

PENNSYLVANIA BULLETIN

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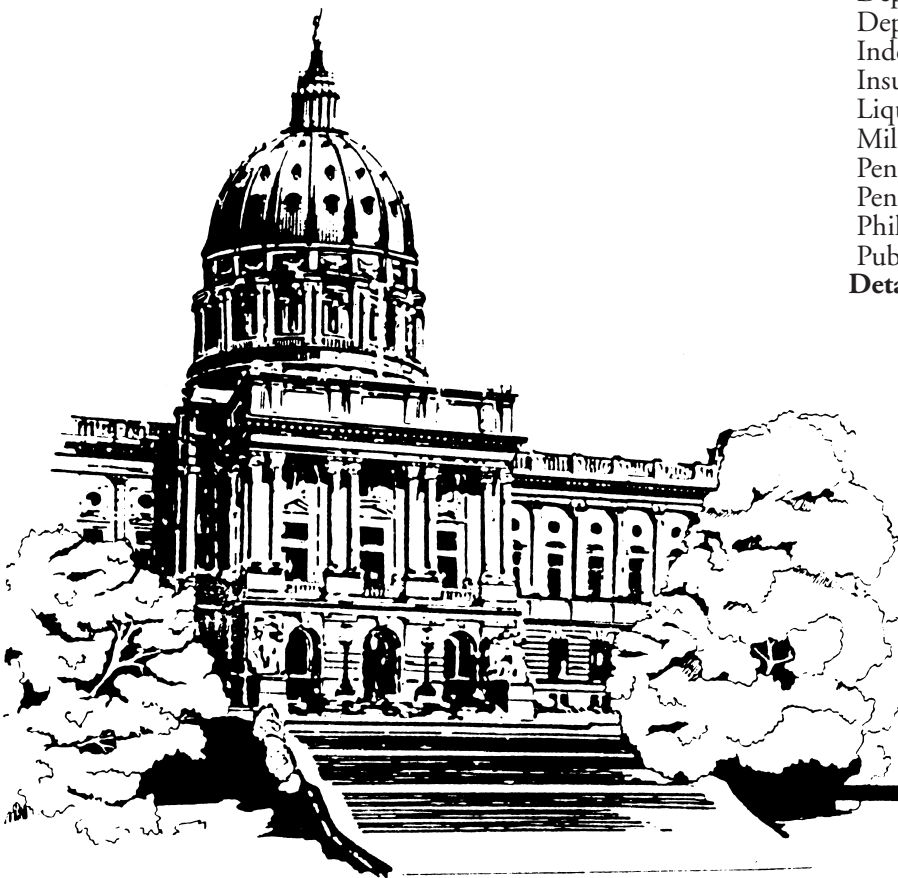
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 558, May 2021

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the Pennsylvania Bulletin

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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THE COURTS

Title 210—APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

[210 PA. CODE CH. 63]

Order Amending Internal Operating Procedure Section 7.A of the Internal Operating Procedures of the Supreme Court; No. 869 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 13th day of May, 2021, it is ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Section 7.A of the Internal Operating Procedures of the Supreme Court is amended as set forth in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

CHAPTER 63. INTERNAL OPERATING PROCEDURES OF THE SUPREME COURT

§ 63.7. Motions, Miscellaneous Petitions, and Appli- cations for Relief.

A. *Duties of Prothonotary*. All assignments of motions, miscellaneous petitions and applications for relief, includ-

ing emergency motions and those requesting the exercise of King’s Bench powers, extraordinary jurisdiction and original jurisdiction, shall originate in the Prothonotary’s office. No motions, petitions or applications will be considered which were not first filed in the Prothonotary’s office and thence assigned. Documents may be filed in paper format, or by electronic or facsimile transmission. Once received, motions, petitions and applications will be monitored by the Prothonotary’s office for compliance with applicable appellate rules. Proposed filings that are not in compliance will not be docketed. Proposed filings that are in compliance will be docketed and a response will be allowed. At the expiration of the response period the documents will be forwarded to the Court.

Procedural motions (*e.g.*, **first** requests for extension of time **for not more than thirty days**, requests to exceed page limits, and requests to proceed in forma pauperis) may be resolved by the Prothonotary without further action of the Court.

Requests for extension of time in excess of thirty days, and second or subsequent requests for extension of time, are disfavored and will be granted only upon a showing of good cause. Applications for such extensions will be assigned to the Chief Justice.

(Court Note: Time periods for responses*)

* * * * *

[Pa.B. Doc. No. 21-849. Filed for public inspection May 28, 2021, 9:00 a.m.]

RULES AND REGULATIONS

Title 7—AGRICULTURE

MILK MARKETING BOARD

[7 PA. CODE CH. 143]

Transactions Between Dealers and Producers; Payment

The Milk Marketing Board (Board) amends 7 Pa. Code by adding § 143.15 (relating to cooperative communication of over-order premium) to read as set forth in Annex A.

Effective Date

The amendment will be effective 120 days after publication of this final-form rulemaking in the *Pennsylvania Bulletin*.

Statutory Authority

Section 301 of the Milk Marketing Law (act) (31 P.S. § 700j-301) gives the Board the authority to “supervise, investigate and regulate the entire milk industry of this Commonwealth, including the . . . purchase and sale of milk . . . in this Commonwealth, and including the establishment of reasonable trade practices. . . .” Section 307 of the act (31 P.S. § 700j-307) gives the Board the authority to adopt and enforce regulations necessary or appropriate to carry out the provisions of the act. Section 608 of the act (31 P.S. § 700j-608) provides that “[m]ilk dealers buying or receiving milk from producers shall furnish to each producer . . . a written statement. . . .” and that “[s]uch statement shall set forth such information as may be required by the board. . . .” The definition of milk dealer in section 103 of the act (31 P.S. § 700j-103) provides, in pertinent part, “[i]f a cooperative distributes . . . milk within this Commonwealth. . . to other milk dealers. . . it shall be deemed to be a milk dealer. . . as to that part of its business, and shall be governed by the provisions of this act applicable thereto.”

Purpose and Explanation

The Board mandates, by way of official general order, an over-order premium be paid to Pennsylvania producers based on milk produced, processed and sold in this Commonwealth. The Board requires milk dealers to provide a line item on monthly statements to producers that shows the amount of over-order premium being paid. The act defines cooperatives as “producers,” so cooperatives are told how much over-order premium they are paid. However, there is no similar requirement that cooperatives provide a line item on monthly statements to their members that shows the amount of over-order premium the members are paid, despite cooperatives being defined in the act as dealers when they distribute member milk to other dealers. This regulation would require cooperatives to provide a line item on monthly statements to their members disclosing the amount of over-order premium being paid.

In April and May 2019, the Board conducted a survey to determine dairy farmers’ knowledge and opinions about this Commonwealth’s milk pricing system including the over-order premium.

When asked if they receive an over-order premium, 69% of cooperative members stated, “No” or “I am not sure.” Those individuals indicating, “I am not sure,” were asked for a reason for that response; the majority of

comments stated that they have no information on monthly checks from cooperatives to indicate any over-order premium is received. Respondents were also asked whether they believe the over-order premium is distributed fairly. Less than 5% of cooperative members agree that it is. Conversely, the majority of cooperative members believe the Board should revise its system for determining and distributing the over-order premium.

A total of 214 comments from survey respondents focused mainly on the lack of transparency by cooperatives in not providing information about the amount of over-order premium included in their monthly payment. Because they lack information, many cooperative members are skeptical and even distrustful of the State and Board, as well as the cooperatives, when discussing their income. They do not understand how the system is benefitting them in any way and believe they are not, in fact, receiving what they are entitled to receive.

Milk dealers have been required since 1997 to provide a line item on monthly statements to producers showing the amount of over-order premium being paid; the independent producers are thus able to quantify the direct benefit they receive from the Board’s mandated over-order premium. For payment purposes, cooperatives are defined as the “producer,” so cooperatives are provided information regarding how much over-order premium they are being paid, but cooperatives are not required to provide that information to their members.

As of February 2021, there were approximately 1,100 independent producers and 4,300 cooperative member producers in this Commonwealth. The independent producers are provided information on their monthly pay statements showing the direct benefit they receive from the Pennsylvania over-order premium.

The majority of the 4,300 cooperative member producers do not have a line item currently on their statements detailing the amount of over-order premium they are being paid. Those producers who do not have the line item are the intended beneficiaries of this regulation.

Description of Proposed Amendments

The amendment will require cooperatives to provide a line item on monthly statements to their Pennsylvania producer members that shows the amount of Board-mandated over-order premium being paid.

The regulation prescribes a formula for the cooperatives to use to calculate the over-order premium rate and total amount being paid to their Pennsylvania producer members. This will provide uniformity between and among cooperatives regarding the calculation of the amount of over-order premium. The Board also currently prescribes a formula for milk dealers to determine the line item on their monthly statements to independent producers.

The cooperative formula is identical to the formula the Board currently uses to provide information to a Pennsylvania cooperative regarding the over-order premium rate received by that cooperative. That cooperative then provides the information to its members. Since this formula is already in use and produces a result that has effectively transmitted the over-order premium rate information, the Board decided to adopt it for this regulation. This formula calculates the average rate received by members of each cooperative.

Public Comments

The Pennsylvania Farm Bureau submitted a comment in favor of the Board adopting the regulation.

The Pennsylvania Association of Dairy Cooperatives (PADC) made several comments. First PADC and the Independent Regulatory Review Commission (IRRC) suggested adding "Pennsylvania" to subsection (b) to expressly specify the regulation was applicable to Pennsylvania member pounds. The Board agrees and "Pennsylvania" is added to subsection (b) in this final-form rulemaking.

PADC proposed adding a subsection to account for those situations where cooperatives market the milk of nonmembers, suggesting that the nonmember milk should be aggregated with member milk. Cooperatives are formed and operate with the purpose that the members work together to maximize benefits for the members. Nonmembers, by definition, are not parties to the agreement to work together to maximize benefits for the members; therefore, nonmember milk should not be treated the same as member milk and nonmember milk should receive information and payments specific to the milk the nonmember markets through the cooperative. The Board currently requires cooperatives, as the dealers they are defined to be, to specify the amount of over-order premium being paid to nonmembers under the member/nonmember dichotomy described. Therefore, this suggestion is not adopted in this final-form rulemaking.

PADC also suggested language to treat milk marketed for other cooperatives the same as milk marketed for member farmers. This concept is not adopted for this final-form rulemaking. This final-form rulemaking concerns transactions between individual producers and their cooperatives. The PADC cooperatives are the only cooperatives that suggested this concept be included in the regulation. Without more input from other cooperatives, the Board does not think that this suggestion should be adopted at this time.

PADC also suggested adding language based on section 809 of the act (31 P.S. § 700j-809) which provides in relevant part that cooperative members have the right to determine among themselves how the proceeds of their collective sales are distributed. This final-form regulation contains subsection (e) providing that cooperatives are not required to reduce or alter any payments or information provided to their members beyond providing the over-order premium payment information required by the new regulation.

After the close of the public comment period, the Board circulated a proposed draft of this final-form rulemaking, asking for additional input. PADC was the only party that provided additional input. Based on that additional input, the Board added a subsection to address situations where cooperatives are not paid over-order premium during a month and how that should be reported to that cooperative's members. The additional PADC input also suggested the rounding concept adopted in subsection (c) in this final-form rulemaking.

Comments regarding calculation of the line item

The Honorable Representative John Lawrence recommended that the Board change the regulation to require that cooperatives provide a line item to each cooperative member detailing the specific amount of over-order premium that member's milk generated. Regarding the proposed rulemaking, the Honorable Representative Lawrence commented "[t]he definition in paragraph (b) would result in a listing on each farmer's milk checks of total

dollar value of over-order premiums paid to the entire cooperative for a given month. This is very different from the information provided by milk dealers to their farmer members—where a milk check shows the amount of over-order premium dollars paid to each individual farmer." Milk price regulation is a complex subject and the Board believes that the Honorable Representative Lawrence was missing a key piece of information when he submitted his suggestion. The Board Chairperson explained that concept to the Honorable Representative Lawrence and the Board believes that if the Honorable Representative Lawrence had that information his suggestion would not have been made. IRRC also commented that providing an average over-order premium paid to the entire cooperative would not alleviate the concerns of cooperative members who do not believe they are receiving what they are entitled to receive. The calculation in subsection (b) to determine the over order premium rate for cooperative members is essentially the same calculation, mandated by Board official general order, used by milk dealers to specify over-order premium rate paid to independent farmers. This is an important issue and is explained in detail as follows.

The over-order premium is calculated on an individual handler pool basis based on each dealer's Class 1 utilization. This means that the over-order premium rate paid to producers differs among Class 1 processors, based on the ratio of the Pennsylvania producer milk they receive to the total producer milk they receive and the amount of packaged milk they sell in this Commonwealth. Each producer supplying a particular Class 1 processor receives the same over-order premium rate as every other producer supplying that same particular Class 1 processor, but remember that each processor pays a different over-order premium rate to its producers.

The over-order premium rate paid by each processor and received by each producer supplying that particular processor is essentially an average of the total over-order premium generated by each producer's shipments to the processor. Class 1 processors do not account for the utilization of each supplying producer's individual milk shipments. A producer's milk may today be packaged and sold to a retailer in this Commonwealth (generating an over-order premium obligation), tomorrow be packaged and sold to an out-of-state retailer (not generating an over-order premium obligation), and the next day be diverted to a cheese plant (not generating an over-order premium obligation). Regardless of the ultimate use of each shipment, every producer supplying a particular Class 1 processor is paid the same over-order premium rate per hundredweight as every other producer supplying the particular Class 1 processor. In other words, producers supplying Class 1 processors are not paid individual rates based on the over-order premium generated by their particular milk shipments, but rather are paid an average rate based on the plant's utilization.

Since each Class 1 processor has a different Pennsylvania Class 1 utilization, each Class 1 processor pays a unique over-order premium rate. Producers supplying a processor with high Pennsylvania Class 1 utilization are paid a higher over-order premium rate than producers supplying a processor with a lower Pennsylvania Class 1 utilization.

