWF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC380111 Issued	Landmark Homes at Summer Layne, LLC 1737 West Main Street Ephrata, PA 17522	Lebanon	North Londonderry Township	Killinger Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC380178 Issued	Hanford Storage, LLC 1222 East Main Street Palmyra, PA 17078	Lebanon	North Londonderry Township	UNT Killinger Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC670403 Issued	Iron Hart, LLC 3331 Gulton Road York, PA 17404	York	Jackson Township	Little Conewago Creek (TSF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670398 Issued	KST, LLC 450 Green Valley Road York, PA 17403	York	York Township	UNT EB Codorus Creek (CWF, MF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670405 Issued	Manchester Mall Associates, LLC 4645 North Central Expressway Suite 200 Dallas, TX 75205	York	West Manchester Township	UNT Willis Run (WWF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670191 Issued	Fair Valley Ventures, LLC 1454 Baltimore Street Suite A Hanover, PA 17331	York	York Township	UNT Codorus Creek (WWF, MF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC080052	Greg Glaser Stevensville DPP, LCC 9010 Overlook Blvd Brentwood, TN 37027	Stevens Twp Bradford County	Wyalusing Creek WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6

NOTICES

4347

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC550048	LB Water Properties, LLC 540 South High St Selinsgrove, PA 17870	Selinsgrove Boro Snyder County	UNT to Penns Creek CWF-MF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X110

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location and Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone Number</i>
PAC020535	Steen Road Partners, LLC 1806 Frick Building 437 Grant Street Pittsburgh, PA 15219	Collier Township	Painters Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020433	MVP Properties Company, LLC P.O. Box 602 Murrysville, PA 15668	Plum Borough	UNT to Plum Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020591	Allison Park Church 2326 Duncan Avenue Allison Park, PA 15101	Hampton Township	Pine Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020578	Aaron J. and Casey L. Silverman 737 Ekastown Road Sarver, PA 16055	O'Hara Township	Little Pine Creek (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020030	Christian Community Church 5719 North Montour Road Gibsonia, PA 15044	Richland Township	UNT to Montour Run (TSF); UNT to Breakneck Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020353	Allegheny County Sanitary Authority (ALCOSAN) 3300 Preble Avenue Pittsburgh, PA 15233-1092	City of Pittsburgh	Ohio River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020565	Ms. Olivia Ansell 204 Quail Court Baden, PA 15005	Marshall Township	UNT to Brush Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020596	Bedner Farms Estates, LP 2543 Washington Road Pittsburgh, PA 15241	Upper Saint Clair Township	McLaughlin Run (WWF); Painters Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010

## NOTICES

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location and Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone Number</i>
PAC020466	Shirley Holdings, LLC 100 Ryan Court Suite 21 Pittsburgh, PA 15205	Bethel Park Borough	Lick Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020590	Peoples Natural Gas Company, LLC 375 North Shore Drive Suite 200 Pittsburgh, PA 15212-5871	Findlay Township	McClaren Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020418	Bridgeville Borough 425 Bower Hill Road Bridgeville, PA 15017	Bridgeville Borough	McLaughlin Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020596	Bedner Farms Estates, LP 2543 Washington Road Pittsburgh, PA 15241	Upper Saint Clair Township	McLaughlin Run (WWF); Painters Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020505	University of Pittsburgh 3400 Forbes Avenue Pittsburgh, PA 15260	City of Pittsburgh	Monongahela River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020608	Woodville Associates, LTD 5020 Thoms Run Road Oakdale, PA 15071	Collier Township	UNT to Chartiers Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020489	Mr. Robert P. Jagger Director of Development 5700 Corporate Drive Suite 520 Pittsburgh, PA 15237	Bethel Park Borough	Catfish Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020560	Mr. Angelo Pugliano 2000 Sheena Drive Pittsburgh, PA 15239-1783	Plum Borough	Thompson Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020603	Mr. Eugene Zambrano President 1801 Main Street Pittsburgh, PA 15215	O'Hara Township	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020575	MB2k, Inc. 6 Clairton Road Pittsburgh, PA 15236	Jefferson Hills Borough	Beam Run Basin (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010

NOTICES

4349

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location and Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone Number</i>
PAC020589	Dream Greener Lawn and Landscape 4991 Library Road Bethel Park, PA 15012	Bethel Park Borough	Catfish Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020594	Hampton Development Company, LLC 6000 Brooktree Road Suite 100 Wexford, PA 15090	Hampton Township	UNT to Gourdhead Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020576	327 NNN, LLC Two Center Plaza Suite 700 Boston, MA 02108	City of Pittsburgh	Lower Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020208	Upper Saint Clair School District 1820 McLaughlin Run Road Upper Saint Clair, PA 15241	Upper Saint Clair Township	UNT to McLaughlin Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020598	J.P. Morgan Chase Bank, N. A. 1111 Polaris Parkway Floor 2A Columbus, OH 43240-2050	Collier Township	Chartiers Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC030025	South Buffalo Township Municipal Authority 382 Iron Bridge Road Freeport, PA 16226	South Buffalo Township Armstrong County	Knapp Run WWF	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
PAC030031	South Bend Wells Services LLC 5000 Stonewood Drive Suite 305 Wexford, PA 15090	South Bend Township Armstrong County	Crooked Creek WWF, Craig Run WWF, Sugar Run WWF, UNT to Sugar Run WWF	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
PAC100113	SF Capital LP Benchmark Realty Services LLC Mrs. Marilyn Harlam 300 Northpointe Circle Suite 11 Seven Fields, PA 16046	Cranberry Township Butler County	Brush Creek WWF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

*General Permit Type—PAG-03**Southeast Regional Office, Clean Water Program, 2 E. Main Street, Norristown, PA 19401.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG030105	Sims Metal East, LLC 1513 Bordentown Road Morrisville, PA 19067	Falls Township Bucks County	Delaware River (WWF, MF) 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970

*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG036281	ABF Freight System Inc. 770 Beechnut Drive Pittsburgh, PA 15205-1804	Pittsburgh City Allegheny County	Chartiers Creek (WWF) 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
PAR206137 A-2	MCC International, Inc. 110 Centrifugal Court McDonald, PA 15057	Cecil Township Washington County	Millers Run (WWF) 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAR208326 A-1	Webco Ind Inc. 363 Seneca Street Oil City, PA 16301-1311	Oil City Venango County	Oil Creek (WWF) 16-E	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-09 (SSN)**Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Contact Office &amp; Phone No.</i>
PAG092215	Strouse Brothers Inc. 95 Pheasant Run Rd Orwigsburg, PA 17961	West Brunswick Township Schuylkill County	Northeast Regional 570-826-2511

*General Permit Type—PAG-12**Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG123901 Issued	BP Shirey Turkey Farm Inc. 6359 Boyertown Pike Douglassville, PA 19518-8832	Amity Township Berks County	Watershed(s) 3-D	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.6639

## 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  
CAFO 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>
Clear Spring Farm 740 Marion Drive Womelsdorf, PA 19567	Berks	163.1	335.98	Poultry, Layer	NA	Approved
Joe Jurgielewicz & Sons Hoover Farm 3051 Berne Rd. Hamburg, PA 19554	Berks	10.7	133.01	Poultry, Duck	NA	Approved
Leonard Hoover 6188 Old Route 22 Bernville, PA 19506	Berks	237.5	380.09	Poultry, Broilers, Dairy, Heifers	NA	Approved
BDS Farms, LLC Lamar E. Troup 282 Troup Rd. Beaver Springs, PA 17812	Snyder	512.9	534.05	Swine, Poultry, Beef, Horse	HQ	Approved
Herbruck Poultry Ranch, Inc. 8069 Corner Road Mercersburg, PA 17236	Franklin	73.9	6,908	Poultry	NA	Approved
Laurel Ridge Pig Company Scott Augsburger 700 Swamp Church Road Reinholds, PA 17569	Lancaster	22.5	716.16	Swine	NA	Approved
Mor-T-Do Farm Neill & Mac Miller 5292 Pleasant Ridge Road Needmore, PA 17238	Fulton	143.6	386.96	Swine and Beef	None	Approved
Larry Breneman 774 Bunker Hill Rd. Strasburg, PA 17579	Lancaster	155	413.72	Swine	NA	Approved
JMA Farms, LLC 179 BP Finishing Lane Beavertown, PA 17813	Snyder	30.9	1,812.51	Swine	NA	Approved

<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>
Shady Rill Farm LLC 252 Tharp Road Mt. Pleasant Mills, PA 17853	Snyder	643.7	1,033.8	Swine	NA	Approved
Jevin Kready 1113 North Colebrook Rd Manheim, PA 17545	Lancaster	93.6	377.72	Broiler/ Beef	NA	Approved
Steven R. Hershey 1996 Donegal Springs Road Mount Joy, PA 17552	Lancaster	333.5	592.57	Pullet/ Beef/ Swine	HQ	Approved

## PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

#### Permit No. 3919505MA, PWS.

Applicant **Nestle Waters North America, Inc.**  
405 Nestle Way  
Breinigsville, PA 18031

Township or County Upper Macungie Township,  
**Lehigh County**

Responsible Official Attention: Mr. Michael Franceschetti  
Plant Manager  
Nestle Waters North America, Inc.  
405 Nestle Way  
Breinigsville, PA 18031

Type of Facility Public Water Supply

Consulting Engineer Mr. Edward E. Davis Sr., P.E.  
Miller Brothers Construction, Inc.