The Board's proposed regulation treats the milk marketed to a cooperative by its members analogously to how milk marketed by independent producers to Class 1 processors is treated. Class 1 processors calculate and itemize the over-order premium based on the total utiliza-

tion of the plant with no regard to where each supplying producer's milk ended up on any particular day. Similarly, the proposed regulation requires cooperatives to calculate and itemize the over-order premium with no regard to where an individual member's milk was shipped on any particular day. Each Class 1 processor pays a unique average over-order premium rate based on its utilization. The proposed regulation would require cooperatives to essentially do the same.

Subsection (b) has been expanded to make clear the requirement that the over-order premium rate calculated by cooperatives be applied to the pounds of milk marketed by each member to show an amount received specific to each member based on the amount of pounds marketed to the cooperative. This mirrors the requirement that Class 1 processors show the amount received by producers in their statements by applying the processor's particular rate to the pounds of milk marketed by each individual producer.

Broadly speaking, the cooperative business model provides for pooling revenues and paying money back to members per the agreement between members and the cooperative. Cooperatives receive over-order premium payments, along with other mandated minimum payments and voluntary premiums. Those revenues are pooled and paid back to members. Part of the payment to members is, therefore, attributable to the Pennsylvania over-order premium in an amount based on the premium received by the cooperative and the pounds of member milk marketed by the cooperative. Just as the over-order premium is not paid by processors to independent producers based on the over-order premium generated by each producer's individual milk shipments throughout the month, the proposed regulation does not require cooperatives to track and account for the over-order premium generated by each member's individual milk shipments throughout the month. Therefore, for the purpose of providing information regarding the over-order premium paid, the regulation treats cooperative member milk marketed to a cooperative the same as independent dairy farmer milk marketed to a Class I processor.

Fiscal Impact

This final-form rulemaking would have little fiscal impact on the Commonwealth, its political subdivisions or the public.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 10, 2019, the Board submitted a copy of the notice of proposed rulemaking, published at 49 Pa.B. 5455 (September 21, 2019) to IRRC and to the Chairpersons of the House and Senate Committees on Agriculture and Rural Affairs for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board is required to submit to IRRC and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the House and Senate Committees, and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5(a)(j.2)), on April 14, 2021, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 15, 2021, and approved the final-form rulemaking.

Contact Person

Interested persons may obtain information regarding this final-form rulemaking by contacting Doug Eberly, Chief Counsel, Pennsylvania Milk Marketing Board, 2301 North Cameron Street, Harrisburg, PA 17110, ra-pmmb@pa.gov, within 30 days after publication in the *Pennsylvania Bulletin*. Individuals who require this information in a different format may call the Board at (717) 787-4194 or the Pennsylvania Hamilton Relay Service for TDD users at (800) 654-5984.

Findings

The Board finds that:

(1) Public notice of the intention to adopt these final-form regulations was given under sections 201 and 202 of the Act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law, and the regulations promulgated thereunder in 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

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

(3) The regulation is necessary and appropriate for the administration of the act.

Order

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 7 Pa. Code Chapter 143, are amended by adding § 143.15 to read as set forth in Annex A.

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

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

(d) The order shall take effect 120 days following publication in the *Pennsylvania Bulletin*.

ROBERT N. BARLEY,
Chairperson

(Editor's Note: For IRRC's approval order, see 51 Pa.B. 2468 (May 1, 2021).)

Fiscal Note: Fiscal Note 47-20 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 7. AGRICULTURE

PART VI. MILK MARKETING BOARD

CHAPTER 143. TRANSACTIONS BETWEEN DEALERS AND PRODUCERS

PAYMENT

§ 143.15. Cooperative communication of over-order premium.

(a) Cooperatives shall show by line item on their monthly statements to dairy farmers marketing milk through the cooperative the specific amount of the Pennsylvania Milk Marketing Board over-order premium being paid.

(b) For the purpose of this section, "the specific amount of the Pennsylvania Milk Marketing Board over-order premium being paid" shall be calculated monthly by each cooperative by

(1) deriving an over-order premium rate by dividing the total Pennsylvania over-order premium paid to the cooperative by the total cooperative Pennsylvania member pounds marketed,

(2) multiplying the rate derived in subsection (b)(1) by the Pennsylvania member pounds marketed.

(c) The amount calculated in subsection (b) shall be expressed on dairy farmer monthly statements in cents/hundredweight. When the result of the calculation in subsection (b)(1) falls between cents, the rate reported to dairy farmers shall be rounded down to the lower cent.

(d) If a cooperative is not paid over-order premium during a month, the cooperative shall disclose on its monthly statement that no over-order premium was received.

(e) Other than setting forth the calculation of value in subsection (b), nothing in this section shall require reduction or alteration of amounts, content or format of information about cooperative premium programs on the monthly statements to dairy farmers.

[Pa.B. Doc. No. 21-850. Filed for public inspection May 28, 2021, 9:00 a.m.]

Title 40—LIQUOR

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 5]

Proof of Recycling; Correction

The findings and ordering language was inadvertently omitted from the final-form rulemaking published at 51 Pa.B. 2927 (May 22, 2021). The correct version of the findings and ordering language is as follows.

Findings

The Board finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to relating to notice of proposed rulemaking; and adoption of regulations).

(2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.

Order

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

(a) The regulations of the Board, 40 Pa. Code Chapter 5, are amended by adding § 5.43 to read as set forth in Annex A.

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

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

[Pa.B. Doc. No. 21-851. Filed for public inspection May 28, 2021, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 441a, 465a, 501a, 503a, 603a AND 609a]

Slot Machine Licenses; Accounting and Internal Controls; Compulsive and Problem Gambling Requirements; Casino Self-Exclusion; Table Game Equipment; Credit

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2), and § 1516(a) and (b) (relating to regulatory authority; and list of persons self excluded from gaming activities), amends Chapters 441a, 465a, 501a, 503a, 603a and 609a to read as set forth in Annex A.

Purpose of this Final-Form Rulemaking

This final-form rulemaking revises the existing body of regulations to alter the procedures for a person to self-exclude from gaming activities in licensed facilities in the Commonwealth, and specifically delineate that the modified sections apply only to casino and retail sports wagering self-exclusion. Self-exclusion for other forms of gaming in the Commonwealth (interactive gaming, VGT gaming and Fantasy Contests) will all be maintained on separate lists in a manner consistent with the Pennsylvania Race Horse Development and Gaming Act (act) (4 Pa.C.S. §§ 1101—1904).

Explanation

Chapters 441a and 465a

The amendments to Chapters 441a and 465a are for cross-reference purposes.

Chapter 501a

The amendments in this Chapter are to §§ 501a.2—501a.4 and 501a.7. These amendments are made to rename the self-exclusion list the “casino self-exclusion list,” as well as minor administrative changes regarding compulsive and problem gambling messages in advertisements. The advertising changes in § 501a.7 (relating to advertising) relate to the inclusion of reference to the Department of Drug and Alcohol Programs as an entity which provides assistance to the Board and casino patrons when it comes to problem gaming.

Chapter 503a

The amendments in this Chapter are made to rename the self-exclusion list the “casino self-exclusion list.” This list will be available for people who only want to self-exclude from brick-and-mortar casino gaming and retail sports wagering at licensed facilities. Separate lists will be maintained by the Board for individuals who wish to self-exclude from interactive gaming (including interactive sports wagering), Video Gaming and Fantasy Contests.

Section 503a.1 (relating to definitions) contains amendments to the definitions section, removing the definitions of “self-excluded person” and “self-exclusion list” and adding the definition of “casino self-excluded person” and “casino self-exclusion list.” Additionally, provisions relating to the placement of sports wagers are added to the definitions relating to what a gaming transaction or gaming activity consists of.

In § 503a.2 (relating to request for casino self-exclusion), additional procedures are added to allow a patron to self-exclude from gaming activities in licensed facilities electronically on the Board's web site. When filling out the webform on the Board's web site, an individual has the option to check a box as to which forms of gaming he or she wishes to self-exclude from. An individual only needs to fill out the form once to self-exclude from multiple forms of gaming after selecting the forms of gaming he or she wants to self-exclude from.

Updates to § 503a.3 (relating to casino self-exclusion list), are made to the terminology to reference the casino self-exclusion list, and update the procedures for distribution of the information on the casino self-exclusion list to licensed facilities.

Section 503a.4 (relating to duties of slot machine licensees) is merely updated to make reference to the casino self-exclusion list.

Section 503a.5 (relating to removal from casino self-exclusion list) contains modifications that are designed to amend the procedures for a patron who wishes to remove himself or herself from the casino self-exclusion list, including provisions that allow an individual who self-excluded for lifetime to request removal under limited circumstances. The Board sought to make it easier for individuals who requested a 1-year or 5-year self-exclusion to remove themselves from the casino self-exclusion list. The individual may now choose to make the request for removal from the self-exclusion at an appointment with Board staff or complete the request online on the Board's web site. Permitting an individual to remove themselves online will be less burdensome and more efficient for self-excluded individuals and will ease administrative burden on Board staff.

As it pertains to individuals who previously selected lifetime casino self-exclusion, the regulations have not permitted a voluntary self-excluded individual from seeking removal from the self-exclusion list when lifetime was selected. Individuals, however, often petition the Board for relief, which requires the Office of Enforcement Counsel (OEC) to file a response and then have a hearing in the Office of Hearings and Appeals (OHA).

OEC would request denial of the Petition for Removal, as the regulations do not provide for the relief requested by the individual. OHA would then be bound to issue a Report and Recommendation to the Board recommending denial of the petition, for lack of an available remedy. However, there have been instances where individuals have made compelling arguments in their hearing or directly to the Board at the public meeting to justify removal from the self-exclusion list. These reasons include, but are not limited to, a significant time passing from the original decision to self-exclude and individuals who sought treatment for relevant issues and were in recovery, have presented a significant change in life circumstances, or even issues encountered by misinterpretation for non-English speaking patrons. However, without any remedy available, the Board was bound by the regulations to deny the relief requested, despite the establishment of compelling circumstances which may justify a rescission of an entirely voluntary action years earlier by the person.

The amended provisions in § 503a.5(f) give the Board discretion to remove from the list an individual has been on the casino self-exclusion list for a period of at least 10 years after selecting lifetime self-exclusion who satisfies his or her burden of proof presents a compelling case that

the removal will not have a negative impact on the individual or gaming in this Commonwealth. This maintains a level of protection both for the public at large, individuals who choose to self-exclude and the integrity of gaming operations in this Commonwealth.

Chapters 603a and 609a

The amendments to Chapters 603a and 609a are for cross-reference purposes.

Response to Comments

The Board did not receive any public comments from the regulated community or the general public. Comments were received from the Independent Regulatory Review Commission (IRRC), and responses to the comments follow:

Statutory Authority; Whether the regulation is in the public interest; Reasonableness of requirements; and Protection of the public health, safety and welfare.

The statutory authority of 4 Pa.C.S. § 1516(a) and (b) (relating to list of persons self excluded from gaming activities) govern the creation and implementation of a self-exclusion list. These provisions state that "[t]he board shall provide by regulation for the establishment of a list of persons self-excluded from gaming activities, including interactive gaming, at all licensed facilities." This provision is contrary to later provisions in the act which state that interactive gaming may not be conducted within a licensed facility (see 4 Pa.C.S. § 13B63(c) (relating to Internet cafes and prohibition)). This creates an inconsistency in the statute that the Board is required to navigate.

The Board determined that given the inconsistent use of the language, the Board is within its statutory authority to create the two separate lists, and that it was a better public interest decision to have two lists. The Board also considered the Legislature's directive that a separate list be created for video gaming (see 4 Pa.C.S. Part III (relating to video gaming)) and fantasy contests (see 4 Pa.C.S. Part I, Chapter 3 (relating to fantasy contests)), but no provisions were included for a separate Sports Wagering self-exclusion list, as sports wagering is offered in retail form at licensed facilities and as a form of interactive gaming. This multiple list is also consistent with the Commonwealth's regional gaming neighbor in New Jersey, who maintain a separate self-exclusion list for casino gaming and interactive gaming.

A two-list approach recognizes that an individual's decision to self-exclude is entirely voluntary on his or her part and not mandated by the Board or a third person. Accordingly, an individual is provided the option to self-exclude from retail gaming, interactive gaming, or both. The ability to choose is to the persons benefit as it allows him or her to exclude from one form or the other, as they voluntarily choose. This encourages a person to self-exclude from the form that they believe may pose a problem for them. A blanket exclusion may discourage some individuals from self-excluding with an all or nothing approach and thereby not serve the interests of the individual. For example, an individual who believes online gaming poses a risk to themselves but they still enjoy visiting a casino with a spouse periodically, may decline self-exclusion so they can go to a casino, thereby placing themselves at risk by not being self-excluded from the form of gaming they elect. This two-list approach allows patrons who wish to continue to visit licensed facilities to prevent themselves from having 24/7 access to interactive gaming web sites and mobile applications. From a compulsive and problem gambling standpoint, allowing the

separate lists provides an additional safeguard for individuals who wish to control their access to gaming, while still maintaining their ability to gamble on their own terms.

When an individual fills out the webform on the Board's web site, he or she is able to click on all of the forms of gaming he or she wishes to self-exclude from. This allows a patron to self-exclude from multiple forms of gaming while only having to provide the information one time.

Compliance with the Regulatory Review Act or IRRC regulations.

The Preamble and Regulatory Analyses Form (RAF) to this final-form rulemaking have been updated as requested to highlight the amendments to the sections and the rationale for the proposed changes.

Communication with the regulated community.

This matter was addressed in the updated final-form RAF form in the Board's response to question # 14.

§ 503a.1. *Definitions.—Clarity.*

These clarity issues are addressed in Annex A of this final-form rulemaking.

§ 503a.2. *Request for casino self-exclusion.—Clarity; Reasonableness of requirements, implementation procedures and timetable for compliance by the public and private sectors; and Possible conflict with statute.*

The provisions regarding social security numbers have been updated in Annex A. The amendments to the regulatory provisions now state that when an individual does not choose to voluntarily provide his or her full social security number, he or she may choose to voluntarily provide the last 4 digits of the number. Gathering this information is important to ensure that there is no confusion if individuals with the same or similar names place themselves on the casino self-exclusion list (or other lists, as this language will be contained in the Board's other provisions regarding self-exclusion in other forms of gaming). By requesting at least the truncated social security number, this also aids to ensure that individuals are placed on the list by other people, and to prevent people who have not chosen to avail themselves of the casino self-exclusion list from being inadvertently prohibited from gaming in this Commonwealth.

The Board acknowledges that section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a) prohibits a state agency from denying an individual a "right, benefit, or privilege provided by law" for failure to disclose a social security number. The Board's self-exclusion program is entirely voluntary, and based upon the amended language, the Board will not deny an individual placement on the casino self-exclusion list for failure to provide a social security number or the last 4 digits of the social security number. However, the Board will continue to encourage individuals to voluntarily provide that information, as it makes the casino self-exclusion list more effective in preventing self-excluded individuals from engaging in gaming activities.

As to the second issue raised, it is true that certain licensed facilities, when gaining the information of individuals on the casino self-exclusion list, may choose to exclude those individuals from using their interactive gaming platforms or at jurisdictions in other states as well. When an individual chooses to self-exclude from casino gaming, he or she must identify as a problem gambler on the form. Certain entities in the gambling

industry may choose to exclude a self-excluded person from all forms of gambling they entity provides as is their common-law right and potentially limit liability if the person would use the other forms of gambling to the persons detriment.

The Board's self-exclusion web portal, which will provide access to all self-exclusion lists, contains a disclaimer in the Frequently Asked Questions section that states: "Licensees may have more restrictive policies on self-exclusion. Licensees may ban you from their iGaming sites if you have enrolled in the Casino Self-Exclusion Program. Likewise, licensees may ban you from entering their casino if you have enrolled in the iGaming self-exclusion program. Licensees may also choose to ban self-excluded individuals from gambling establishments and iGaming sites in other jurisdictions. It is your responsibility to learn these policies by contacting the licensees directly by phone or e-mail."

When an individual uses the Board's online self-exclusion portal to self-exclude from any or all forms of gaming, he or she must create an account. If an individual self-excludes by means of the online portal, he or she will be able to log into his or her account and update the required information. However, if a person self-excluded prior to the implementation of the self-exclusion portal or chooses to self-exclude at a Board office or a licensed facility, the individual will not have a self-exclusion portal account. However, an "Update My Information" webform will be created that will allow and individual to submit a request for the Office of Compulsive and Problem Gambling to update the information in the database. Annex A in this final-form rulemaking is updated to reflect this.

§ 503a.3. *Casino self-exclusion list.—Clarity.*

This clarity issue is addressed in Annex A of this final-form rulemaking.

§ 503a.5. *Removal from casino self-exclusion list.—Clarity; Reasonableness of requirements, implementation procedures and timetables for compliance by the public; Whether the regulation is in the public interest; and Protects the public health, safety and welfare.*

The provisions of § 503a.2(d)(4) and (f) are amended in Annex A of this final-form rulemaking to make clear that an individual remains self-excluded and prohibited from entering licensed facilities until the complete request for removal is accepted by the Board and 7 business days have elapsed from the acceptance. A request for removal from the casino self-exclusion list is deemed accepted when all necessary information and documentation has been provided to the Board, either in-person or by means of the Board's web site. Once accepted, the Board will remove the individual's name within 5 business days, and after 7 business days, the individual is permitted to enter licensed facilities again.

The rationale behind only accepting assessments from Commonwealth funded providers is two-fold. The first is that it provides an avenue where people can get either free or reduced costs assessments done, as the Commonwealth provides funding for these assessments. Additionally, Commonwealth funded providers must be approved by the Department of Drug and Alcohol Programs to conduct problem gambling assessment or treatment, or both. The Board prefers to have individuals who have previously identified as problem gamblers to have assessments performed by treatment providers who have been identified as being qualified in that area.

The self-exclusion process for individuals granted relief under § 503a.5(f)(6)(i) will be the same process for other individuals who self-excluded for 1-year or 5 years seeking removal from the casino self-exclusion list. The information that will be provided to the individual, referred to in subsection (f)(6)(i), will be the procedures outlined for removal in § 503a.5(a)—(e). Additionally, any denial order under subsection (f)(6)(ii) will include the reason for denial.

Miscellaneous clarity.

All points raised for miscellaneous clarity were addressed in Annex A of this final-form rulemaking.

Fiscal Impact

Commonwealth. The Board does not expect that this final-form rulemaking will have a fiscal impact on the Board or other Commonwealth agencies. The updated processes for casino self-exclusion will be reviewed by existing Board staff.

Political subdivisions. This final-form rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This final-form rulemaking will not have a fiscal impact on the private sector. The procedures for casino self-exclusion and enforcement of such by licensed facilities are already in place, including the use of the self-exclusion system to update the self-exclusion lists that slot machine licensees maintain.

General public. This final-form rulemaking will provide persons who wish to self-exclude from gaming activities at casinos in this Commonwealth an option to do so online, eliminating the need to make an appointment to do so in person and thus requiring no travel.

Paperwork Requirements

If an individual wishes to join the casino self-exclusion list, the person may do so online on the Board’s web site by filling out a webform and choosing what forms of gaming the individual desires to self-exclude from. An individual who wishes to self-exclude from multiple forms of gaming need only fill out the form one time, and check boxes as to self-exclusion list the individual wishes to join. The Board’s self-exclusion web site address is <https://responsibleplay.pa.gov/self-exclusion/>.

If a person who self-excluded for 1-year or 5 years wishes to remove himself or herself from the casino self-exclusion list, he or she must file a Request for Removal from Voluntary Self-Exclusion Form, which will be available on the Board’s web site. An individual seeking removal from lifetime casino self-exclusion must file a petition with the Board requesting removal.

Effective Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), the Board submitted a copy of the proposed rulemaking, published at 49 Pa.B. 7084 (November 30, 2019) and a copy of the RAF to IRRC and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees are provided with copies of comments received during the public comment period, as well

as other documents when requested. With regard to this rulemaking, no comments were received from the House and Senate Committees.

Under section 5a(j.2) of the Regulatory Review Act, on April 14, 2021, the final-form rulemaking was deemed approved by the House and Senate Committees. IRRC met on April 15, 2021, and approved the regulations in accordance with section 5a(e) of the Regulatory Review Act.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2. (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) This final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code 441a, 465a, 501a, 503a, 603a and 609a, are amended by amending §§ 441a.23, 465a.11, 501a.2—501a.4, 501a.7, 503a.1—503a.7, 603a.20 and 609a.3 to read as set forth in Annex A.

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

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

DAVID M. BARASCH,
Chairperson

(*Editor’s Note:* See 51 Pa.B. 2468 (May 1, 2021) for IRRC’s approval order.)

Fiscal Note: Fiscal Note 125-225 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart C. SLOT MACHINE LICENSING

CHAPTER 441a. SLOT MACHINE LICENSES

§ 441a.23. Category 3 slot machine licensees.

* * * * *

(b) A Category 3 slot machine applicant shall submit, as part of its application and its internal controls required under Chapter 465a (relating to accounting and internal controls), a plan detailing how the applicant will monitor the gaming area to ensure compliance with Chapters 503a, 511a and 513a (relating to casino self-exclusion; persons required to be excluded; and underage gaming) and that only the following persons are permitted to enter the gaming area:

* * * * *

Subpart E. SLOT MACHINE, TABLE GAME AND ASSOCIATED EQUIPMENT TESTING AND CONTROL; ACCOUNTING AND INTERNAL CONTROLS

CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS

§ 465a.11. Slot machine licensee's organization; jobs compendium.

* * * * *

(b) A slot machine licensee's system of internal controls must also include, at a minimum, the following departments and supervisory positions, each of which must be categorized as mandatory and must cooperate with, yet perform independently of, other mandatory departments and supervisory positions of the slot machine licensee. Notwithstanding the foregoing, a department or supervisor that is not required or authorized by this section may operate under or in conjunction with a mandatory department or supervisor provided the organizational structure is consistent with the standards contained within the act and subsection (a). Mandatory departments and supervisory positions are:

(1) A surveillance department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of surveillance. The director of surveillance shall be subject to the reporting requirements specified in subsection (c) and shall be licensed as a key employee. The surveillance department shall be responsible for the following:

* * * * *

(vii) The detection of the presence of any individual who may or is required to be excluded or ejected from the licensed facility under section 1514 or 1515 of the act (relating to regulation requiring exclusion or ejection of certain persons; and repeat offenders excludable from licensed gaming facility) and Chapters 511a and 513a (relating to persons required to be excluded; and underage gaming), or is self excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act (relating to list of persons self-excluded from gaming activities) and Chapter 503a (relating to casino self-exclusion).

* * * * *

Subpart I. COMPULSIVE AND PROBLEM GAMBLING

CHAPTER 501a. COMPULSIVE AND PROBLEM GAMBLING REQUIREMENTS

§ 501a.2. Compulsive and problem gambling plan.

* * * * *

(f) The Board may provide the plan submitted by the slot machine licensee to the Department of Drug and Alcohol Programs or its successor agency for its use in administering the act. The Department of Drug and Alcohol Programs or its successor agency may provide comments and recommendations to the OCPG and the licensee relating to the plan.

* * * * *

§ 501a.3. Employee training program.

(a) The employee training program required under § 501a.2(d)(5) (relating to compulsive and problem gambling plan) must include instruction in the following:

* * * * *

(8) Procedures for the dissemination of written materials to patrons explaining the casino self-exclusion program, described in Chapter 503a (relating to casino self-exclusion).

(9) Procedures for removing an excluded person, an underage individual or a person on the casino self-exclusion list from a licensed facility including, if necessary, procedures that include obtaining the assistance of appropriate law enforcement personnel.

(10) Procedures for preventing an excluded person or a person on the casino 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 excluded person or casino self-exclusion list.

(11) Procedures for preventing an individual under 21 years of age from receiving any advertisement, promotion or other target mailing.

(12) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the casino self-exclusion list from having access to or from receiving complimentary services, or other like benefits.

(13) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the casino self-exclusion list from cashing checks.

* * * * *

(g) The identity of an individual suspected of known compulsive or problem gambling shall be confidential except as provided under § 503a.3(f) (relating to casino self-exclusion list) and section 1516(d) of the act (relating to list of persons self excluded from gaming activities).

(h) Slot machine licensees 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.

§ 501a.4. Reports.

* * * * *

(b) The annual summary must contain, at a minimum, detailed information regarding:

* * * * *

(2) An estimated amount of printed materials provided to patrons regarding:

- (i) Compulsive and problem gambling.
- (ii) The casino self-exclusion program.
- (iii) Responsible gaming.
- (iv) Available treatment services.

(3) The amount spent on the Compulsive and Problem Gambling Plan for:

- (i) Employee training.
- (ii) Printed materials.
- (iii) Outreach including community training and sponsorships.

(4) Additional information including:

(i) The number of underage individuals who were denied access to the gaming floor.

(ii) The number of casino self-excluded individuals who were discovered on the gaming floor at the licensed facility.

(iii) The number of signs within the licensed facility that contain the approved problem gambling statement and helpline number.

(iv) A summary of any community outreach conducted by the licensee.

§ 501a.7. Advertising.

(a) A licensee, entity certified or registered by the Board, or its agent may not employ or contract with an individual or entity to persuade or convince a person to engage in gaming or play a specific slot machine or table game while on the gaming floor of a licensed facility.

(b) A licensee, entity certified or registered by the Board, or its agent shall discontinue as expeditiously as possible the use of a particular advertisement upon receipt of written notice that the OCPG has determined that the use of the particular advertisement in, or with respect to, this Commonwealth could adversely impact the public or the integrity of gaming.

(c) Advertisements used by a licensee, entity certified or registered by the Board, or its agent may not:

- (1) Contain false or misleading information.
- (2) Fail to disclose conditions or limiting factors associated with the advertisement.
- (3) Use a font, type size, location, lighting, illustration, graphic depiction or color obscuring conditions or limiting factors associated with the advertisement or the statement required under subsection (d).

(d) Advertisements must contain a gambling assistance message that includes the telephone number established by the Department of Drug and Alcohol Programs or its successor agency to provide persons with information on assistance for compulsive or problem gambling.

(e) The complete text of the gambling assistance message and the font to be used for the statement, if it has not been previously approved, shall be submitted to the Director of OCPG for approval utilizing the process in § 501a.2(g) (relating to compulsive and problem gambling plan) and comply with the following:

* * * * *

CHAPTER 503a. CASINO SELF-EXCLUSION

§ 503a.1. Definitions.

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

Casino self-excluded person—A person whose name and identifying information is included, at the person’s own request, on the casino self-exclusion list maintained by the Board.

Casino self-exclusion list—A list of names and identifying information of persons who, under this chapter, have voluntarily agreed to be:

- (i) Excluded from the gaming floor and areas off the gaming floor where gaming activity is conducted.
- (ii) Excluded from engaging in all gaming related activities at a licensed facility or other location approved by the Board to conduct gaming activity.
- (iii) Prohibited from collecting any winnings or recovering any losses resulting from gaming activity.

Fully executed gaming transaction—An activity involving a slot machine, table game or associated equipment, or placement of a sports wager which occurs on the gaming floor of a licensed facility or other location

approved by the Board to conduct gaming activity or in areas off the gaming floor where contests or tournaments are conducted which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a slot machine licensee or slot system operator.

Gaming activity—The play of slot machines, table games, or the placement of a sports wager, including play during contests, tournaments or promotional events.

Gaming related activity—An activity related to the play of slot machines, table games, or the placement of a sports wager, including applying for player club memberships or credit, cashing checks, or accepting a complimentary gift, service, promotional item or other thing of value at a licensed facility or other location approved by the Board to conduct gaming activity.

OCPG—Office of Compulsive and Program Gambling.

Winnings—Any money or thing of value received from, or owed by, a slot machine licensee or slot system operator as a result of a fully executed gaming transaction.

§ 503a.2. Request for casino self-exclusion.