Permit Issued July 23, 2020

#### Permit No. 3919504, PWS.

Applicant **Nestle Waters North America, Inc.**  
405 Nestle Way  
Breinigsville, PA 18031

Township or County Upper Macungie Township,  
**Lehigh County**

Responsible Official Attention: Mr. Michael Franceschetti  
Plant Manager  
Nestle Waters North America, Inc.  
405 Nestle Way  
Breinigsville, PA 18031

Type of Facility Public Water Supply

Consulting Engineer Mr. Edward E. Davis Sr., P.E.  
Miller Brothers Construction, Inc.

Permit Issued July 23, 2020

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

#### Permit No. 5620502, Major Amendment, Public Water Supply.

Applicant **Indian Lake Borough**  
1031 Causeway Drive  
Central City, PA 15926

Borough or Township Indian Lake Borough

County **Somerset**

Type of Facility Water sources, filter treatment plant and new water storage tank



Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
P.O. Box 853  
Latrobe, PA 15650

Permit Issued July 30, 2020

**Operations Permit** issued to: **Municipal Authority of the Borough of Portage**, 606 Cambria Street, Portage, PA 15946, **PWSID No. 4110027**, Portage Township, **Cambria County** on July 29, 2020 for the operation of facilities approved under construction permit # 1120505MA for static mixing within the clarifier at the Benscreek and Martindale water treatment plants.

**Operations Permit** issued to: **West Penn Allegheny Health System, Inc.**, 320 East North Avenue, Pittsburgh, PA 15212, **PWSID No. 5020956**, City of Pittsburgh, **Allegheny County** on July 29, 2020 for the operation of facilities approved under construction permit # 0218501-A1 for a Barclay iChlor system at Allegheny General Hospital Academic Cancer Center.

**Operations Permit** issued to: **Harmar Water Authority**, 200 Pearl Avenue, Cheswick, PA 15024, **PWSID No. 5020009**, Harmar Township, **Allegheny County** on August 6, 2020 for the operation of facilities approved under construction permit # 0215527 for the ozone feed system at the existing water treatment plant.

#### WATER ALLOCATIONS

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

*Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5980.*

*Contact: Kimberleigh Rivers, Clerk Typist 2, 424.250.5887.*

**WA-09-962A, Water Allocations. Township of Falls Authority**, 188 Lincoln Highway, Fairless Hills, PA 19030, Falls Township, **Bucks County**. Granting the right to purchase 900,000 gallons per day of water, based on a 30-day average, from Morrisville Municipal Authority, in Bucks 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—6026.908).**

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, 570-826-2511.*

**McCloskey Property**, 3890 Larkspur Drive, Allentown, PA 18104, Lower Macungie Township, **Lehigh County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road, Easton, PA 18040, on behalf of Kevin McCloskey, 3890 Larkspur Drive, Allentown, PA 18104, submitted a Final Report concerning remediation of soil contaminated by heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Ringtown American Legion Post 289**, 560-594 West Main Street, Ringtown, PA 17967, Ringtown Borough, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Ringtown American Legion Post 289, P.O. Box 162, Ringtown, PA 17967, submitted a Final Report concerning remediation of soil contaminated by heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

**2701 Barnes Lane**, 2701 Barnes Lane, Allentown, PA 18103, Allentown City, **Lehigh County**. Geo-Technology Associates, 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Barnes Land Development LLC, 2240 West Rock Road, Allentown, PA 18103, submitted a combined Remedial Investigation Report, Risk Assessment, and Final Report concerning remediation of soil impacted with pesticides from historic orchard operations. The report is intended to document remediation of the site to meet Site-Specific Standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**Collins Property**, 4613 Hamlin Highway, Moscow, PA 18444, Jefferson Township, **Lackawanna County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Cindy Collins, 4613 Hamlin Highway, Moscow, PA 18444, submitted a Final Report concerning

remediation of soil contaminated by heating oil. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on August 6, 2020.

**Former Rynek Rope**, 991 Bushkill Drive, Easton, PA 18042, Easton City, **Northampton County**. United Environmental, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Lafayette College, 1001 Bushkill Drive, Easton, PA 18042, submitted a Final Report concerning remediation of soil contaminated by a release of # 6 heating oil from an underground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on August 6, 2020.

**Evans Coal & Fuel Oil**, 223 East Water Street, Coaldale, PA 18218, Coaldale Borough, **Schuylkill County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Evans Coal & Fuel Oil, 309 West Holland Street, Summit Hill, PA 18250, submitted a Final Report concerning remediation of soil contaminated by heating oil that was released from the loading rack of an aboveground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on August 7, 2020.

## 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.*

**GP3-28-03040A: New Enterprise Stone & Lime Co., Inc.** (3912 Brumbaugh Road, New Enterprise, PA 16664) on August 10, 2020, for a vibratory screen and four conveyors, under GP3, at the Chambersburg Quarry located in Guilford Township, **Franklin County**.

**GP9-01-03005: Wellspan Health—Gettysburg Hospital** (147 Gettys Street, Gettysburg, PA 17325-2536) on August 10, 2020, for two diesel-fired emergency generator engines, 1,141 bhp each, under GP9, at the Gettysburg Hospital located in Gettysburg Borough, **Adams County**. The general permit authorization was renewed.

*Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**GP3-26-00612: Charles L. Swenglish & Sons Coal Company, Inc.** (2 Swenglish Lane, Smithfield, PA 15478) on August 6, 2020, to authorize and allow the installation and operation of a portable nonmetallic mineral processing plant consisting of one (1) crusher with two (2) double deck vibratory screens and associated conveyors located in Springhill and Georges Townships, **Fayette County**.

**GP9-26-00612: Charles L. Swenglish & Sons Coal Company, Inc.** (2 Swenglish Lane, Smithfield, PA 15478)

on August 6, 2020, to authorize and allow the installation and operation of three (3) diesel-fired engines of various capacities in conjunction with a portable nonmetallic mineral processing plant located in Springhill and Georges Townships, **Fayette County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**25-920E: Waste Management of Pennsylvania, Incorporate, Lake View Landfill** (851 Robison Road, Erie, PA 16509), on August 6, 2020 issued a Plan Approval for the proposed installation of an 1,175 scf open flare (C101C) to allow flexibility in flare operations in Summit Township, **Erie County**. This is a Title V facility.

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

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

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

**46-0027F: Janssen Research & Development LLC** (1400 McKean Road, Spring House, PA 19477), on August 10, 2020 for an existing boiler (i.e., Source ID 035; Bryan boiler 1): (a) Replacement of the natural gas- and No. 2 fuel oil-fired low-nitrogen oxides (NO<sub>x</sub>) burner (designed for flue gas recirculation [FGR]) with a similar burner. (b) Reactivation of the boiler, in accordance with the provisions of 25 Pa. Code § 127.11a in Lower Gwynedd Township, **Montgomery County**.

**46-0112G: Palmer Intl Inc.** (2036 Lucon Road, Skipack, PA 19474) on August 10, 2002 for the replacement of a thermal oxidizer with a regenerative thermal oxidizer (RTO). This Plan Approval does not allow for the modification of existing sources or the installation of any new sources, nor does it allow for any increase in emissions. The new RTO will control emissions from various processes already operating under Synthetic Minor Operating Permit No. 46-00112 in Skippack Township, **Montgomery County**.

**46-0198P: Blommer Chocolate Co.** (1101 Blommer Drive, East Greenville, PA 18041-2140) on August 7, 2020 to upgrade of the existing bean cleaning process (Source ID 113 A). Included in the upgrade is the installation or replacement of some process components and construction of an additional baghouse (Source ID C-113-2). This Plan Approval also contains conditions for determining pre-control particulate matter emissions for Compliance Assurance Monitoring (CAM) applicability analysis in Upper Hanover Township, **Montgomery County**.

**09-0024J: Waste Management PA Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067-6702) on August 7, 2020 to construct with interim and permanent landfill gas collection and treatment systems for the sale and for the

on-site use of landfill gas in engine Source ID C110. This expansion shall be installed and operated in accordance with the plans submitted with the application in Tullytown Borough, **Bucks County**.