(a) A person requesting to be self-excluded from gaming activity at licensed facilities or other locations approved by the Board to conduct gaming activity 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 may contact the OCPG at (717) 346-8300 or problemgambling@pa.gov.
- (b) A request for casino self-exclusion must include 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, or the last 4 digits of the individual’s Social Security Number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a).
 - (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 casino self-excluded person within 30 days of a change. Updated information shall be submitted on a Change of Information Form to the following address, or submitted online in the “update my information” webform on the Board’s web site. A copy of the form can be obtained by calling the OCPG at (717) 346-8300, by e-mail at 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 casino 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 casino self-exclusion must include a signed release which:
- (1) Acknowledges that the request for casino self-exclusion has been made voluntarily.
 - (2) Certifies that the information provided in the request for casino self-exclusion is true and accurate.
 - (3) Acknowledges that the individual requesting casino self-exclusion is a problem gambler.
 - (4) Acknowledges that a person requesting a lifetime exclusion may only request removal from the casino self-exclusion list in accordance with the procedures set forth in § 503a.5(f) (relating to removal from casino self-exclusion list) and that a person requesting a 1-year or 5-year exclusion will remain on the casino self-exclusion list until a request for removal under § 503a.5 is accepted and the 7 business days required under § 503a.5(e) have elapsed.
 - (5) Acknowledges that if the individual is discovered on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities at any licensed facility or other location approved by the Board to conduct gaming activity, that the individual will be subject to removal and arrest for criminal trespass under 18 Pa.C.S. § 3503 (relating to criminal trespass) 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 slot machine licensees from claims, damages, losses, expenses or liability arising out of, by reason of or relating to the casino 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 a slot machine licensee to withhold gaming privileges from or restore gaming privileges to a casino self-excluded person.
 - (ii) Otherwise permitting or not permitting a casino self-excluded person to engage in gaming activity in a licensed facility or other location approved by the Board to conduct gaming activity while on the list of casino self-excluded persons.
 - (iii) Confiscation of the individual's winnings.
 - (f) Casino self-exclusions for 1-year or 5 years remain in effect until the period of casino self-exclusion concludes and the person requests removal from the Board's casino self-exclusion list under § 503a.5, the request for removal is accepted by the Board, and the required 7 business days under § 503a.5(e) have elapsed.
 - (g) A person submitting a casino 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).
 - (h) A person requesting casino self-exclusion in person under this chapter shall have a photograph taken by the Board, or agent thereof, upon submission of the request to be on the list.

(i) A person requesting casino self-exclusion electronically on the Board's web site shall submit a copy of a recent passport-style photograph of the person upon submission of the request to be on the list.

§ 503a.3. Casino self-exclusion list.

(a) The Board will maintain the official casino self-exclusion list and will make all necessary additions or deletions of individuals removed from the list under § 503a.5 (relating to removal from casino self-exclusion list) within 5 business days of the verification of the information received under § 503a.2 (relating to request for casino self-exclusion) and shall make the casino self-exclusion list available to slot machine licensees electronically by means of the Board's self-exclusion system.

(b) The information made available to slot machine licensees by means of the Board's self-exclusion system will include the following information concerning a person who has been added to the casino 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, or the last 4 digits of the individual's Social Security Number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a).

(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.

(7) A copy of the photograph taken by the Board or submitted electronically under § 503a.2(h) and (i).

(c) The information made available to slot machine licensees by the Board concerning a person whose name has been removed from the casino self-exclusion list will include the name and date of birth of the person.

(d) A slot machine licensee shall maintain a copy of the casino self-exclusion list and establish procedures to ensure that the copy of the casino self-exclusion list is updated at least every 2 business days with the information made available to slot machine licensees by means of the Board's self-exclusion system and that all appropriate employees and agents of the slot machine licensee are notified of the 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) Slot machine licensees, employees or agents thereof may not disclose the name of, or any information about, a person who has requested casino self-exclusion to anyone other than employees and agents of the slot machine licensee whose duties and functions require access to the information. Notwithstanding the foregoing, a slot machine licensee may disclose the identity of a casino self-excluded person to appropriate employees of other slot machine licensees in this Commonwealth or affiliated gaming entities in other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs.

(g) A casino 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 gaming activity for the entire period of time that the person is on the Board's casino self-exclusion list.

(h) Winnings incurred by a casino 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 a casino self-excluded person shall be subject to remittance to the Board.

§ 503a.4. Duties of slot machine licensees.

(a) A slot machine licensee shall train its employees and establish procedures to:

(1) Identify a casino self-excluded person when present on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities and, upon identification, immediately notify the following persons:

(i) Employees of the slot machine licensee whose duties include the removal of casino self-excluded persons.

(ii) Casino compliance representatives at the licensed facility.

(iii) The Pennsylvania State Police, or local police department if applicable.

(2) Refuse wagers from and deny gaming privileges to a casino self-excluded person.

(3) Deny gaming related activities, gaming junket participation and other similar privileges and benefits to a casino self-excluded person.

(4) Ensure that casino self-excluded persons do not receive, either from the slot machine licensee or any agent thereof, gaming junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed facility or other location approved by the Board to conduct gaming activity as required under § 501a.3(a)(10) (relating to employee training program).

(5) Comply with § 503a.3(d) (relating to casino self-exclusion list).

(6) Make available to patrons written materials explaining the casino self-exclusion program.

(b) A slot machine licensee shall submit a copy of its procedures and training materials established under subsection (a) to the Director of OCPG for review and approval at least 30 days prior to initiation of gaming activities at the licensed facility or other location approved by the Board to conduct gaming activity. The slot machine licensee 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 OCPG. A slot machine licensee may not commence operations until the Director of OCPG approves the procedures and training.

(c) A slot machine licensee shall submit amendments to the procedures and training materials required under subsection (b) to the Director of OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The slot machine licensee may implement the amendments on the 30th calendar day following the filing of the amendments unless the slot machine licensee receives a notice under subsection (d) objecting to the amendments.

(d) If during the 30-day review period the Director of OCPG determines that the amendments to the procedures and training materials may not promote the prevention of gaming by self-excluded individuals or assist in the proper administration of the casino self-exclusion pro-

gram, the Director of OCPG may, by written notice to the slot machine licensee, 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 OCPG.

(e) When the amendments to the procedures and training materials have been objected to under subsection (d), the slot machine licensee may submit revised amendments in accordance with subsections (c) and (d).

(f) A slot machine licensee shall post signs at all entrances to a licensed facility or other location approved by the Board to conduct gaming activity indicating that a person who is on the casino self-exclusion list will be subject to arrest for trespassing under 18 Pa.C.S. § 3503 (relating to criminal trespass) if the person is on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities in the licensed facility or other location approved by the Board to conduct gaming activity. The text and font size of the signs shall be submitted for approval to the Director of OCPG under the procedures specified in subsection (b).

(g) The list of casino self-excluded persons is confidential, and any distribution of the list to an unauthorized source constitutes a violation of the act.

(h) Under section 1516 of the act (relating to list of persons self excluded from gaming activities), slot machine licensees 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 a casino self-excluded person.

(2) Permitting or not permitting a casino self-excluded person to gamble.

(3) Good faith disclosure of the identity of a casino self-excluded person to someone, other than those authorized by this chapter, for the purpose of complying with this chapter.

(i) A slot machine licensee shall report the discovery of a casino self-excluded person on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities to the Director of OCPG within 24 hours.

§ 503a.5. Removal from casino self-exclusion list.

(a) For individuals who are self-excluded from licensed facilities or other locations approved by the Board to conduct gaming activity for 1 year or 5 years, upon the conclusion of the period of casino self-exclusion, the individual may request removal from the casino self-exclusion list electronically on the Board's web site or by scheduling an appointment with the OCPG at (717) 346-8300 or problemgambling@pa.gov.

(b) The individual requesting removal shall complete and submit a Request for Removal from Voluntary Self-Exclusion Form as required under subsections (c) and (d). With an appointment, removal from the list may be conducted at the Board's Harrisburg office, one of the Board's regional offices or other location approved by the OCPG.

(c) A completed Request for Removal from Voluntary Self-Exclusion Form must include:

(1) The identifying information specified in § 503a.2(b) (relating to request for casino self-exclusion).

(2) The signature of the person requesting removal from the casino self-exclusion list indicating acknowledgment of the following statement:

“I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for casino self-exclusion, and I authorize the Board to permit all slot machine licensees of the Commonwealth of Pennsylvania to reinstate my gaming privileges at licensed facilities or other locations approved by the Board to conduct gaming activity.”

(d) A person submitting a Request for Removal from Voluntary Self-Exclusion Form shall be required to present or submit a copy of that person’s valid government-issued identification containing the person’s signature and photograph when the form is submitted electronically or during the person’s scheduled appointment, 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).

(e) Within 5 business days after the completed Request for Removal from Voluntary Self-Exclusion Form is accepted by Board staff, the OCPG will delete the name of the individual from the casino self-exclusion list. An individual who was removed from the voluntary casino self-exclusion list may not enter the gaming floor, areas off the gaming floor where contests or tournaments are conducted or engage in gaming related activities for 7 business days from the date Board staff accepts the complete Request for Removal from Voluntary Self-Exclusion Form.

(f) For individuals who selected lifetime casino self-exclusion under § 503a.2(d)(3):

(1) After being on the casino self-exclusion list for a period of 10 years, the individual may petition the Board to be removed from the casino 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 be present at any licensed facilities or other locations approved by the Board to conduct gaming activity while on the casino self-exclusion list, and if so, the names of the licensed facilities or other locations and dates of attendance.

(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 lifetime casino self-excluded individual filing the petition for removal from the casino 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 casino 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 casino self-exclusion list, which shall notify the individual that he or she shall remain on the casino self-exclusion list and include the reason for denial.

(7) Any petitioner whose petition is denied by the Board shall be prohibited from filing a subsequent petition for removal from the lifetime casino self-exclusion list for a period of 5 years from the date of denial.

§ 503a.6. Exceptions for individuals on the casino self-exclusion list.

The prohibition against allowing casino self-excluded persons to be on the gaming floor or in areas off the gaming floor where gaming activity is conducted does not apply to an individual who is on the casino 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 slot machine licensee’s security department and the Board’s office located at the licensed facility have received prior notice.

(3) Access to the gaming floor or areas off the gaming floor where gaming activity is conducted is limited to the time necessary to complete the individual’s assigned duties.

(4) The individual does not otherwise engage in any gaming activities.

§ 503a.7. Disclosure of information related to persons on the casino self-exclusion list.

(a) The Board may periodically release to the public demographics and general information regarding the casino self-exclusion list 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 voluntary casino self-exclusion list.

Subpart K. TABLE GAMES

CHAPTER 603a. TABLE GAME EQUIPMENT

§ 603a.20. Match Play Coupons; physical characteristics and issuance.

* * * *

(q) If included in the certificate holder’s internal controls, required under § 465a.2, a certificate holder may authorize a gaming service provider to print and mail Match Play Coupons directly to patrons in accordance with the following requirements:

* * * *

(7) The certificate holder is responsible for ensuring that the gaming service provider does not mail Match Play Coupons to individuals on the casino self-exclusion list under Chapter 503a (relating to casino self-exclusion) or the exclusion list under Chapter 511a (relating to persons required to be excluded).

* * * * *

CHAPTER 609a. CREDIT

§ 609a.3. Application and verification procedures for granting credit.

* * * * *

(c) Prior to a certificate holder’s approval of a patron’s credit limit, a credit clerk shall:

* * * * *

(5) Verify that the patron’s name is not on:

(i) The list of individuals who have voluntarily requested suspension of credit privileges under § 609a.9 (relating to voluntary credit suspension list).

(ii) The list of individuals who have voluntarily placed themselves on the casino self-exclusion list under Chapter 503a (relating to casino self-exclusion).

(iii) The list of individuals who have been placed on the exclusion list under Chapter 511a (relating to persons required to be excluded).

* * * * *

[Pa.B. Doc. No. 21-852. Filed for public inspection May 28, 2021, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

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

Over/Under, DJ Wild Stud Poker, Face Up Pai Gow Poker

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

Purpose of this Final-Form Rulemaking

This final-form rulemaking adds new table games to the complement of games available for play in this Commonwealth.

Explanation

Sections 686a.1, 687a.1 and 688a.1 (relating to definitions) contain the definitions used throughout the chapters. Sections 686a.2, 687a.2 and 688a.2 (relating to Over/Under; physical characteristics; inspections; DJ Wild Stud Poke; physical characteristics; and Face Up Pai Gow Poker Shaker; physical characteristics) contain the physical characteristics of the table layout and related equipment. Sections 686a.3, 687a.3 and 688a.3 (relating to cards; number of decks; value of cards; cards; number of decks; and cards; number of decks) detail the number of cards and decks used to play the game and the rank of hands in § 687a.3. Sections 686a.4, 687a.4 and 688a.4 (relating to opening of the table for gaming) address how the dealer is to open the table game for play.

Sections 686a.5 and 687a.5 (relating to shuffle and cut of cards) and § 688a.5 (relating to shuffle and cut of the cards; procedures for determining starting position for dealing cards) detail how the cards are to be shuffled and cut and in § 688a.5, how to determine the starting point for the dealing of the cards. Sections 687a.6 and 688a.6 (relating to DJ Wild Stud Poker rankings; and Face Up Pai Gow Poker rankings) address the rank of the cards and hands. Sections 686a.6, 687a.7 and 688a.7 (relating to wagers) outline the permissible wagers players may place during a round of play.

Section 686a.7 (relating to procedure for dealing the cards; completion of each round of play) addresses how the cards are to be initially dealt and completing the round of play. Sections 687a.8—687a.10 and 688a.8—688a.10 address how the cards are to be dealt and the number of cards dealt to each player. Sections 687a.11 and 688a.11 (relating to procedures for completion of each round of play) specify how wagers are to be settled and a round of play completed. Sections 686a.8, 687a.12 and 688a.12 (relating to payout odds; payout odds; progressive wager configuration; and payout odds; Envy Bonus; rate of progression) outline the permissible payout odds for winning wagers and allows the operator to place a payout limit, per player per round of play. Sections 686a.9 and 687a.13 (relating to irregularities) and 688a.13 (relating to irregularities; invalid roll of dice) address how a dealer is to handle irregularities during play.

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

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

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

Response to Comments

The Board did not receive any public comments from the regulated community or general public during the public comment period. However, a comment was received from Bally Gaming after the public comment period expired, but prior to the proposed rulemaking being transitioned into final-form. The comment is addressed at the end of this section. Comments were received from the Independent Regulatory Review Commission (IRRC) and responses to the comments are as follows:

Conforms to the intention of the General Assembly

Historically, the Board did initially promulgate the rules of play for table games as a temporary regulation, which were valid for 2 years. In that 2-year window, the Board would then transition the rules of play into a proposed rulemaking and then a final-form rulemaking. However, under 4 Pa.C.S. § 13A03(a) (relating to tempo-

rary table game regulations), it states that “regulations promulgated by the board shall be deemed temporary regulations which shall expire not later than two years following the publication of the temporary regulation.”

Board staff have since re-evaluated its procedures and established a new practice that when the rules of play of a table game are promulgated as a proposed rulemaking, the Board will treat those regulations as if they are temporary regulations. This is consistent with the provisions of section 13A03(a) of the act. With the proposed rulemakings being “deemed temporary regulations,” the Board determined it would be appropriate for licensees to be able to offer the table games under the regulatory text of the proposed rulemakings, prior to the regulations being transitioned into final-form.

According to records of the Board’s Bureau of Casino Compliance, Over/Under and DJ Wild Stud Poker are not being offered in any licensed facilities. Face Up Pai Gow Poker is currently offered at five licensed facilities.

§ 686a.2—*Clarity.*

This proposed correction was made in Annex A.

§ 685a.5—*Clarity.*

A correction was made to the text in Annex A to make it clear what the procedure is for requesting the cards be spread out face up. This correction was also made in §§ 687a.5(f) and 688a.5(g).

§ 687a.8—*Clarity.*

This proposed correction was made in Annex A.

§ 688a.1—*Clarity; Reasonableness.*

“Pai gow” is a name of a separate game (played with tiles), but in the context of this game simply refers the seven cards in dealer’s or player’s hand; it does not have any specific meaning. This is widely known in the regulated community, and thus a definition would be redundant and unnecessary.

The Board does not create the rules of table games, but merely transcribes the rules submitted by a manufacturer or gaming related gaming service provider into regulatory language. Therefore, the Board is not setting the minimum for a wager to be a qualifying wager, it is set by the intellectual property holder of the game.

§ 688a.13—*Clarity.*

Language was deleted from this provision to eliminate the inconsistency and bring the procedures in line with what is currently used in Pai Gow Poker.

Miscellaneous clarity

This issue is remedied in the final-form Regulatory Analyses Form.

In addition to the changes made under IRRC comments, additional amendments were made to § 688a.12. There were some errors in three of the paytables for the Progressive Wager that have been corrected.

Additionally, the earlier-referenced comment received from Bally Gaming related to the rules of the game in the proposed rulemaking not featuring a maximum payout amount, which was inconsistent with traditional Pai Gow Poker. To keep the game both consistent with the submission from the manufacturer and the currently approved Pai Gow Poker rules in Chapter 645a (relating to Pai Gow Poker), the \$50,000 maximum payout language was added as subsection § 688a.12(e).

Fiscal Impact

Commonwealth

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

Political subdivisions

This final-form rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector

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

General public

This final-form rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

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

Effective Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), the Board submitted a copy of the notice of proposed rulemaking, published at 49 Pa.B. 3609 (July 19, 2019) to IRRC and the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board is required to submit to IRRC and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the House and Senate Committees, and the public.

Under section 5.1a(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)) on April 14, 2021, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 15, 2021, and approved the final-form rulemaking.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), known as the Commonwealth Documents Law and

the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2. (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) This final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code 686a, 687a and 688a, are amended by adding §§ 686a.1—686a.9, 687a.1—687a.13, and 688a.1—688a.13 to read as set forth in Annex A.

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

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

DAVID M. BARASCH,
Chairperson

(*Editor’s Note:* For IRRC’s approval order, see 51 Pa.B. 2468 (May 1, 2021).)

Fiscal Note: Fiscal Note 125-223 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 686a. OVER/UNDER

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

§ 686a.1. Definitions.

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

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

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

Hand—The three cards dealt to the player.

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

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

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

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

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

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

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

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

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

(4) The following inscriptions:

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

(ii) House wins on 18—23.

(iii) Aces are always counted as 11.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 686a.6. Wagers.

(a) Wagers at Over/Under shall be made by placing value chips, plaques, or other Board-approved table gam-

ing wagering instruments on the appropriate areas of the Over/Under layout. Verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and the cash is expeditiously converted into value chips or plaques.

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

- (1) The certificate holder chooses to permit the player to begin wagering again.
- (2) A reshuffle of the cards has occurred.

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

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

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

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

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

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

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

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

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

- (1) Collect and reshuffle the cards by removing the cards remaining in the shoe and placing them in the discard rack to ensure that no cards are missing.
- (2) Shuffle the cards so that they are randomly inter-mixed.

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

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

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

- (1) Place an Over 23 Wager equal to the amount of the player's Ante Wager.
- (2) Place an Under 18 Wager equal to the amount of the player's Ante Wager.
- (3) Surrender the Ante Wager, which shall then be collected by the dealer.

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

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

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

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

- (1) The player placed an Ante Wager and an Over 23 Wager, and the total point count of the player's hand is 24, 25, 26, 27, 28, 29, 30, 31, 32 or 33.
- (2) The player placed an Ante Wager and an Under 18 Wager, and the total point count of the player's hand is 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 or 17.

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

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

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

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

§ 686a.8. Payout odds.

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

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

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

§ 686a.9. Irregularities.

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

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

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

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

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

CHAPTER 687a. DJ WILD STUD POKER

Sec.	
687a.1.	Definitions.
687a.2.	DJ Wild Stud Poker table; physical characteristics.
687a.3.	Cards; number of decks.
687a.4.	Opening of the table for gaming.
687a.5.	Shuffle and cut of the cards.
687a.6.	DJ Wild Stud Poker rankings.
687a.7.	Wagers.
687a.8.	Procedure for dealing the cards from a manual dealing shoe.
687a.9.	Procedure for dealing the cards from the hand.
687a.10.	Procedure for dealing the cards from an automated dealing shoe.
687a.11.	Procedures for completion of each round of play.
687a.12.	Payout odds; progressive wager configuration.
687a.13.	Irregularities.

§ 687a.1. Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

(2) A separate betting area designated for the placement of the Ante Wager, Blind Wager and Raise Wager.

(3) If the certificate holder offers the optional Progressive Bonus Wager authorized under § 687a.7(d)(2) (relating to wagers), the Trips Bonus Wager authorized under § 687a.7(d)(3), or the Two-Way Bad Beat Bonus Wager authorized under § 687a.7(d)(4) a separate area designated for the placement of each of the wagers for each player.

(4) If the certificate holder offers the optional Progressive Bonus Wager authorized under § 687a.7(d)(2), an area to place one card face down after the cards are dealt to the players and the dealer, which if necessary will replace the Joker card in a player's hand for purposes of the Progressive Bonus Wager.

(5) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each DJ Wild Stud Poker table.

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

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

§ 687a.3. Cards; number of decks.

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

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

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

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

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

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

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

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) A royal flush.
- (2) A straight flush.
- (3) A four-of-a-kind.
- (4) A full house.
- (5) A flush.
- (6) A straight.
- (7) A three-of-a-kind.

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

- (1) Five wilds.
- (2) A royal flush.
- (3) A straight flush.
- (4) A four-of-a-kind.
- (5) A full house.
- (6) A flush.
- (7) A straight.
- (8) A three-of-a-kind.

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

- (1) A royal flush.
- (2) A straight flush.
- (3) A four-of-a-kind.
- (4) A full house.
- (5) A flush.
- (6) A straight.
- (7) A three-of-a-kind.

§ 687a.7. Wagers.

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

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

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

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

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

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

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

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

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

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

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

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

(c) If a player has placed a Progressive Bonus Wager on the sensor, the dealer will press the Start Game

button on the keypad, which will light up the Progressive Bonus Wagers placed, and the dealer will collect the Progressive Bonus Wagers.

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

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

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

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

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

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

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

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

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

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

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

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

(c) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal a stack of five cards to each player who has placed an Ante Wager and Blind Wager in

accordance with § 687a.7(d)(1) (relating to wagers). All cards shall be dealt face down to the players.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Beginning with the player farthest to the dealer's left and continuing around the table in a counterclockwise direction, the dealer shall then evaluate and announce

the best possible DJ Wild Stud Poker hand that can be formed using the player's five cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All Ante Wagers, Blind Wagers and Raise wagers shall be settled as follows:

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

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

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

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

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

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

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

(2) For the Trips Bonus Wager:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Paytable DJWT-04</i>		
<i>Hand</i>	<i>Natural</i>	<i>With Wild</i>
Five wilds	n/a	2000 to 1
Royal flush	1000 to 1	90 to 1
Five-of-a-kind	n/a	70 to 1
Straight flush	200 to 1	25 to 1
Four-of-a-kind	60 to 1	6 to 1
Full house	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-kind	6 to 1	1 to 1

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

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

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

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

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

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

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

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

§ 687a.13. **Irregularities.**

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

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

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

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

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

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

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

CHAPTER 688a. FACE UP PAI GOW POKER

Sec.

- 688a.1. Definitions.
- 688a.2. Face Up Pai Gow Poker table; Pai Gow Poker Shaker; physical characteristics.
- 688a.3. Cards; number of decks.
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- 688a.6. Face Up Pai Gow Poker rankings.
- 688a.7. Wagers.
- 688a.8. Procedures for dealing the cards from a manual dealing shoe.
- 688a.9. Procedures for dealing the cards from the hand.
- 688a.10. Procedures for dealing the cards from an automated dealing shoe.
- 688a.11. Procedures for completion of each round of play.
- 688a.12. Payout odds; Envy Bonus; rate of progression.
- 688a.13. Irregularities; invalid roll of dice.

§ 688a.1. **Definitions.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Face Up Pai Gow Poker Wager for each player.
- (3) Two separate areas designated for the placement of the high and low hands of each player.
- (4) Two separate areas designated for the placement of the high and low hands of the dealer.
- (5) If the certificate holder offers the optional Aces High Bonus Wager authorized under § 688a.7(e)(1) (relating to wagers), a separate area designated for the placement of the Aces High Bonus Wager for each player.
- (6) If the certificate holder offers the optional Fortune Bonus Wager authorized under § 688a.7(e)(2), a separate area designated for the placement of the Fortune Bonus Wager for each player.
- (7) If the certificate holder offers the optional Progressive Payout Wager authorized under § 688a.7(e)(3), a separate area designated for the placement of the Progressive Payout Wager for each player.

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

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

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

- (1) A Pai Gow Poker shaker, approved in accordance with § 601a.10(a), which shall be designed and con-

structed to maintain the integrity of the game. The Pai Gow Poker shaker shall be the responsibility of the dealer, may not be left unattended while at the table and must:

- (i) Be capable of housing three dice that when not being shaken must be maintained within the Pai Gow Poker shaker. Dice that have been placed in a Pai Gow Poker shaker for use in gaming may not remain on a table for more than 24 hours.
- (ii) Be designed to prevent the dice from being seen while being shaken.
- (iii) Have the name or logo of the certificate holder imprinted or impressed thereon.

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

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

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

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

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

§ 688a.3. Cards; number of decks.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

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

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

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

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

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

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

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

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

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

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

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

(2) If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The deck of cards already in the shuffler shall then be removed. Unless a player requests

otherwise, the deck of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt, if the automated card shuffling device stores a single deck of shuffled cards inside the shuffler in a secure manner.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) A straight flush, which is a high hand consisting of five cards of the same suit in consecutive ranking, with ace, 2, 3, 4 and 5 being the highest ranking straight flush; king, queen, jack, 10 and 9 being the second highest ranking straight flush; and 2, 3, 4, 5 and 6 being the lowest ranking straight flush.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 688a.7. Wagers.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) The dealer shall then deal the first card to the starting position as determined in subsection (c) and,

continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position, and the dealer, until each position and the dealer has seven cards. Each card dealt shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed, face down to the player and face up to the dealer, on the appropriate area of the layout with the opposite hand.

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

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

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

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

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

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

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

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

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

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

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

(c) The dealer shall then deal the first card to the starting position as determined in subsection (b) and, continuing around the table in a clockwise manner, deal one card at a time to all other positions, regardless of whether there is a wager at the position face down, and to the dealer face up, until each position and the dealer has seven cards.

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

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

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

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

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

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

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

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

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

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

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

(d) After seven cards have been dispensed and delivered to each position and the dealer, the dealer shall remove the remaining cards from the shoe and determine whether four cards are left by spreading them face down

on the layout. The four cards that remain may not be exposed to anyone and shall be placed in the discard rack.

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

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

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

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

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

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

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

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

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

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

The dealer shall verify that seven cards were collected by counting them face down on the layout prior to placing them in the discard rack.

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

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

(1) Lose and will immediately be collected if:

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

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

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

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

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

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

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

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

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

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

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

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

(i) If the dealer:

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

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

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

(i) If a player:

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

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

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

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

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

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

(i) If a player:

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

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

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

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

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

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

(C) Did not place a Progressive Payout Wager but has an Envy Bonus Qualifying Hand, and another player at the table placed a Qualifying Wager, the dealer shall

verbally acknowledge the Envy Bonus Qualifying Hand and leave the cards of the player face up on the table.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Paytable 4</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
7 card straight flush	2,500 to 1	\$1,000
Royal flush + royal match	1,000 to 1	\$750
7 card straight flush with joker	750 to 1	\$250
Five aces	250 to 1	\$100
Royal flush	125 to 1	\$50

<i>Paytable 4</i>		
<i>Outcome</i>	<i>Pay</i>	<i>Envy</i>
Straight flush	50 to 1	\$20
Four-of-a-kind	25 to 1	\$5
Full house	5 to 1	
Flush	4 to 1	
Three-of-a-kind	3 to 1	
Straight	2 to 1	

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

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

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

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

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

<i>Paytable 3 (\$5 wager)</i>	<i>Pay</i>
7 card straight flush	100% of meter
Five aces	10% of meter
Royal flush	\$2,500
Straight flush	\$500
Four-of-a-kind	\$375
Full house	\$20
Meter seed: \$10,000	
Rate of progression: 29%	
Original wager not returned to player	

<i>Paytable 4 (\$5 wager)</i>		
<i>Outcome</i>	<i>Pay & Progressive</i>	<i>Envy</i>
7 card straight flush	\$5,000/ 100% of meter	\$1,000
Royal flush + royal match	\$5,000/ 20% of meter	\$750
7 card straight flush w/joker	\$5,000/ 10% of meter	\$250
Five aces	\$2,500	\$100
Royal flush	\$500	\$50
Straight flush	\$200	\$20
Four-of-a-kind	\$100	\$5
Meter seed: \$10,000		
Rate of progression: 1%		
Reserve rate: 1%		
Original wager returned to player		

<i>Paytable 5 (\$1 wager)</i>	<i>Pay</i>
7 card straight flush	100% of meter
Five aces	10% of meter
Five-of-a-kind	\$1,000
Royal flush	\$500
Straight flush	\$100
Four-of-a-kind	\$20
Full house	\$5
Meter seed: \$5,000	

<i>Paytable 5 (\$1 wager)</i>	<i>Pay</i>
Rate of progression: 17%	
Original wager not returned to player	
Fully wild joker	

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

<i>Paytable 7 (\$1 wager)</i>	<i>Pay</i>
Five aces	100% of meter
Royal flush	\$500
Straight flush	\$100
Four-of-a-kind	\$75
Full house	\$5
Meter seed: \$1,000	
Rate of progression: 26%	
Original wager not returned to player	
Fully wild joker	

(e) Notwithstanding the payout odds in subsections (b)—(d), a certificate holder may, in its rules submission under § 601a.2, establish a maximum amount that is payable to a player on a single hand. The maximum payout amount shall be at least \$50,000 or the maximum amount that one player could win per round when betting the minimum permissible wager, whichever is greater. Any maximum payout limit established by a certificate holder may not apply to progressive wager meter payouts or envy bonus payouts.