**09-0196K: Abington Reldan Metals LLC** (550 Old Bordentown Road, Fairless Hills, PA 19030-4510) on August 7, 2020 for existing Acid Room NO<sub>x</sub> Scrubber (Source ID C10) is being replaced with a new NO<sub>x</sub> Scrubber (Source ID C21) in Falls Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**36-05014K: Arconic Lancaster Corp.** (1480 Manheim Pike, Lancaster, PA 17604-3167) on August 11, 2020, for the replacement of the burners in two melting furnaces at the secondary aluminum production facility in Manheim Township, **Lancaster County**. Specifically, the project is for the replacement of the current burners in melting furnaces No. 5 & 6 (Source IDs 133 & 134) with new 40 MMBtu/hr natural gas fired regenerative burners. The actual melt rate of each furnace is expected to increase from 22,500 pounds per hour to 32,000 pounds per hour. Along with the increase in melt production, actual material throughputs of Source IDs C01A, C01B and 107 are also expected to increase, although no physical modification will take place to the emission units. The plan approval was extended.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**25-995D: Essentra Components** (2614 McClelland Avenue, Erie, PA 16510) on July 20, 2020, effective July 20, 2020, has issued a plan approval for the proposed modification of the VOC & HAP limit associated with Sources 101, 103 & 106 in Erie City, **Erie County**. This is a State Only facility. This will expire on January 31, 2021.

**32-428B: Creps United Publications** (4185 Route 286 Highway West, Indiana, PA 15701) on August 7, 2020, effective August 10, 2020, has issued a plan approval extension to allow time for the DEP to review and approve compliance with plan approval terms and conditions in White Township, **Indiana County**. This is a State Only facility. This will expire on October 31, 2020.

**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.*

**21-05068: PA Department of Corrections, Camp Hill SCI** (P.O. Box 8837, 2500 Lisburn Road, Camp Hill, PA 17001-8837) on August 3, 2020, for the Camp Hill State Correctional Institution located in Lower Allen Township, **Cumberland County**.

*Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**65-00596: St. Clair Cemetery Association, Inc.** (944 Saint Clair Way, Greensburg, PA 15601). On August 11, 2020, the Department issued a Natural Minor Operating Permit renewal for the operation of the facility's air contamination sources consisting of one natural gas-fired All Crematory Corp Model L-1701-32A crematory incinerator with a 716,000 Btu/hr primary chamber and a 1,400,000 Btu/hr secondary chamber, and one natural gas-fired Matthews IE43-PPI crematory incinerator with a 600,000 Btu/hr primary chamber and a 2,000,000 Btu/hr secondary chamber. The All Crematory unit is limited to 0.1 gr/dscf particulate matter corrected to 12% CO<sub>2</sub> and 500 ppmv sulfur oxides. The Matthews unit is limited to 0.08 gr/dscf particulate matter corrected to 7% O<sub>2</sub> and 500 ppmv sulfur oxides. The permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for the facility located in Hempfield Township, **Westmoreland County**.

**63-00928: Valley Retreading Company** (1002 Arentzen Boulevard, Charleroi, PA 15022-1003). On August 11, 2020, the Department of Environmental Protection renewed a natural minor State-Only Operating Permit for the operation of a tire retreading facility located in Charleroi Borough, **Washington County**. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The permit includes emission restrictions, operating requirements, monitoring requirements, work practice standards, and recordkeeping requirements for the site.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**20-00037: US Bronze Foundry & Machine, Inc.** (P.O. Box 458, Meadville, PA 16335). On August 6, 2020, the Department renewed the State Only Operating Permit for the foundry facility located in Woodcock Township, **Crawford County**. The primary sources at the facility include natural gas combustion for building heat; 2 natural gas fueled mold & core drying ovens; 12 electric induction furnaces; 2 natural gas fueled aluminum melting furnaces; 2 paint booths; a sand handling system; a parts washer; and an emergency generator. The facility is a Natural Minor. Potential emissions are less than the Title V thresholds. The facility is subject to the following subparts of 40 CFR Part 63: Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; Subpart ZZZZZ, National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources; and Subpart ZZZZZZ, National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00541: Penn Union Corp.** (229 Waterford Street, Edinboro, PA 16412). On August 11, 2020, the Department issued the renewal of the State-Only Operating Permit of a facility that manufactures current-carrying wiring devices located in Edinboro Borough, **Erie**

**County**. Permitted air contamination sources at the facility include various equipment for melting, casting and finishing operations and units used in miscellaneous/supporting activities. Previously permitted as Title V, the facility became Natural Minor in 2015 after discontinuing operation of a perchloroethylene-based batch cold cleaning degreaser. In this renewal, monitoring and recordkeeping requirements associated with Title V operating permits are removed. Previously considered an insignificant activity, grinding machines that exhaust outdoors are incorporated as a permitted source. Subject to a different emission limitation, existing combustions units are designated a new permit source identification.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) issued on 8/6/2020 an initial Natural Minor (State Only) Operating Permit for the following facility:

**OP19-000037: Amtrak 30th Street Station and Penn Coach Yard**, 2955 Market Street, Philadelphia, PA 19104, on August 6, 2020, was issued a Natural Minor (State Only) Operating Permit for the operation of air pollution sources at a railroad station, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are three (3) boilers firing No. 2 oil rated 0.31 MMBtu/hr, 3.50 MMBtu/hr, and 0.375 MMBtu/hr, three (3) boilers firing natural gas each rated less than or equal to 1 MMBtu/hr, one (1) air handling unit firing natural gas rated 3.025 MMBtu/hr, and three (3) emergency generators firing diesel fuel each rated less than or equal to 565 kW. Additionally, one (1) insignificant boiler firing No. 2 oil rated 0.249 MMBtu/hr is also included in the Natural Minor Operating Permit for facility-wide emission calculation, and it is required to follow the applicable requirements in the operating permit.

---

**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.**

---

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**24-00135: National Fuel Gas Supply Corporation Island Run Compressor Station** (6363 Main Street, Williamsville, NY 14221-5887). On August 5, 2020 the Department issued an administrative amendment to the State Only Operating Permit for the facility located in Ridgway Township, **Elk County**. The amendment incorporates the change of the responsible official.

**25-00979: National Fuel Gas Supply Corporation Carter Hill Compressor Station** (6363 Main Street, Williamsville, NY 14221-5887). On August 4, 2020 the Department issued an administrative amendment to the State Only Operating Permit for the facility located in Wayne Township, **Erie County**. The amendment incorporates the change of the responsible official.

**43-00366: National Fuel Gas Supply Corporation Mercer Compressor Station** (6363 Main Street, Williamsville, NY 14221-5887). On August 5, 2020 the Department issued an administrative amendment to the

State Only Operating Permit for the facility located in Jefferson Township, **Mercer County**. The amendment incorporates the change of the responsible official.

**62-00141: National Fuel Gas Supply Corporation Roystone Compressor Station** (6363 Main Street, Williamsville, NY 14221-5887). On August 5, 2020 the Department issued an administrative amendment to the Title V Operating Permit for the facility located in Sheffield Township, **Warren County**. The amendment incorporates the conditions of plan approval 62-141H and changes the responsible official.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). 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 such applications will also address the application permitting requirements of the following statutes; the Air Quality 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).**

### Coal Permits Issued

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Ford-Wigfield).*

**Permit 11100101. ELK Resources, Inc.**, 30 Pounds Road, West Lebanon, PA 15783, permit renewal for reclamation only of a bituminous surface mine in Richland Township, **Cambria County**, affecting 14.0 acres. Receiving streams: unnamed tributaries to/and Solomon Run, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 27, 2020. Permit issued: August 7, 2020.

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

**16180101. Ben Hal Mining, Inc.** (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface mine to change the post-mining land use from Forestland to Unmanaged Natural Habitat on the property(ies) of John W. Port and W. Scott Port in Clarion Township, **Clarion County**. Receiving streams: Unnamed tributaries to Brush Run. Application received: January 2, 2020. Permit Issued: July 27, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 19793201R7. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Conyngham Township, **Columbia County** affecting 3.4 acres. Receiving stream: unnamed tributary to

Mahanoy Creek. Application received: February 12, 2020. Renewal issued: August 4, 2020.

**Permit No. PAM115004R. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 19793201 in Conyngham Township, **Columbia County**, receiving stream: unnamed tributary to Mahanoy Creek. Application received: February 12, 2020. Renewal issued: August 4, 2020.

### Noncoal Permits Issued

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

**4379306 and NPDES Permit No. PA0118699. H&H Materials, Inc.** (190 Canon Road, Stoneboro, PA 16153), revision to an existing large industrial mineral surface mine to relocate the processing plant in Lake Township, **Mercer County**. Receiving streams: Unnamed tributaries to the Little Shenango River. Application received: September 18, 2019. Permit Issued: June 29, 2020.

**2097-4379306-E4319-002. H&H Materials, Inc.** (190 Canon Road, Stoneboro, PA 16153), application for a stream encroachment to relocate approximately 40 feet of unnamed tributary No. 1 and to conduct support activities up to 15 feet from unnamed tributary No. 1 in Lake Township, **Mercer County**. Receiving streams: Unnamed tributaries to the Little Shenango River. Application Received: September 18, 2019. Permit Issued: June 29, 2020.