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

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

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

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

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

(e) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If

more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

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

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

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

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

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

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

[Pa.B. Doc. No. 21-853. Filed for public inspection May 28, 2021, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Agricultural Research Project Contractors

The Department of Agriculture (Department) is soliciting applications to conduct agricultural research on one or more of the following research topic areas, with the research to be conducted from July 1, 2021, to June 30, 2022, with the possibility, but not the assurance, of extending that research into subsequent years. All funding is contingent upon 2021-2022 budget appropriations.

This notice establishes the procedures by which grant applications will be solicited and reviewed, and by which grants will be awarded.

1. *Grant Solicitation.* The Department will accept grant applications for the purposes, in the form and according to the schedule set forth as follows. Following publication, additional publication and dissemination of this notice shall be made to applicants who have previously submitted grant applications to or received grants from the Department, as well as any individuals or entities who have requested notification from the Department of grant availability.

2. *Research Topic Areas.* The research topics the Department is interested in funding are as follows:

a. *Ongoing multiyear research projects.* The Department has, in previous years, provided funding for various multiyear research projects that might be continued or extended to complete research the Department identifies as addressing continued priorities of the agricultural industry, such as:

- Mitigating the impact of pests like Phorid Flies and Spotted Lanternflies.
- Examining the economic impact of pest infestations like Phorid Flies and Spotted Lanternflies.
- Measuring pesticide impacts on organic and other sensitive crops.
- Implementing Chapter 5 of the Pennsylvania Pollinator Protection Plan (see <https://ento.psu.edu/pollinators/pollin-spotlight-items/the-pennsylvania-pollinator-protection-plan-p4>).

The Department will consider proposals to continue supporting these and other types of previously funded research.

b. *Resource conservation, climate and the quality of our soil, water and air.* The Department is seeking new proposals that address agriculture's role in stewarding natural resources and innovations in combatting and adapting to climate change. Specifically, the Department requests applications for projects that:

- Provide ongoing water quality monitoring in high-priority streams identified in version 3 of the Chesapeake Bay Watershed Implementation Plan.
- Provide ongoing air quality monitoring around high-priority production areas, particularly mushroom facilities in Chester and Berks Counties.
- Quantify the benefits to soil health and climate change resiliency from best management practices in conservation.

- Quantify reductions in carbon emissions through on-farm energy efficiency measures.

- Identify opportunities in agricultural production practices that could be conducted concurrently with solar energy production.

- Integrate silvopasture and other agro-forestry revenue streams into dairy, livestock or poultry farms.

- Identify soil testing and remediation strategies for urban agriculture.

- Assess the adoption and implementation of best management practices by farmers that are part of conservation plans to ensure compliance and appropriate credit is received.

- Identify and determine the applicability and effectiveness of nutrient management technologies to assist the Commonwealth in assessing the utility of various approaches.

c. *Innovations in agricultural production and processing.* The Department seeks applications that address new opportunities in both agricultural production and value-added processing of agricultural production in either or both food and nonfood arenas, such as:

- Crop varieties that may offer greater climate resilience.

- Feeding trials on crops that offer promise as new livestock feed sources.

- Sensor technologies that offer affordable measuring of soil health, including water retention.

- Pharmaceutical or industrial uses for milk proteins or other milk components.

- Beverages that blend milk with fruit juices.

- Beverage packaging that is easily recycled or biodegradable.

- Packaging that makes milk available in individual servings or multipacks of individual servings.

- Any other innovation that:

- o Facilitates agriculture's continued economic vitality.

- o Assures the health and safety of consumers, plants and animals.

- o Assures agricultural stewardship of natural resources.

d. *Animal agriculture research.* The Department seeks applications that address animal health concerns, such as:

- *One Health*—Proposals that promote humans, the environment, animals, living together harmoniously.

- *Animal Health*—Proposals that improve or seek to understand aspects of animal health important to agriculture in this Commonwealth.

- *Diagnosis of Animal Diseases*—Proposals that promote the diagnosis of animal diseases that are important to Commonwealth animal agriculture.

- *Animal Productivity*—Proposals that seek to improve the productivity of agricultural animals in this Commonwealth.

- *Animal Welfare*—Proposals that seek to improve the welfare of agricultural animals in this Commonwealth.

3. *Grant Agreement.* The terms and conditions of the grant will be governed by a grant agreement between the Department and the applicant which shall be tendered to the applicant for execution, returnable in no more than 30 days. The Department may require that the grant agreement be submitted and executed electronically.

4. *Application Delivery and Deadline.* Interested applicants must submit a complete electronic research project proposal and grant application using the Department of Community and Economic Development's Electronic Single Application web site at <https://www.esa.dced.state.pa.us/Login.aspx> on Friday, June 25, 2021, by 4 p.m. Questions regarding this online application process may be directed to Morgan Sheffield, Grants Coordinator for the Department of Agriculture, at (717) 787-3568.

5. *Scoring of Applications.* The Department will evaluate each complete and timely-filed project proposal and grant application it receives, using a 100-point scale assessing:

- a) Up to 15 points for the research project needs statement.
- b) Up to 15 points for the impact of research outcomes, including enhancement of diversity, equity and inclusion.
- c) Up to 30 points for the research methodology.
- d) Up to 10 points for project evaluation and replicability.
- e) Up to 20 points for support and participation from industry.
- f) Up to 10 points for diversity of the research team.

6. *Scores.* Upon completion of evaluations, the Department will prepare a record identifying each complete and timely-filed project proposal and grant application received and the numerical score assigned to each. The Department shall award grants based upon its evaluation and scoring.

7. *Multiyear Projects or Extensions.* The Department may award grant funding for multiyear projects or extensions of an ongoing project, if the Department identifies that a multiyear term or an extension advances the grant's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice.

8. *Notice of Award.* Applicants shall be notified by mail of the decision on their grant applications by the Department. Best efforts will be made to do so within 15 days of the application deadline.

9. *Grant Agreement.* With the mailed grant award notice, the Department will provide applicants with a grant agreement for execution and return within 30 days or instructions as to finalizing the grant agreement electronically. The Department will obtain the required Commonwealth signatures on the grant agreements and return a copy of the fully-executed grant agreement to the applicant. The grant agreement is not effective, and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit such information as the Department may require.

10. *Nonmatching Cost-Reimbursable Grant.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project, but outside funding may be considered as an evaluation criterion under section 5(c) of this solicitation. Payment of grant funds will occur on a reimbursement basis, with the possibility upon the written submission of justification and subsequent approval of the Department of an advance payment option.

11. *Allowable Indirect Cost Reimbursement.* Grants made hereunder are subject to an indirect cost cap of 15% of total project costs. For the purpose of this research grant funding solicitation, indirect costs shall include administrative salaries and benefits, office supplies and equipment, facility related cost including maintenance and repairs, telephones, memberships/dues, freight/postage cost and any consultant related costs associated with the administration of this research grant.

12. *Reporting Requirements.* Upon completion of research projects funded through this program, grant recipients will submit to the Department within 60 days a final report detailing the nature of the questions under study, an explanation of the research design and methods, findings of the research and recommendations for future study.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 21-854. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending May 18, 2021.

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**Conversions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
05-11-2021	Prosper Bank Coatesville Chester County	Approved
Application for approval to convert from a mutual savings bank to a stock savings bank.		

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
05-11-2021	PB Bankshares, Inc. Coatesville Chester County	Approved
Application for approval to acquire 100% of Prosper Bank, Coatesville, PA.		

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-17-2021	Jersey Shore State Bank Jersey Shore Lycoming County	835 East Bishop Street Bellefonte Centre County	Opened

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 21-855. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Lands Exchange between Erdenheim Farm (EQ), LP and the Department of Conservation and Natural Resources, Bureau of State Parks

The Department of Conservation and Natural Resources (Department), Bureau of State Parks and Erdenheim Farm (EQ), LP (Erdenheim Farm) are proposing to negotiate an exchange of lands as follows:

The Department, Bureau of State Parks, is proposing to convey to Erdenheim Farm, two tracts of land (Tract 1 consisting of Uniform Parcel Identifier Numbers 650008059003 and 650011140009; and Tract 2 consisting of Uniform Parcel Identifier Block/Unit Number 52-003-025), being approximately 8.791 acres in total (approximately 3.2 acres is in the road bed of Stenton Avenue), situated in Whitmarsh and Springfield Townships, Montgomery County and being part of Fort Washington State Park. A portion of Tract 1 (Uniform Parcel Identifier Number 650008059003—those lands to the east of Stenton Avenue) will be subject to two easements upon transfer to Erdenheim Farm: 1) a public trail easement in favor of Montgomery County; and 2) a conservation easement in favor of Natural Lands Trust, Inc. conservancy. Historical evidence indicates that this land was to serve as a connection from Fort Washington State Park to the City of Philadelphia. The land exchange will allow this mission to continue through the public trail easement and the construction of a trail by Montgomery County.

Erdenheim Farm is proposing to cause to convey to the Commonwealth, acting by and through the Department, Bureau of State Parks, certain lands in Upper Uwchlan Township, Chester County; located adjoining Marsh Creek State Park and consisting of approximately 10.568 acres. This property will allow critical access to two public trail systems: 1) trailhead parking and access to Chester County's Struble Trail; and 2) trailhead parking within Marsh Creek State Park where trail access is not currently available.

Review and Comment

As is the policy of the Department, the public is hereby notified of this proposed lands exchange. Project documents will be available for review from May 29, 2021, until July 14, 2021, at the Fort Washington State Park Office.

Oral or written comments or questions concerning this proposed exchange may be addressed to John Hallas, Director, Bureau of State Parks, Attn: RMPD—Planning Section, P.O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640, RA-Park-Operations@pa.gov. Comments must be received within 30 days following publication of this notice. These oral or written comments, or both, will become part of the official document used in the final decision process.

If, in the duration of the comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 21-856. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. 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). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

<i>Section</i>	<i>Category</i>
I	Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received
II	Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs
III	Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity

Section I identifies the following applications and NOIs that have been received by DEP:

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice.

Section II identifies individual NPDES permit applications received and draft permits issued by DEP relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

Section III provides notice of applications and draft individual permits for stormwater discharges associated with construction activities. Where indicated, DEP has made tentative determinations, based on preliminary review, to issue permits subject to proposed effluent limitations consisting of best management practices identified in the erosion and sediment control (E&S) plans and post-construction stormwater management (PCSM) plans submitted with the applications, as well as other terms and conditions based on the permit applications. A 30-day public comment period applies to these applications.

Applications and NOIs may be reviewed at the DEP office that received the application or NOI. Contact information for each DEP office for Sections I & II is listed as follows. Contact information for Section III is available within the table. Members of the public are encouraged to use DEP's website to obtain additional information as discussed previously.

Comments received within the appropriate comment periods for WQM and NPDES permit applications will be retained by DEP and 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 DEP of the exact basis of a comment and the relevant facts upon which it is based.

DEP office contact information to review applications and NOIs in Sections I & II and to submit comments for those application and NOIs, when applicable, is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if the Department determines that there is a significant public interest. 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. DEP 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 Hamilton Relay Service at (800) 654-5984.

I. Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
3677204	Industrial Waste Individual WQM Permit	Transfer	ASC Engineering Solutions 1411 Lancaster Avenue Columbia, PA 17512-1939	West Hempfield Township Lancaster County	SCRO
5683203	Industrial Waste Individual WQM Permit	Amendment	Southern Alleghenies Landfill Inc. 843 Miller Picking Road Davidsville, PA 15928-8917	Conemaugh Township Somerset County	SWRO
0813804	Joint DEP/PFBC Pesticides Permit	Renewal	Ridgebury Lake Estates 660 Lakeside Drive Sayre, PA 18840-9603	Ridgebury Township Bradford County	NCRO
2121802	Joint DEP/PFBC Pesticides Permit	New	Myers Christine T 336 N 26th Street Camp Hill, PA 17011-3619	Dickinson Township Cumberland County	SCRO
2221801	Joint DEP/PFBC Pesticides Permit	New	Harrisburg City Dauphin County 123 Walnut Street Suite 317 Harrisburg, PA 17101	Harrisburg City Dauphin County	SCRO
3621806	Joint DEP/PFBC Pesticides Permit	New	Pinch Pond Campground Inc. 3075 Pinch Road Manheim, PA 17545-9551	Rapho Township Lancaster County	SCRO
4613811	Joint DEP/PFBC Pesticides Permit	Amendment	Janssen Research & Development LLC Welsh & McKean Roads Spring House, PA 19477	Lower Gwynedd Township Montgomery County	SERO
5116801	Joint DEP/PFBC Pesticides Permit	Renewal	Corner James 655 Gate House Lane Philadelphia, PA 19118	Philadelphia City Philadelphia County	SERO
5121801	Joint DEP/PFBC Pesticides Permit	New	Awbury Arboretum 1 Awbury Road Philadelphia, PA 19138-1505	Philadelphia City Philadelphia County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6520802	Joint DEP/PFBC Pesticides Permit	Amendment	Fennick Sean E 4855 Mamont Road Murrysville, PA 15668-9320	Murrysville Borough Westmoreland County	SWRO
6721803	Joint DEP/PFBC Pesticides Permit	New	Klenk Betsy 1112 Heindel Road York, PA 17408-7391	North Codorus Township York County	SCRO
PA0093866	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Amendment, Minor	Southern Alleghenies Landfill Inc. 843 Miller Picking Road Davidsville, PA 15928-8917	Conemaugh Township Somerset County	SWRO
NOEXNW014	No Exposure Certification	Renewal	AHT Inc. 108 Parkway E Pell City, AL 35125-2748	Donegal Township Butler County	NWRO
NOEXNW140	No Exposure Certification	Renewal	Roser Tech Inc. 347 E Industrial Drive Titusville, PA 16354-7805	Titusville City Crawford County	NWRO
PAG036293	PAG-03 NPDES General Permit for Industrial Stormwater	New	Norfolk Southern Corp 920 Maple Avenue Johnstown, PA 15901-1400	Johnstown City Cambria County	SWRO
PAR808347	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	UPS Inc. 521 N Center Avenue New Stanton, PA 15672-9415	Millcreek Township Erie County	NWRO
PAG045075	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	William C & Sharon A Walker 49 McGonigal Lane Woodland, PA 16881-8852	Bradford Township Clearfield County	NCRO
PAG123613	PAG-12 NPDES General Permit for CAFOs	Renewal	Meadow Spring Acres LLC 1871 Smith Station Road Spring Grove, PA 17362-8977	Heidelberg Township York County	SCRO
PAG123645	PAG-12 NPDES General Permit for CAFOs	Renewal	Sloat Crane Poultry Farm 170 Daugherty Road York, PA 17404-9745	Conewago Township York County	SCRO
PAG123658	PAG-12 NPDES General Permit for CAFOs	Renewal	Bange Harley 15629 Trough Creek Valley Pike Huntingdon, PA 16652-3785	Union Township Huntingdon County	SCRO
PAG123784	PAG-12 NPDES General Permit for CAFOs	Renewal	Todd Chestnut 50 Eberly Road Newville, PA 17241-8509	Upper Mifflin Township Cumberland County	SCRO
1500414	Sewage Land Application Individual WQM Permit	Renewal	Aqua Pennsylvania Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	East Bradford Township Chester County	SERO
0721403	Sewage Treatment Facilities Individual WQM Permit	New	Donaldson Jason E 195 Wilson Street Reedsville, PA 17084	Frankstown Township Blair County	SCRO
1072419	Sewage Treatment Facilities Individual WQM Permit	Transfer	Jones Estates Sandy Hills LLC 230 Sandy Hill Road Valencia, PA 16059-3332	Middlesex Township Butler County	NWRO
1721401	Sewage Treatment Facilities Individual WQM Permit	New	William C & Sharon A Walker 49 McGonigal Lane Woodland, PA 16881-8852	Bradford Township Clearfield County	NCRO
2021407	Sewage Treatment Facilities Individual WQM Permit	New	Melissa Arnold & Ronald Ryan 23096 N Townline Road Conneautville, PA 16406-5547	Spring Township Crawford County	NWRO
2021409	Sewage Treatment Facilities Individual WQM Permit	New	Sandra & William Tracy 43224 Gilson Ridge Road Titusville, PA 16354-4506	Oil Creek Township Crawford County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2021410	Sewage Treatment Facilities Individual WQM Permit	New	Charlene & Theron Vlasnik 27776 White Hill Road Cambridge Springs, PA 16403-6556	Union Township Crawford County	NWRO
2521410	Sewage Treatment Facilities Individual WQM Permit	New	Cunningham Joseph B 9599 Peach Street Waterford, PA 16441-4031	Le Boeuf Township Erie County	NWRO
2521411	Sewage Treatment Facilities Individual WQM Permit	New	Robert A Griffith Estate 10644 Silverthorn Road Edinboro, PA 16412-9720	McKean Township Erie County	NWRO
2521412	Sewage Treatment Facilities Individual WQM Permit	New	Jeffrey & Rebecca Nelson 7701 Bear Creek Road Fairview, PA 16415-2604	McKean Township Erie County	NWRO
2521413	Sewage Treatment Facilities Individual WQM Permit	New	Long Gordon 8881 Old Waterford Road Erie, PA 16509-5647	Greene Township Erie County	NWRO
3617408	Sewage Treatment Facilities Individual WQM Permit	Amendment	Weaverland Valley Authority 4610 Division Highway East Earl, PA 17519-9200	East Earl Township Lancaster County	SCRO
3903401	Sewage Treatment Facilities Individual WQM Permit	Amendment	Upper Saucon Township Municipal Authority Lehigh County 5500 Camp Meeting Road Center Valley, PA 18034-9444	Upper Saucon Township Lehigh County	NERO
4105401	Sewage Treatment Facilities Individual WQM Permit	Amendment	Hughesville Borough & Wolf Township Joint Municipal Authority Lycoming County 547 Woolen Mill Road Hughesville, PA 17737-9091	Wolf Township Lycoming County	NCRO
4221403	Sewage Treatment Facilities Individual WQM Permit	New	Candice & James Lambka 1294 Wetmore Road Kane, PA 16735-2342	Hamilton Township McKean County	NWRO
4321405	Sewage Treatment Facilities Individual WQM Permit	New	Jake Serbic & Marie Clark 2435 Carlisle Road Transfer, PA 16154-8559	South Pymatuning Township Mercer County	NWRO
4321406	Sewage Treatment Facilities Individual WQM Permit	New	Heather Ainsley Kerr & Jesse Kerr 65 Hamburg Road Transfer, PA 16154-2507	Pymatuning Township Mercer County	NWRO
WQG02361402	WQG-02 WQM General Permit	Amendment	Suburban Lancaster Sewer Authority Lancaster County P.O. Box 458 Lancaster, PA 17608-0458	West Lampeter Township Lancaster County	SCRO

II. Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

Northcentral Regional Office

PA0114081, Sewage, SIC Code 4952, **Orange Township Columbia County**, 2028 State Route 487, Orangeville, PA 17859-9029. Facility Name: Woods Edge Estates Clear Run STP. This existing facility is located in Orange Township, **Columbia 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), Fishing Creek (WWF, MF), is located in State Water Plan watershed 5-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.021 MGD.

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>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	Inst Min	XXX	XXX	XXX
			6.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.02	XXX	0.07
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	1.75	XXX	XXX	10.0	XXX	20.0
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	1.75	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
				200		
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	0.83	XXX	XXX	4.7	XXX	9.5
May 1 - Oct 31	0.28	XXX	XXX	1.6	XXX	3.2
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

The EPA Waiver is in effect.

PA0228761, Sewage, SIC Code 8059, **Donald Baker**, 80 Baker Crest Lane, Millerton, PA 16936-9319. Facility Name: Bakercrest Personal Care Home. This existing facility is located in Rutland Township, **Tioga 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), Bear Creek (TSF), is located in State Water Plan watershed 4-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .005 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>Average Monthly</i>	<i>Maximum</i>	
Ammonia-Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .005 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>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	20	XXX	40
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000

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

- Solids management condition

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0064220, Sewage, SIC Code 4952, **Twin County Joint Municipal Authority**, P.O. Box 636, Nuremberg, PA 18241. Facility Name: Twin County Joint Municipal Authority WWTP. This existing facility is located in North Union Township, **Schuylkill 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), Tomhicken Creek (CWF, MF), is located in State Water Plan watershed 5-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .130 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	27.0	43.0	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD ₅) Intake	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Intake	32.0 Report	49.0 Report	XXX XXX	30.0 Report	45.0 Report	60.0 XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen May 1 - Oct 31	18.0	XXX	XXX	17.0	XXX	34.0
Copper, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Zinc, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .13 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Nitrate-Nitrite as N	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX

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

- Solids Management

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.

PA0061697, Industrial, SIC Code 4911, **Ri-Corp Development Inc.**, 81 Eleanor Avenue, Frackville, PA 17931-2344. Facility Name: John B Rich Memorial Power Station (Ri-Corp Development Inc.). This existing facility is located in West Mahanoy Township, **Schuylkill County**.

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

The receiving stream Mahanoy Creek (WWF, MF), is located in State Water Plan watershed 6-B and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .31 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Total Suspended Solids	Report	Report	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	15.0	20.0	XXX	30.0
			Avg Mo	Daily Max		
Nitrate-Nitrite as N	Report	Report	XXX	17.0	4.4	XXX
Aluminum, Total	5.17	10.34	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	Report	Report	XXX	11.0	8.0	XXX
Cadmium, Total	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Total	Report	Report	XXX	0.2	0.2	XXX
Copper, Total	0.26	0.36	XXX	0.1	0.14	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	32.47	64.9	XXX	Report	Report	XXX
Manganese, Total	21.64	43.2	XXX	Report	Report	XXX
Mercury, Total (ng/L)	Report	Report	XXX	788	356	XXX
Selenium, Total (ug/L)	Report	Report	XXX	23.0	12.0	XXX
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	Report	XXX	0.87	1.0	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

For this Permit PA0061697 renewal outfall 001 has TMDL WLA's. The TMDL limits from the Mahanoy Creek Watershed for Acid Mine Drainage Affected Segments, finalized on April 4, 2007 and continued for this NPDES permit are:

- Aluminum—2.0 mg/l = 5.17 pounds/day
- Iron—12.56 mg/l = 32.47 pounds/day
- Manganese—8.37 mg/l = 21.64 pounds/day.

The TMDL specifies mass limits.

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.

Northwest Regional Office

PA0020346, Sewage, SIC Code 4952, **Punxsutawney Borough**, 301 East Mahoning Street, Suite 1, Punxsutawney, PA 15767. Facility Name: Punxsutawney Borough STP. This existing facility is located in Punxsutawney Borough, **Jefferson 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), Mahoning Creek, is located in State Water Plan watershed 17-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 2.4 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of 2.4 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.17	XXX	0.58

The proposed effluent limits for Outfall 001 are based on a design flow of 2.4 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	380	570 Wkly Avg	XXX	19.0	28.5	38
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	600	900 Wkly Avg	XXX	30.0	45.0	60
Raw Sewage Influent Fecal Coliform (No./100 ml)	Report	Report	XXX	Report	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	390	XXX	XXX	19.5	XXX	39
May 1 - Oct 31	130	XXX	XXX	6.5	XXX	13
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Chromium III, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Daily Max Report	XXX
Selenium, Total	0.56	0.93	XXX	0.027	Daily Max 0.046	0.069
Zinc, Total	7.9	14.6	XXX	0.39	Daily Max 0.72	0.98
					Daily Max	

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

- Maximizing Treatment at the Existing POTW
- Combined Sewer Overflows

- POTW Pretreatment Program Implementation
- Solids Management
- Whole Effluent Toxicity
- Requirements for Total Residual Chlorine

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 not in effect.

PA0022373, Sewage, SIC Code 4952, **Lakeview Joint Sewer Authority**, P.O. Box 87, Sandy Lake, PA 16145-0087. Facility Name: Lakeview Joint Sewer Authority WWTP. This existing facility is located in Sandy Lake Borough, **Mercer 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), Sandy Creek (WWF), is located in State Water Plan watershed 16-G 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 .45 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)			Daily Min			
Nov 1 - Apr 30	75.1	112.6	XXX	20	30	40
May 1 - Oct 31	37.5	56.3	XXX	10	15	20
Biochemical Oxygen Demand (BOD ₅)						
Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	112.6	168.9	XXX	30	45	60
Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	73.2	XXX	XXX	19.5	XXX	39
May 1 - Oct 31	24.4	XXX	XXX	6.5	XXX	13
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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.

PA0217913, Sewage, SIC Code 4952, **William B. McIntire**, 1160 Hudson Road, Creekside, PA 15732-8228. Facility Name: Urling Mine 1 & 2 Main Portal STP. This existing facility is located in Armstrong Township, **Indiana County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage. This application also transfers ownership from the William J. McIntire Estate to William B. McIntire.

The receiving stream, the Anthony Run (CWF), is located in State Water Plan watershed 17-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 0.023 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	XXX	XXX	9.0
			Inst Min			

<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>Average Monthly</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC) Interim	XXX	XXX	XXX	1.0	XXX	2.3
Final	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	XXX	XXX	XXX	30.0	XXX	60.0
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	Report
May 1 - Oct 31	XXX	XXX	XXX	13.0	XXX	26.0
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report

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

- Solids Management

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.

PA0252506, Sewage, SIC Code 4952, **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701-3570. Facility Name: Margaret STP. This existing facility is located in Cowanshannock Township, **Armstrong 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, an Unnamed Tributary to the Huskins Run (WWF), is located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0061 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>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Wkly Avg	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	1.3	XXX	XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	Report
Total Suspended Solids Raw Sewage Influent	1.5 Report	XXX XXX	XXX XXX	30.0 Report	XXX XXX	60 Report
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	XXX	XXX	Report
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

<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>Average Monthly</i>	<i>Daily Maximum</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	0.7	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	0.2	XXX	XXX	4.5	XXX	9
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
UV Dosage (mjoules/cm ²)	XXX	XXX	XXX	Report	Report	XXX

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

- Solids Management

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.

PA0289256, Sewage, SIC Code 8800, **Cary Peterson**, 5914 Stonebridge Drive, Erie, PA 16506-7024. Facility Name: Cary Peterson SRSTP. This proposed facility is located in McKean 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), Lamson Run (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 .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	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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.

PA0289442, Sewage, SIC Code 8800, **Gordon Long**, 8881 Old Waterford Road, Erie, PA 16509-5647. Facility Name: Gordon Long SRSTP. This proposed facility is located in Greene 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 Walnut 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 .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	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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.

Southcentral Regional Office

PA0026620, Sewage, SIC Code 4952, **Millersville Borough**, 100 Municipal Drive, Millersville, PA 17551. Facility Name: Millersville Borough WWTP. This existing facility is located in Millersville Borough, **Lancaster County**.

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

The receiving stream, Conestoga River (WWF) is located in State Water Plan watershed 7-J 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 1.85 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	386	617	XXX	25	40	50
Biological Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	463	694	XXX	30	45	60
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	31	XXX	XXX	2.0	XXX	4.0
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Daily Max Report Daily Max	XXX

<i>Parameters</i>	<i>Mass Units (lbs)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrite-Nitrate as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	XXX	33,790	XXX	XXX	XXX
Net Total Phosphorus	XXX	4,505	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

PA0028975, Sewage, SIC Code 4952, **Womelsdorf Sewer Authority Berks County**, 498 N Water Street, Womelsdorf, PA 19567-9792. Facility Name: Womelsdorf STP. This existing facility is located in Womelsdorf Borough, **Berks County**.