**2097-4379306-E4319-003. H&H Materials, Inc.** (190 Canon Road, Stoneboro, PA 16153), application for a stream encroachment to relocate approximately 1,980 feet of unnamed tributary No. 2, to construct two haul road crossings (one of which is considered a stream enclosure) over unnamed tributary No. 2, to construct an aerial conveyor crossing of unnamed tributary No. 2, and to conduct support activities up to 15 feet of unnamed tributary No. 2 in Lake Township, **Mercer County**. Receiving streams: Unnamed tributaries to the Little Shenango River. Application Received: September 18, 2019. Permit Issued: June 29, 2020.

**2097-4379306-E4319-004. H&H Materials, Inc.** (190 Canon Road, Stoneboro, PA 16153), application for a stream encroachment to conduct support activities up to 15 feet from unnamed tributary No. 3 in Lake Township, **Mercer County**. Receiving streams: Unnamed tributaries to the Little Shenango River. Application Received: September 18, 2019. Permit Issued: June 29, 2020.

**4379306 and NPDES Permit No. PA0118699. H&H Materials, Inc.** (190 Canon Road, Stoneboro, PA 16153) application for a wetland encroachment to allow for direct impacts to 1.45 acre of emergent wetlands, 2.59 acres of scrub-shrub wetlands, 0.78 acre of forested wetlands, and 0.18 acre of open water. As replacement for the wetland impacts, 1.45 acre of emergent wetlands, 5.19 acres of scrub-shrub wetlands, 2.33 acres of forested wetlands, and 0.18 acre of open water will be developed according to the Module 14.4 mitigation plan located in Lake Township, **Mercer County**. In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of Sections 301—303, 306, and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable

Federal and State water quality standards. Application received: September 18, 2019. Permit Issued: June 29, 2020.

### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Issued*

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

**04204002. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141), blasting activity permit for blasting at Stefanik Industrial Park in Center and Hopewell Townships, **Beaver County**. This blasting activity permit will expire on January 1, 2021. Permit Issued: July 21, 2020.

**10204001. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141), blasting activity permit for blasting at Weaver Homes in Buffalo Township, **Butler County**. This blasting activity permit will expire on January 1, 2021. Permit Issued: July 27, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 36204123. Keystone Blasting Service** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Chris King Barn and Pit in Strasburg Township, **Lancaster County** with an expiration date of September 30, 2020. Permit issued: August 5, 2020.

**Permit No. 36204124. Keystone Blasting Service** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Elvin Wenger Dwelling in West Earl Township, **Lancaster County** with an expiration date of August 30, 2020. Permit issued August 5, 2020.

**Permit No. 06204110. Maine Drilling & Blasting, Inc.** (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Highlands at Wyomissing in Wyomissing Borough, **Berks County** with an expiration date of July 14, 2021. Permit issued: August 6, 2020.

**Permit No. 36204125. Keystone Blasting Service** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Superior Truss in Clay Township, **Lancaster County** with an expiration date of December 30, 2020. Permit issued: August 6, 2020.

### 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 the applicable provisions of 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.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, 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 Environmental Hearing 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**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.**

*Southcentral Region: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E2103219-003. Silver Spring Township**, 8 Flowers Drive, Mechanicsburg, PA 17050, Silver Spring Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To 1) remove the existing stream crossing structure and construct and maintain a 93.5-foot long 4.66-foot high by 11.5-foot wide box culvert with fish baffles in Trindle Spring Run (CWF-MF) and; 2) relocate 430 linear feet of Trindle Spring Run (CWF-MF), all for the purpose of widening Silver Spring Road to provide a safe and signalized intersection with Woods Drive in Silver Spring Township, Cumberland County (Latitude: 40.23691; Longitude: -77.007177). No wetland impacts are associated with the project. Permit issued April 10, 2020.

**E2103219-004. Hampden Medical Center—c/o Penn State Health**, 100 Crystal A Drive, Hershey, PA 17033-9524, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To place and maintain fill in three separate PEM and PFO wetlands, totaling 0.32 acre of wetland impact in the watershed of Pine Run (WWF), for the purpose of constructing an inpatient hospital complex in Hampden Township, Cumberland County (Latitude: 40.290345; Longitude: -76.984977). Permit issued May 5, 2020.

**E2803219-004. Washington Township**, 13013 Welty Road, Waynesboro, PA 17268-9511, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 6.0-foot wide 38.0-foot long single-span pedestrian bridge over Red Run (CWF-MF) (Latitude: 39.7382; Longitude: -77.4793) for the purpose of improving public safety at Monterey Pass Battlefield Park & Museum in Washington Township, Franklin County. Permit issued June 11, 2020.

**E3603219-012. Adam Davis**, 1040 Log Cabin Rd, Leola, PA 17540. Warwick Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To (1) construct and maintain 4 boardwalk walking trails impacting 0.04 acre of PEM wetlands, (2) construct and maintain 1 boardwalk impacting 9 square feet of a UNT to Cocalico Creek (WWF, MF), (3) construct and maintain 1 boardwalk and perform grading impacting 0.70 acre of the floodway of Cocalico Creek (WWF, MF) and (4) construct a boardwalk and dock impacting 0.01 acre of an open water pond all for the purpose of providing recreational access to the property. The project is located along Log Cabin Road (Latitude: 40° 07' 43.7" N; Longitude: 76° 14' 0.1" W) in Warwick Township, Lancaster County. Permit issued May 14, 2020.

**E3803220-021. Mount Gretna Borough**, 101 Chautauqua Drive, Mount Gretna, PA 17064, Mount Gretna Borough and South Londonderry Township, **Lebanon County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 6-foot wide, single span bridge, having a normal span of 49-feet across Conewago Creek (TSF, MF) for the purpose of providing pedestrian access from Mount Gretna attractions to Soldier's Field. The project is located along Mount Gretna Road west of the intersection with Timber Drive (Manheim, PA quad-range, Latitude: 40° 14' 54" Longitude: 76° 28' 17") in Mount Gretna Borough and South Londonderry Township Lebanon County. Permit issued May 19, 2020.

*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E65051-1003, PennDOT District 12-0**, 825 North Gallatin Avenue Extension, Uniontown, PA 15401, Allegheny Township, **Westmoreland County**; Pittsburgh ACOE District.

Has been given consent to:

Remove the existing 6' wide, 3.5' high, 70' long concrete arch culvert and construct and maintain 12' wide, 5.5' high, 112' long concrete arch culvert, having a permanent impact of 112 LF to perennial STR-1 (WWF) (287.85 acres drainage area).

Construct and maintain two outfalls having 24 LF and 20 LF impact to STR-1.

Remove the existing headwall and construct and maintain a replacement, having approximately 1 LF of impact to intermittent STR-2 (WWF) (23.587 acres drainage area).

Construct and maintain an outlet, having an impact of 10 LF of perennial STR-1, and 33 LF of intermittent STR-8 (WWF).

Remove the existing 10' wide, 9.5' high, 78' long concrete arch culvert, and construct and maintain a replacement 10' wide, 11.5' high, 98' box culvert, having a total impact of 134 LF to perennial stream STR-3 (WWF) (584.04 acres drainage area).

Construct and maintain an outfall having a permanent impact of 17 LF to STR-3.

Remove the existing headwall and construct and maintain a replacement having approximately 1 LF of impact to perennial STR-4 (WWF) (21.965 acres drainage area).

Construct and maintain an outfall, headwall, and outfall protection having an impact of 35 LF to STR-4.

Construct and maintain a 30 foot long pipe extension, to the existing 101' long steel pipe, having a permanent impact of 48 LF on intermittent STR-5 (WWF) (12.110 acres drainage area). This activity will also have 0.017 acre of impact to Wetland 4 (POW).

Construct and maintain a 30' long extension to an existing 30', 101' long steel pipe, having an impact of 48 LF to intermittent STR-5 (12.110 acres drainage area).

Remove the existing 12' wide, 7' high, 62' long, Garvers Ferry Road concrete arch culvert, and construct and maintain a replacement 12' wide, 10' high, 54' long concrete box culvert, having a permanent impact of 54 LF to perennial STR-6 (WWF) (460.68 acre drainage area). The culvert replacement will also require a 72 LF relocation of STR-6 channel upstream, and a 132 LF relocation downstream of the proposed culvert.

Remove the existing 11' wide, 9' high, 46' long slab bridge, and construct and maintain a replacement 20' wide, 8.5' high, 85' long concrete box culvert, having a permanent impact of 105 LF to STR-6.

Construct and maintain three channel outfalls having permanent impacts of 15 LF, 23 LF, and 16 LF of STR-6.

Remove the existing headwall and construct and maintain a replacement having a permanent impact of 1 LF to perennial STR-7 (86.653 acres drainage area).

For the purpose of the SR 356 Corridor Safety Improvement Project. This project will have 769 LF of permanent impacts and 1,023 LF of temporary impacts to perennial streams. The project will have 82 LF of permanent impacts and 101 LF of temporary impacts to intermittent streams. The project will also involve 1,554 LF of permanent impacts and 1,786 LF of temporary impacts to seven ephemeral channels within the project area. Impacts for the SR 356 Corridor Safety Improvement Project include 70 feet of perennial stream loss, 48 feet of intermittent stream loss, and 145 feet of ephemeral channel loss. Total wetland impacts for the project are de minimis (0.017 acre). Stream mitigation for the project will improve 246 feet of stream bank and floodplain, along perennial stream STR-3, below the culvert replacement.

The project site is located on SR 0356 between White Cloud Road and SR 0056 (Leechburg Road), (Freeport and New Kensington East, PA USGS topographic quadrangle; N: 40°, 38', 7.7784"; W: 79°, 39', 11.7955"; Sub-basin 18B; USACE Pittsburgh District), in Allegheny Township, Westmoreland County.

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

**E3206219-003, Indiana University of Pennsylvania**, 600 S 13th Street, Robertshaw Building, Indiana, PA 15075. Kovalchick Convention and Athletic Complex Parking Lot Expansion, in White Township, **Indiana County**, ACOE Pittsburgh District (Indiana, PA Quadrangle N: 40.610114°; W: -79.161317°).

To conduct the following activities associated with the expansion of the existing parking lot for the Kovalchick Convention and Athletic Complex at the Indiana Univer-

sity of Pennsylvania campus near the intersection of Pratt Drive and Wayne Avenue (Indiana, PA Quadrangle N: 40.610114°; W: -79.161317°) in White Township, Indiana County:

1. To construct and maintain a 6-foot wide steel truss pedestrian bridge on concrete caissons providing a clear span of 51 feet and an underclearance of approximately 6 feet across Marsh Run.

2. To conduct grading and excavation associated with the parking lot expansion and associated stormwater management facilities within the 100-year flood plain of Marsh Run and Stoney Run.

3. To conduct grading and excavation associated with the parking lot expansion and associated stormwater management facilities within the mapped 100-year floodway of Stoney Run.

*Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, 13th Floor, P.O. Box 69205, Harrisburg, PA 17106-9205.*

**EA0310-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, P.O. Box 69205, Harrisburg, PA 17106-9205, Redbank Township, Armstrong County, USACE Pittsburgh District.**

The applicant proposes to backfill an abandoned surface mine, which includes a total of 1,400 linear feet of dangerous highwall and a 9.3-acre dangerous pile and embankment. The project will include the backfilling of 0.93 acre of wetlands that have developed within the open surface mine pit and a 0.708-acre mitigation wetland constructed on site. Latitude 40.925470; Longitude 79.237175.

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. E5829220-022, Williams Field Services Company, LLC; 30351 Route 6, Wysox, PA 18854, Natural Gas Pipeline(s). Bridgewater and Dimock Townships, Susquehanna County; ACOE, Baltimore Office**

To construct, operate, and maintain:

1) a 16-inch diameter permanent natural gas pipeline and temporary timber mat bridge crossing impacting 8,848 sq. ft. (0.20 acre) of an unnamed tributary to White Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 06", Longitude: -75° 54' 39"),

2) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 21,028 sq. ft. (0.48 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 51", Longitude: -75° 54' 25"),

3) a temporary timber mat bridge crossing impacting 6,725 sq. ft. (0.15 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 49", Longitude: -75° 53' 52"),

4) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 36,519 sq. ft. (0.84 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 53' 47"),

5) a temporary timber mat bridge crossing impacting 840 sq. ft. (0.02 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 49", Longitude: -75° 53' 52"),

6) a temporary timber mat bridge crossing impacting 592 sq. ft. (0.01 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 49", Longitude: -75° 53' 52"),

7) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 3,465 sq. ft. (0.08 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 52", Longitude: -75° 53' 40"),

8) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 2,897 sq. ft. (0.07 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 53", Longitude: -75° 53' 39"),

9) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 8,680 sq. ft. (0.20 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 54", Longitude: -75° 53' 38"),

10) a 16-inch diameter permanent natural gas pipeline and temporary timber mat bridge crossing impacting 68 lf. (0.17 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 54", Longitude: -75° 53' 39"),

11) a temporary timber mat bridge crossing impacting 850 sq. ft. (0.02 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 56", Longitude: -75° 53' 38"),

12) a 16-inch diameter permanent natural gas pipeline and temporary timber mat bridge crossing impacting 86 lf. (0.21 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 47' 00", Longitude: -75° 53' 33"),

13) a 16-inch diameter permanent natural gas pipeline and temporary timber mat bridge crossing impacting 3,149 sq. ft. (0.07 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 47' 00", Longitude: -75° 53' 32"),

14) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 3,479 sq. ft. (0.08 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 01", Longitude: -75° 53' 27"),

15) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 14,717 sq. ft. (0.34 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 03", Longitude: -75° 53' 28"),

16) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 1,572 sq. ft. (0.04 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 10", Longitude: -75° 52' 57"),

17) a 16-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 666 sq. ft. (0.02 acre) of a Palustrine Emergent Wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 11", Longitude: -75° 52' 52").

The project consists of installing 245 lineal feet of 12-inch natural gas pipeline and 17,454 lineal feet of 16-inch natural gas pipeline in Bridgewater and Dimock Townships, Susquehanna County. The project will result in 236 lineal feet of stream impacts and 97,023 square feet (2.23 acres) of impacts to a Palustrine Emergent



Wetland (PEM) for the purpose of providing safe and reliable transportation of Marcellus Shale natural gas for distribution.

### ENVIRONMENTAL ASSESSMENTS

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**EA6703219-003. York City**, 101 South George Street, York, PA 17401, in York City, **York County**, U.S. Army Corps of Engineers Baltimore District.

To 1) restore and maintain 3,782 linear feet of an Unnamed Tributary to Codorus Creek (WWF-MF) and its floodplain by means of creating a floodplain bench and stabilized side slopes, and 2) replace and maintain two existing pedestrian bridges. The project is located between Edgar Street and Vander Ave in York City, York County (39.953969°, -76.712684°). No wetland impacts are proposed. Permit issued May 19, 2020.

### 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 and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E30-07-018: EQT Production Company**, 400 Woodcliff Drive, Canonsburg, PA 15317, **Washington County**.

EQT Production Company, is proposing to construct a temporary access road and pad to plug the existing Morris, G. 355 well. The proposed temporary access road will temporarily impact 0.355 acre of a PEM wetland and 22 LF of a UNT to South Fork Tenmile Creek with the placements of timber mat bridges. The proposed well pad will temporarily impact 0.029 acre of floodway associated with South Fork Tenmile Creek.

Once the well is plugged the entire plugging site will be restored to pre-existing conditions.

The project was submitted as a Joint Permit Application to cover the large crossing length (~697 LF) of the PEM wetland.

ESCGP-3 # ESX17-003-0007 Major Mod  
Applicant Name Superior Appalachia Pipeline, LLC  
Contact Person Art Smith  
Address 4000 Town Center Blvd, Suite 220  
City, State, Zip Canonsburg, PA 15317  
County Allegheny  
Township(s) Indiana and Frazer Townships  
Receiving Stream(s) and Classification(s) UNT to Long Run (CWF), Long Run (CWF), Little Deer Creek (TSF), Deer Creek (TSF), Allegheny River (WWF)

ESCGP-3 # ESG073019033-008  
Applicant Name CNX Gas Company, LLC  
Contact Person Sarah Weigand  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Richhill Twp  
Receiving Stream(s) and Classification(s) UNTs to Crabapple Creek (CWF), Crabapple Creek (TSF), Dunkard Fork (WWF), Wheeling Creek (WWF), Ohio River (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.*

ESCGP-3 # ESX120190166-03 Renewal/Major Modification Pad W23  
Applicant PennEnergy Resources, LLC  
Contact Mr. Cody Salmon  
Address, City, State, Zip Code 1000 Commerce Drive, Park Place One, Suite 400, Pittsburgh, PA 15275  
County Butler  
Township(s) Winfield  
Receiving Stream(s) and Classification(s) UNT 1 Tributary 42637 of Rough Run HQ-TSF, UNTs to Tributary 42638 of Rough Run HQ-TSF

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

ESCGP-3 # ESG290820021-00  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Marlene Williams  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840-1567  
County Bradford  
Township(s) Wilmot  
Receiving Stream(s) and Classification(s) UNT Foster Branch Sugar Run (CWF, MF)  
Secondary: Foster Branch Sugar Run (CWF, MF)

ESCGP-3 # ESG290820004-00  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Monroe  
Receiving Stream(s) and Classification(s) UNT to Millstone Creek (HQ-CWF, MF), Millstone Creek (HQ-CWF, MF), Schrader Creek (HQ-CWF, MF)  
Secondary: Towanda Creek (TSF-MF)

ESCGP-3 # ESG290820006-00  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford  
 Township(s) Monroe  
 Receiving Stream(s) and Classification(s) UNT to Millstone Creek (HQ-CWF, MF), Millstone Creek (HQ-CWF, MF), Schrader Creek (HQ-CWF, MF)  
 Secondary: Towanda Creek (TSF-MF)

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

**The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Former Giant Supermarket**, 46-55590, 467 Sumneytown Pike, Upper Gwynedd Township, **Montgomery County**, on behalf of Whitestone Associates, Inc., New Britain Corporate Center, 1600 Manor Drive, Suite 220, Chalfont, PA 18914, submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet residential Statewide health standards.

**James D Morrissey**, 51-40234, 9119 Frankford Ave., **City of Philadelphia**. J&J Spill Services and Supply, Inc., P.O. Box 370, Blue Bell, PA 19422, on behalf of James D. Morrissey, 9119 Frankford Ave., Philadelphia, PA 19114 submitted a site characterization report 310(b) concerning remediation of soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet residential Statewide health standards.

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**Diana's Corner Store**, Storage Tank ID # 13-50526, 23 West Lizard Creek Road, Lehigh, PA 18235, East Penn Township, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Diana's Corner Store Inc., 23 West Lizard Creek Road, Lehigh, PA 18235, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet a combination of Site Specific and Statewide Health Standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Gregory Bowman, Environmental Group Manager.*

**Mechanicsburg North Terminal**, Storage Tank Facility ID # 21-00827, 127 Texaco Road, Mechanicsburg, PA 17050, Silver Spring Township, **Cumberland County**. Groundwater Services International, Inc., 443 McCormick Road, Mechanicsburg, PA 17055 on behalf of Lucknow Highspire Terminals, LLC, P.O. Box 2621, Harrisburg, PA 17105 submitted a Remedial Investigation Report/Remedial Action Completion Report/Final Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document remediation of the site to meet the Site-Specific Standard and the Statewide Health Standard.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**PDQ Mart**, Primary Facility ID # 04-32111, 1203 Grindo Rd., Aliquippa, PA 15001, Hopewell Township, **Beaver County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of Arthur Paulus, 5440 N. Blagg Rd., Pahrump, NV 89060, submitted a Remedial Action Completion Report concerning the 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.

**Quik Serv**, Primary Facility ID # 02-80224, 400 Union Ave., Pittsburgh, PA 15202, Pittsburgh City, **Allegheny County**. Sovereign Consulting, Inc., 359 Northgate Dr., Ste. 400, Warrendale, PA 15086, on behalf of Michael Fleming, Quik Serv LLC, 400 Union Ave., Pittsburgh, PA 15202, submitted a revised Remedial Action Completion Report concerning the 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 & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.*

**Tionesta Gulf**, Storage Tank Facility ID # 27-134763, 402 Elm Street, Tionesta Borough, **Forest County**. Letterle & Associates, Inc., 191 Howard Street, Franklin, PA

16323, on behalf of Forest County Industrial and Commercial Development Authority, P.O. Box 426, Tionesta, PA 16353, submitted a Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, naphthalene, 1,2,4 trimethyl benzene, 1,3,5 trimethyl benzene, 1,2 dibromoethane, 1,2 dichloroethane and lead. The plan is intended to document the remedial actions for meeting the Site-Specific Standards.

**Wayne Pumps**, Storage Tank Facility ID # 32-81999, 1194 Wayne Avenue, White Township, **Indiana County**. Mountain Research, LLC, 825 S Street, Altoona, PA 16601, on behalf of Robert and Beverly Benkowski, 4303 West Lake Drive, Cambridge, NE 69022-6112, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, naphthalene, 1,2,4 trimethyl benzene, 1,3,5 trimethyl benzene, 1,2 dibromoethane, 1,2 dichloroethane and lead. The plan is intended to document the remedial actions for meeting the Site-Specific Standards.

**Kwik Fill S-089**, Storage Tank Facility ID # 32-22451, 1030 Franklin Street, Clymer Borough, **Indiana County**. GES, Inc., 301 Commerce Drive, Cranberry Township, PA 16066, on behalf of United Refining Company, 814 Lexington Avenue, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, naphthalene, isopropylbenzene, 1,2,4 trimethyl benzene, and 1,3,5 trimethyl benzene. The plan is intended to document the remedial actions for meeting the Statewide Health Standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**7 Eleven 40073**, 23-32450, 296 E. Baltimore Ave., 23-32450, **Delaware County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded petroleum. The Remedial Action Completion Report demonstrated attainment of nonresidential Statewide health and site-specific standards and was approved by the DEP on July 28, 2020.

**121 Point Breeze Term**, 51-07149, 6310 Passyunk Ave., **City of Philadelphia**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Kinder Morgan Liquids Term., 6310 Passyunk Ave., Philadelphia, PA 19134 submitted a SCR 310(b) concerning remediation of soil contaminated with ethanol. The report did not demonstrate attainment of nonresidential Statewide health standards and was disapproved by the DEP on August 3, 2020.

**7 Eleven 40193**, 46-30755, 1406 Welsh Rd, Horsham Township, **Montgomery County**. Mulry Cresswell Environmental, Inc., 1679 Horseshoe Pike, Glenmoore, PA 19343, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of nonresidential Statewide health and site-specific standards and was approved by the DEP on August 3, 2020.

**Cumberland Gulf 153441**, 15-40421, Route 724 and S. Hanover, North Coventry Township, **Chester County**. WSP-USA, 4 Westchester Park Drive, Suite 175, White Plains, NY 10604, on behalf of Cumberland Farms, Inc., 165 Flanders Road, Westborough, MA 01581 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of residential Statewide health standards and was approved by the DEP on August 3, 2020.

**Lukoil 69253**, 09-41456, 802 Bath St., Bristol Borough, **Bucks County**. Envirotrac Ltd., 3070 Bristol Pike, Building 1, Suite 221, Bensalem, PA 19020, on behalf of Lukoil North America LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline and diesel fuel. The Remedial Action Plan was

acceptable to meet nonresidential Statewide health and site-specific standards and was approved by the DEP on August 5, 2020.

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

**Phillips 66 Site No. 5642**, Storage Tank ID # 39-41527, 741 North Cedar Crest Boulevard, Allentown City, **Lehigh County**. GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19321, on behalf of Phillips 66 Company, 1400 South Park Avenue, Linden, NJ 07036, submitted a Remedial Action Completion Report concerning remediation groundwater contaminated with gasoline. The report demonstrated attainment of Site-Specific Standards and was approved by DEP on August 4, 2020.

**Uni Mart 94345**, Storage Tank ID # 45-37983, 3197 Route 115, Effort, PA 18330, Chestnuthill Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Malik Azhar, 3197 Route 115, Effort, PA 18330, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide Health Standards. The report was acceptable for meeting Statewide health standards and was approved by DEP on August 6, 2020.

**JW Sunoco**, Storage Tank ID # 39-24150, 1845 West Liberty Street, Allentown, PA 18104, Allentown City, **Lehigh County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Service Electric Cable and Television Inc., 1045 Hamilton Street, Allentown, PA 18101 has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report demonstrated attainment of a combination of Site-Specific and Statewide Health Standards and was approved by DEP on August 10, 2020.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Cynthia Stine, PG.*

**Kwik Fill S 32**, Storage Tank Facility ID # 07-22455, 5660 E. Pleasant Valley Boulevard, Old Route 220 South, Tyrone, PA 16686, Tyrone Township, **Blair County**. Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of United Refining Company of PA, 814 Lexington Avenue, Warren, PA 16365 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated

attainment of the Statewide Health Standard and the Site-Specific Standard and was approved by DEP on July 29, 2020.

**Snyder's Sunoco Station**, Storage Tank Facility ID # 06-61933, 325 East Main Street, Fleetwood, PA 19522, Fleetwood Borough, **Berks County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 19610 on behalf of Ms. Viola Snyder submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Site-Specific Standards and was approved by DEP on August 6, 2020.

*Contact: Cherie M. Campbell, Soil Scientist.*

**Bombergers Store**, Storage Tank Facility ID # 36-61929, 555 Furnace Hills Pike, Lititz, PA 17543, Warwick Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Tabeal, LP, P.O. Box 345, Lititz, PA 17543 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Non-Residential Statewide Health Standard and the Site-Specific Standard and was approved by DEP on August 5, 2020.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-327-3636.*

*Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.*

**Hellers Mkt & Deli**, Storage Tank Facility ID # 41-27281, 1941 Lycoming Creek Rd., Williamsport, **Lycoming County**. Letterle & Associates, Inc., 2022 Axeman Road, Suite 201, Bellefonte, PA 16823 on behalf of Heller's Market, 1941 Lycoming Creek Rd., Williamsport, PA 17701 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the Background and Statewide Health Standards and was approved by the Department on August 10, 2020.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Kehm Oil**, Primary Facility ID # 02-815631600, Oakdale Rd., Oakdale, PA 15071, Oakdale Borough, **Allegheny County**. CORE Environmental Services Inc., 3960 William Flinn Hwy., Ste. 100, Allison Park, PA 15101, on behalf of George Kehm, Kehm Oil Co., P.O. Box 130, Oakdale, PA 15071, submitted a Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report was acceptable to meet the Statewide health standards with modifications and was approved on August 6, 2020.

---

## SPECIAL NOTICES

---

### RADIATION PROTECTION

---

#### Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

In the months of March through May 2020, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
David Konow	1050 Street Road # 1640 Southampton, PA 18966	Testing
Richard Nesgoda	420 Northampton Street Edwardsville, PA 18704	Testing
David Grammer Radata, Inc.	27 Ironia Rd, Unit 2 Flanders, NJ 07836	Mitigation
Raymond Fonos Hometeam Inspection Service	1216 Edgewood Dr West Homestead, PA 15120	Testing
Ila Drosnes-Meixner	2075 Haymaker Rd Monroeville, PA 15146	Testing
Robert Slusher Jr	126 Sandspring Ln Canadensis, PA 18325	Testing
Bryce Hoenig Alpha Radon, LLC	121 Cottonwood Dr Aliquippa, PA 15001	Mitigation
John White	8 Redwood Dr Lewistown, PA 17044	Testing
Jacob Adams	128 Brown Lane Harrisville, PA 16038	Testing
William Swatsworth	156 Baker Road Dubois, PA 15801	Testing
Adam Ulery	615 Aspen Lane Duncansville, PA 16635	Testing
Jeffrey Smith	1213 Allie Buck Road Nanty Glo, PA 15943	Testing
Michael Stoehr	441 Mars Valencia Road Valencia, PA 16059	Testing
Daniel Keogh	590 Sandra Lane Phoenixville, PA 19460	Testing
Tony McDonald	7681 Tim Avenue NW North Canton, OH 44720	Testing & Mitigation
Travis Hoverter	452 Allen Drive Chambersburg, PA 17202	Testing
John Kerrigan	100 Old Kennett Rd Wilmington, DE 19807	Mitigation
Justin Weber	10 Chelsey Drive Mountain Top, PA 18707	Testing
Jeffrey Schlaline	800 Locust Grove Rd York, PA 17402	Testing

**ACTIVE AND ABANDONED MINE OPERATIONS  
DISTRICT MINING OPERATIONS**

*Knox District Office, P.O. Box 669, Knox, PA 16232, 814.797.1191.*

*Contact: Cayleigh Boniger—814.797.1191.*

---

**Request for an Informal Conference.**

This notice was previously published in the August 8, 2020 *Pennsylvania Bulletin* with the wrong Township.

**Glacial Sand & Gravel Co.**, Glacial 60 Mine, Surface Mining **Application No. 37190301**, Scott Township, **Lawrence County**. Knox District Mining office has received a request for an informal conference concerning the application for the Glacial 60 Mine. In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the DEP has scheduled a virtual informal conference for Tuesday, August 25, 2020, beginning at 1:00 p.m. Individuals who wish to observe or present testimony at the informal conference must contact Tom Decker at 814-573-3709 or thomadecke@pa.gov a minimum of 24 hours in advance of the hearing to reserve a time to present testimony. Citizens who register for the event will receive the link and instructions on how to join via email.

Verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted.

Citizens providing testimony are requested to submit a written copy of their verbal testimony by e-mail to cyeakle@pa.gov after providing testimony at the conference.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Knox District Office at (814) 221-7034 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 20-1147. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OSM 17(7087)101.1, Abandoned Mine Reclamation Project, Morgan Run Recreational Facility—West Decatur PO, Boggs Township, Clearfield County.** The principal items of work and approximate quantities include: dewatering impoundments, 1 lump sum; clearing and grubbing, 1 lump sum; subsurface drain with cleanouts, 430 linear feet; grading, 73,600 cubic yards; parking area construction, 1 lump sum; recreational trail—construction, 1 lump sum; recreational trail—culvert pipe, 40 linear feet; amphitheater construction, 1 lump sum; erosion matting, 1,485 square yards; stone aggregate—AASHTO No. 1, 1,800 tons; stone aggregate—PA DOT NO. 2A, 1,910 tons; rock lining, 35 square yards; and seeding, 12.4 acres.

This bid issues on August 14, 2020, and bids will be opened on September 10, 2020, 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](http://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](mailto:RA-ConstructionContr@pa.gov) for more information on this bid.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-1148. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OSM 24(3895)102.1, Abandoned Mine Reclamation Project, Winslow Hill III (East), Benazette Township, Elk County.** The principal items of work and approximate quantities include: clearing and grubbing, 1 lump sum; alkaline addition, 4,608 tons; subsurface drain with cleanout, 250 linear feet; grading, 524,000 cubic yards; erosion matting, 1,950 square yards; rock lining, 100 square yards; culvert pipe—18" smooth-interior corrugated N-12 pipe, 50 linear feet; culvert pipe—12" smooth-interior corrugated N-12 pipe, 30 linear feet; seeding, 45 acres; tree planting, 260 trees; stone aggregate, AASHTO No. 1 stone, 328 tons; and stone aggregate, PA DOT No. 2A stone, 192 tons.

This bid issues on August 14, 2020, and bids will be opened on September 10, 2020, 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](http://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](mailto:RA-ConstructionContr@pa.gov) for more information on this bid.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-1149. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Citizens Advisory Council Meeting Cancellation

The September 15, 2020, meeting of the Citizens Advisory Council (Council) is cancelled. The next regular meeting of the Council is scheduled for Tuesday, October 20, 2020. In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the October meeting will be held as a virtual meeting and will begin at 12:30 p.m. (previously scheduled to start at 10 a.m.) Individuals who wish to join the meeting may do so remotely.

Information on how to join the Council's next meeting, as well as agenda and meeting materials, will be available on the Council's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Citizens Advisory Council," then "Meetings").

Individuals are encouraged to visit the Council's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the October 20, 2020, meeting can be directed to Keith Salador at [ksalador@pa.gov](mailto:ksalador@pa.gov) or (717) 787-8171.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Keith Salador at (717) 787-8171 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-1150. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Oil and Gas Technical Advisory Board Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Oil and Gas Technical Advisory Board (Board) meeting scheduled for Thursday, September 17, 2020, will be held as a virtual meeting and will begin at 10 a.m. Individuals who wish to join the meeting may do so remotely. Information will be provided on the Board's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Todd M. Wallace at [twallace@pa.gov](mailto:twallace@pa.gov) or (717) 579-7176.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Oil and Gas Advisory Committees," then "Oil and Gas Technical Advisory Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the September 17, 2020, meeting can be directed to Todd M. Wallace at [twallace@pa.gov](mailto:twallace@pa.gov) or (717) 579-7176.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Todd M. Wallace at (717) 579-7176 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users), to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-1151. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Solid Waste Advisory Committee and Recycling Fund Advisory Committee Annual Joint Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the annual joint meeting of the Solid Waste Advisory Committee (Committee) and Recycling Fund Advisory Committee scheduled for Thursday, September 10, 2020, will be held as a virtual meeting and will begin at 10 a.m. Individuals wishing to join the meeting may do so remotely. Information will be provided on the Committee's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Laura Henry at [lahenry@pa.gov](mailto:lahenry@pa.gov) or (717) 772-5713.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Waste Advisory Committees," then "Solid Waste Advisory Committee (SWAC)").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the September 10, 2020, meeting can be directed to Laura Henry at [lahenry@pa.gov](mailto:lahenry@pa.gov) or (717) 772-5713.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Linda Bailey at (717) 787-7381 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-1152. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Research Advisory Committee Special Virtual Meeting

The Department of Health's Health Research Advisory Committee, established by section 903(b) of the Tobacco Settlement Act (35 P.S. § 5701.903(b)), will hold a special virtual public meeting on Monday, August 24, 2020, from 11 a.m. to 12 p.m. The meeting will be held virtually by means of Skype at +1 267-332-8737 with Conference ID: 612338865.

The purpose of the special meeting is to review the work of the Committee and to discuss changes to the health research priority for the state Fiscal Year 2020-2021.

For additional information or persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact Penny E. Harris, MEd, CAC, LPC, Director, Health Research Office, or Pamela Brown, Management Technician, Health Research Office, at [ra-healthresearch@pa.gov](mailto:ra-healthresearch@pa.gov). 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).

Check the Department of Health, Health Research Office CURE Health Research Advisory Committee web site at <https://www.health.pa.gov/topics/Research/CURE/Pages/Committee.aspx> for any changes to this special virtual public meeting.

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 20-1153. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Rare Disease Advisory Council Virtual Meeting

The Rare Disease Advisory Council, established under the Rare Disease Advisory Council Act (35 P.S. §§ 6261—6268), will hold a public virtual meeting on Thursday, September 10, 2020, from 11:30 a.m. to 12 p.m. The purpose of the meeting is to review progress in areas to coordinate Statewide efforts for the study of the incidence and prevalence of rare diseases in this Commonwealth; advise the General Assembly and relevant State and private agencies that provide services to, or are charged with the care of, individuals with rare diseases; and coordinate communication with relevant organizations within this Commonwealth to ensure greater cooperation between entities regarding the research, diagnosis and

treatment of rare diseases. The meeting will be conducted virtually. Contact Peter Blank at (717) 547-3454 for information to connect to the meeting.

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 Peter Blank, Policy Director, Department of Health, Harrisburg, PA, (717) 547-3454, 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. 20-1154. Filed for public inspection August 21, 2020, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Range of Fees Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers' Compensation Act

Under 34 Pa. Code § 127.667(b) (relating to compensation policy) the Department of Labor and Industry, Bureau of Workers' Compensation (Bureau) gives notice of the range of fees charged by Utilization Review Organizations (URO) and Peer Review Organizations (PRO) for services performed under the Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2625) during 2019.

#### 2019 Range Fees Charged by UROs and PROs

<i>URO/PRO</i>	<i>Minimum Fee</i>	<i>Maximum Fee</i>
Alico Services LTD	\$672.48	\$4,709.77
American Review Systems, Inc.	\$828.00	\$5,783.23
CAB Medical Consultants	\$475.00	\$7,581.62
Caduceus Lex Medical Auditing	\$414.30	\$7,598.25
CEC, Inc.	\$665.00	\$5,375.55
Chiro Med Review Co.	\$335.20	\$4,763.06
De Novo Management	\$507.40	\$4,681.15
Disability Management Consultants, LLC	\$956.80	\$8,629.33
Disability Review Services, LLC	\$1,600.00	\$4,141.09
DLB Services	\$422.71	\$5,033.54
Hajduk & Assoc. URO/PRO Services	\$683.28	\$10,853.55
Industrial Rehabilitation Associates	\$575.00	\$6,200.00
KVS Consulting Services	\$964.45	\$7,668.42
Laurel Reviews	\$566.25	\$4,133.42
Margroff Review Services	\$746.40	\$9,696.93
McBride & McBride Associates	\$516.83	\$6,320.53
Quality Assurance Reviews, Inc.	\$650.00	\$6,122.36
Rachels Reviews	\$367.77	\$5,543.72
T & G Reviews	\$750.00	\$9,650.00
Uniontown MRPC	\$454.66	\$4,471.74
Watson Review Services	\$499.20	\$6,298.40
West Penn IME Inc.	\$704.77	\$5,629.01
<b>Total Averages (2019)</b>	<b>\$652.52</b>	<b>\$6,403.85</b>

34 Pa. Code § 127.667(b): The Bureau will publish in the *Pennsylvania Bulletin*, on an annual basis, the range of fees charged by each URO and PRO for services performed under the act and this chapter during the preceding year.

W. GERARD OLEKSIK,  
*Secretary*

[Pa.B. Doc. No. 20-1155. Filed for public inspection August 21, 2020, 9:00 a.m.]



## PATIENT SAFETY AUTHORITY

### Virtual Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held virtually by means of the Authority's webinar platform (Cisco Webex) on Monday, September 14, 2020, at 10 a.m.

There will be Webex capability to attend the meeting remotely, so registration is required.

Individuals can register for this Board meeting by going to <https://papsa.webex.com/papsa/onstage/g.php?MTID=e07229ceb822cf7a7d3e6de9f855bb278>.

Individuals who are unable to sign in by the previously listed link may dial-in by using the following information:

*Audio Dial-In Information:* 1-415-655-0003—United States Toll

*Access Code/Event Number:* 126 867 2407

*Password:* Sept2020bdmtg!

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,  
*Executive Director*

[Pa.B. Doc. No. 20-1156. Filed for public inspection August 21, 2020, 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 September 8, 2020. 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 contract carriers for transportation of persons as described under the application.**

**A-2020-3021190. Ant Transportation, LLC** (917 Arch Street, Unit 102, Philadelphia, Philadelphia County, PA

19107) for the right to begin to transport, as a contract carrier for Friends Senior Care Center, between points in the City and County of Philadelphia.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2020-3020863. Blue And White Transportation, Inc.** (117 Ashley Drive, Feasterville, PA 19053) discontinuance of service and cancellation of its certificate—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia to points in Pennsylvania, and return. *Attorney:* Dmitry Tuchinsky, Tuchinsky Law Firm, PC, 100 South Broad Street, Suite 815, Philadelphia, PA 19110.

**A-2020-3021183. James Joyce, t/a J's Executive Transportation Service** (3840 Delco Road, Pittsburgh, Allegheny County, PA 15227) for the discontinuance and cancellation of his authority, to transport, as a common carrier, persons in limousine service, from points in the County of Allegheny, to points in Pennsylvania beyond the limits of the said county, and return.

**A-2020-3021206. Iwilldriveu.com, LLC** (155 Jennifer Lane, Bala Cynwyd, PA 19004) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6416661, persons in limousine service, between points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2020-3021216. R. Vincent Co., Inc.** (1689 Fillmore Street, Philadelphia, PA 19124) for the discontinuance and cancellation of its authority, to transport, as a common carrier, persons in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1157. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021254. Verizon Pennsylvania, LLC and Eureka Telecom, Inc.** Joint petition of Verizon Pennsylvania, LLC and Eureka Telecom, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Eureka Telecom, Inc., by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Eureka Telecom, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1158. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021255. Verizon Pennsylvania, LLC and Comcast Business Communications, LLC.** Joint petition of Verizon Pennsylvania, LLC and Comcast Business Communications, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Comcast Business Communications, LLC, by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Comcast Business Communications, LLC joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1159. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021256. Verizon Pennsylvania, LLC and Looking Glass Networks, Inc.** Joint petition of Verizon

Pennsylvania, LLC and Looking Glass Networks, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Looking Glass Networks, Inc., by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Looking Glass Networks, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1160. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021258. Verizon Pennsylvania, LLC and New Edge Networks, Inc.** Joint petition of Verizon Pennsylvania, LLC and New Edge Networks, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and New Edge Networks, Inc., by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and New Edge Networks, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1161. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021260. Verizon Pennsylvania, LLC and ICG Telecom Group, Inc.** Joint petition of Verizon Pennsylvania, LLC and ICG Telecom Group, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and ICG Telecom Group, Inc., by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission, a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and ICG Telecom Group, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1162. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021261. Verizon North, LLC and Eureka Telecom, Inc.** Joint petition of Verizon North, LLC and Eureka Telecom, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Eureka Telecom, Inc., by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Eureka Telecom, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1163. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021263. Verizon North, LLC and ICG Telecom Group, Inc.** Joint petition of Verizon North, LLC and ICG Telecom Group, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and ICG Telecom Group, Inc., by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and ICG Telecom Group, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1164. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3021268. Verizon North, LLC and New Edge Networks, Inc.** Joint petition of Verizon North, LLC and New Edge Networks, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and New Edge Networks, Inc., by their counsel, filed on August 11, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed

in support of Verizon North, LLC and New Edge Networks, Inc. joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1165. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as common carriers in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than September 8, 2020. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-20-07-03. Angel Taxi, LLC** (1733 South 53rd Street, Philadelphia, PA 19143): An application for a medallion taxicab certificate of public convenience to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 20-1166. Filed for public inspection August 21, 2020, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Reminder Notice of Citation Complaints

**Philadelphia Parking Authority, Taxicab and Limousine Division v. Misbawu N. Thaisa;**  
**Doc. No. C-20-01-085**

Attention Misbawu N. Thaisa, last known address of 7701 Lindbergh Boulevard, Apt. 600, Philadelphia, PA 19153, this is a reminder notice that Citation Complaints T-29386 and T-29246 (Citations) were issued against you by the Taxicab and Limousine Division's (TLD) Enforcement Department via publication in the *Pennsylvania Bulletin* on March 14, 2020 (see 50 Pa.B. 1635), citing you have committed violations of 52 Pa. Code § 1057.10 for "PA DOT Inspection Stickers Expired" which carries a recommended penalty of \$500 for each of the Citations. Pursuant to 52 Pa. Code § 1005.13(b) (relating to answers to citations), an answer to the Citations were due no later than March 30, 2020.

Respondents must either request a hearing on a citation or pay the penalty identified in a citation within fifteen (15) days of issuance. See 52 Pa. Code § 1005.13(b). If you fail to take immediate action by either requesting a hearing or paying the penalty identified above, it may result in the entry of a default order as to the Citations and the penalties; along with imposing any suspension or revocation identified in the Citations.

Please take the necessary actions to satisfy the above referenced Citations immediately. Payments made payable to the Philadelphia Parking Authority or requests for a hearing may be submitted to:

Office of the Clerk  
Philadelphia Parking Authority  
Taxicab and Limousine Division  
2415 South Swanson Street  
Philadelphia, PA 19148

If you have any questions concerning this notice, please do not hesitate to contact the TLD's Office of the Clerk, Sherry Rudzinski, Clerk, (215) 683-9498, [TLDclerk@philapark.org](mailto:TLDclerk@philapark.org).

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 20-1167. Filed for public inspection August 21, 2020, 9:00 a.m.]