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

The receiving stream(s), Tulpehocken Creek (TSF), is located in State Water Plan watershed 3-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .475 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Dissolved Solids	Report Avg Qrtly	XXX	XXX	1,000.0 Avg Qrtly	XXX	XXX

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

The proposed effluent limits for Outfall 001 are based on a design flow of .475 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	99	158	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Raw Sewage Influent						
Total Suspended Solids	118	178	XXX	30	45	60
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	79	XXX	XXX	20	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	61	XXX	XXX	15.3	XXX	30.6
Total Phosphorus	3.9	XXX	XXX	1.0	XXX	2

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.

PA0081566, Sewage, SIC Code 4952, **York Haven Borough Sewer Authority York County**, P.O. Box 394, York Haven, PA 17370-0394. Facility Name: York Haven STP. This existing facility is located in York Haven Borough, **York 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), Conewago Creek (WWF), is located in State Water Plan watershed 7-F 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 .08 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	17	27	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Raw Sewage Influent						

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	20 Report	30 Report Daily Max	XXX XXX	30 Report	45 XXX	60 XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report Total Mo	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	10	XXX	XXX	15	XXX	30
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	1.3	Report Total Mo	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .08 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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.

PA0083933, Sewage, SIC Code 4952, **Georgetown Area Sewer Authority**, 46 Quarry Road, Quarryville, PA 17566. Facility Name: Georgetown Area WWTP. This existing facility is located in Bart Township, **Lancaster County**.

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

The receiving stream(s), Nickel Mines Run (HQ-CWF, MF), is located in State Water Plan watershed 7-K and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .04 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of .04 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Nov 1 - Apr 30	6.7	10	XXX	20	30	40
May 1 - Oct 31	3.3	5.0	XXX	10	15	20
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	10 Report	15 Report Daily Max	XXX XXX	30 Report	45 XXX	60 XXX

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	3.0	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	1.0	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	0.67	Report	XXX	2.0	XXX	4.0
		Total Mo				
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 Mo				

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.

PA0267431, Sewage, SIC Code 8811, **John M. Egloff**, 305 Swift Run Road, Gettysburg, PA 17325. Facility Name: Egloff Residence. This proposed facility is located in Straban Township, **Adams 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), Swift Run, is located in State Water Plan watershed 7-F and is classified for Warm Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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.

PA0008486, Industrial, SIC Code 2621, **Ahlstrom-Munksjo Filtration LLC**, 122 W Butler Street, Mount Holly Springs, PA 17065-1218. Facility Name: Ahlstrom-Munksjo Filtration LLC. This existing facility is located in Mount Holly Springs Borough, **Cumberland County**.

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

The receiving stream(s), Mountain Creek (TSF, MF), is located in State Water Plan watershed 7-E 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 .569 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
			Daily Min			

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Temperature (deg F) (°F)						
Jul 1 - 31	XXX	XXX	XXX	Report	96.7	XXX
Jan 1 - Jun 30						
Aug 1 - Nov 30	XXX	XXX	XXX	Report	110	XXX
Dec 1 - 31	XXX	XXX	XXX	Report	106	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	85	170	XXX	18.0	36.0	45
Total Suspended Solids	142	284	XXX	30.0	60.0	75
Total Phosphorus	9.5	19	XXX	2.0	4.0	5
Copper, Total	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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

The proposed effluent limits for Outfall 004 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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

The proposed effluent limits for Outfall 005 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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

The proposed effluent limits for Outfall 006 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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

The proposed effluent limits for Outfall 007 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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

The proposed effluent limits for Outfall 008 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	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

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.

PA0010782, Industrial, SIC Code 562, **Trogon Development LLC**, P.O. Box 1636, Canovanas, PR 00729-1636. Facility Name: Beagle Club Ash Disposal Site. This existing facility is located in Cumru Township, **Berks County**.

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

The receiving stream(s), Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 004 are based on a design flow of 1.3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily 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	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	3,500	7,000	8,750
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 104 are as follows:

Parameters	Mass Units (lbs/day)		Instant Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Internal Monitoring Point Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Internal Monitoring Point Oil and Grease	XXX	XXX	XXX	15.0	20.0	30

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

- The use of DEP-Approved Chemical Additives at safe usage rates and reporting of the proposed chemical additives and usage rates to DEP.
- A requirement for Best Management Practices and a PPC Plan to control pollutants in stormwater.
- The development and implementation of a Pollutant Minimization Plan in accordance with a Total Maximum Daily Load for PCBs in the Schuylkill River.

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

The EPA Waiver is not in effect.

PA0085537, Industrial, SIC Code 4941, **Altoona Water Authority**, 900 Chestnut Avenue, Altoona, PA 16601-4617. Facility Name: Altoona City Water System. This existing facility is located in Antis Township, **Blair County**.

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

The receiving stream(s), Bells Gap Run (TSF), is located in State Water Plan watershed 11-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .24 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>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	Daily Max XXX	1.6

The proposed effluent limits for Outfall 101 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	Inst Min XXX	30	60	75
Aluminum, Total	7.0	14.0	XXX	3.5	7.0	8.7
Iron, Total	Report	Daily Max Report	XXX	2.0	4.0	5
Manganese, Total	Report	Daily Max Report	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 101 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs/year)	Semi Avg XXX	Report	XXX	Semi Avg XXX	XXX	XXX
Total Kjeldahl Nitrogen	Report	Semi Avg XXX	XXX	Report	XXX	XXX
Total Phosphorus (lbs/year)	Semi Avg XXX	Report	XXX	Semi Avg XXX	XXX	XXX

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

The EPA Waiver is in effect.

Southeast Regional Office

PAI130502, MS4, **Newtown Township Delaware County**, 209 Bishop Hollow Road, Newtown Square, PA 19073-3219.

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 Newtown Township, **Delaware County**. The receiving stream(s), Unnamed Tributary to Hunter Run (WWF, MF), Julip Run (CWF, MF), Reeses Run (CWF, MF), Unnamed Tributary to Crum Creek (HQ-CWF, MF), Thomas Run (CWF, MF), Lewis Run (HQ-CWF, MF), Saw Mill Run (CWF, MF), Unnamed Tributary to Darby Creek (CWF, MF), Foxes Run (CWF, MF), Preston Run (CWF, MF), and Darby Creek (CWF, MF), is located in State Water Plan watershed 3-G and is classified for Migratory Fishes, Cold Water Fishes, Warm Water Fishes, High Quality—Cold Water, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

The EPA waiver is in effect for small MS4s.

PA0244821, Sewage, SIC Code 8811, **Teti Michael**, 542 S Tower Road, Sellersville, PA 18960-1150. Facility Name: Teti Properties SFTF. This existing facility is located in West Rockhill Township, **Bucks County**.

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

The receiving stream(s), Ridge Valley Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-E and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

I. OTHER REQUIREMENTS

- A. AMR
- B. DMR Submission
- C. Depth of Septage and Scum
- D. Every Three Years Pumping of Septic Tanks
- E. TRC Minimization
- F. No Stormwater
- G. Property Rights
- H. Sludge Removal
- I. Act 537 Abandon Use and Decommission
- J. UV Light Cleaning

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.

PAI130525, MS4, Malvern Borough Chester County, 1 E 1st Avenue, Suite 3, Malvern, PA 19355-2757.

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 Malvern Borough, **Chester County**. The receiving stream(s), Unnamed Tributary to Crum Creek (HQ-CWF, MF), Unnamed Tributary to Little Valley Creek (EV, MF), and Crum Creek (HQ-CWF, MF), is located in State Water Plan watershed 3-F and 3-G and is classified for Exceptional Value Waters, High Quality—Cold Water, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

The EPA waiver is in effect for small MS4s.

PAI130536, MS4, East Caln Township Chester County, 110 Bell Tavern Lane, Downingtown, PA 19335-3353.

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 East Caln Township, **Chester County**. The receiving stream(s), Unnamed Tributary to East Branch Brandywine Creek (WWF, MF), is located in State Water Plan watershed 3-H and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The 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)

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

The EPA waiver is in effect for small MS4s.

PA0056502, Storm Water, SIC Code 9999, Jerc Partners III, LLC, 171 State Route 173, Suite 201, Asbury, NJ 08802-1365. Facility Name: Former Island Green County Club. This existing facility is located in Lower Moreland Township, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to Huntingdon Valley Creek (TSF, MF), is located in State Water Plan watershed 3-J and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).—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>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
PCBs, Total (pg/L)	XXX	XXX	XXX	XXX	XXX	Report
PCBs, Total (pg/L)	XXX	XXX	XXX	XXX	XXX	Report
Effluent Net						

The proposed effluent limits for Outfall 010 are based on a design flow of 0 MGD (stormwater).—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>Average Monthly</i>	<i>Maximum</i>	
PCBs, Total (pg/L)	XXX	XXX	XXX	XXX	XXX	Report
Upstream Monitoring						

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

- PCB Monitoring

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.

PA0245267, Storm Water, SIC Code 2821, 2869, 2899, **Arkema Inc.**, 900 First Avenue, King of Prussia, PA 19406-1308. Facility Name: Arkema Inc. West Chester Plant. This proposed facility is located in West Chester Borough, **Chester County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of treated industrial stormwater.

The receiving stream, Unnamed Tributary of Chester Creek (Goose Creek) (TSF, MF), is located in State Water Plan watershed 3-G and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an average stormwater flow—Interim 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>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on an average stormwater flow—Final 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>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	XXX	0.07	XXX

The proposed effluent limits for Outfall 001 are based on an average stormwater flow—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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow—Interim 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>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow—Final 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>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	XXX	0.07	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow—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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on an average stormwater flow—Interim 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>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on an average stormwater flow—Final 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>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	XXX	0.07	XXX

The proposed effluent limits for Outfall 003 are based on an average stormwater flow—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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- A. Stormwater Outfalls
- B. Best Management Practices
- C. Routine Inspections
- D. PPC Plan
- E. Stormwater Monitoring

- F. Acquire Necessary Property Rights
- G. Proper Sludge Disposal
- H. Schedule of Compliance

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.

III. Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity.

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD090076	New	Faith Christian Academy 700 North Main Street Sellersville, PA 18960-1830	Milford Township Bucks County	SERO
PAD390123 A-1	Major Amendment	Upper Macungie Township 8330 Schantz Road Breinigsville, PA 18031	Upper Macungie Township Lehigh County	NERO
PAD390199	New	Parkland School District 1210 Springhouse Road Allentown, PA 18104	South Whitehall Township Lehigh County	NERO
PAD450133	New	Tobyhanna Township 105 Government Center Way Pocono Pines, PA 18350	Tobyhanna Township Monroe County	NERO
PAD310011	New	Jeremy D. Breon 16743 Shade Valley Road Blairs Mills, PA 17213	Tell Township Huntingdon County	SCRO
PAD440014	New	Mifflin County School District 201 Eighth Street Lewistown, PA 17044	Derry Township Burnham Borough Mifflin County	SCRO
PAD140037	Amendment/ Renewal	S&A Custom Built Homes, Inc. Zion Back Road Bellefonte, PA 16823	Walker Township Centre County	NCRO
PAD140074	New PAG-02 IP	DCNR 4216 Beaver Road Phillipsburg, PA 16866-9519	Rush Township Centre County	NCRO
PAD020032 A-1	New	3250 Liberty Owner, LLC 651 Holiday Drive Suite 225 Pittsburgh, PA 15220-2740	City of Pittsburgh Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAD260018	New	Nemacolin Woodlands, Inc. 1001 Lafayette Drive Farmington, PA 15437	Henry Clay Township Wharton Township Fayette County	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497

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 Hamilton 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>
Maneval Poultry Dale Manavel 11203 Rte. 35 Mt. Pleasant Mills, PA 17853	Snyder	76 20.8 for Manure Application	420.16	Poultry Broilers	NA	Renewal
Hillside Poultry Farms, Inc. 1849 Letterkenny Road, Chambersburg, PA 17202	Franklin	441.84	966.91	Poultry	NA	Renewal
Michael Martin 2050 West Main Street Ephrata, PA 17522	Lancaster	77	129.94	Ducks/ Beef	NA	Renewal
Rohrer Dairy Farms, LLC Michael Rohrer 124 Charlestown Road Washington Boro, PA 17582	Lancaster	949.3	3,987.06	Dairy	NA	Renewal
Matt Nolt 131 Krumstown Road Myerstown, PA 17067	Lebanon	7.3	348.35	Broiler	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 Hamilton Relay Service at (800) 654-5984.

SAFE DRINKING WATER

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

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Application No. 3921504, Public Water Supply.

Applicant	Nestle Waters North America, Inc. 405 Nestle Way Breinigsville, PA 18031
Township	Upper Macungie Township
County	Lehigh County
Responsible Official	Mr. Tom Strowe Manager Nestle Waters North America, Inc. 305 Nestle Way Breinigsville, PA 18031

Type of Facility	Bottled Water Facility
Consulting Engineer	Edward E. Davis, P.E. Miller Brothers Construction, Inc. P.O. Box 472 Schuylkill Haven, PA 17972
Application Received Date	April 20, 2021
Description of Action	The applicant has proposed the replacement of existing bottling line 1 with a new line for washing and filling 3-gallon and 5-gallon containers at their existing bottling facility located in Breinigsville, PA.

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 remedia-

tor 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 Hamilton 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.

Contact: Eric Supey, Environmental Program Manager.

Barton Court Mobile Home Park—Lot 156, 156 Barton Court, Bartonsville, PA 18321, Pocono Township, **Monroe County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of ARX Ventures, 1199 Lancaster Avenue, Suite 100, Berwyn, PA 19312, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in the *Pocono Record* on May 6, 2021.

Atlantic Track & Turnout-Tension Envelope Property, 18 Tension Way, Pottsville, PA 17901, East Norwegian Township, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Atlantic Track & Turnout Company, Inc., 400 Broadacres Dr., Suite 415, Bloomfield, NJ 07003 submitted a Notice of Intent to Remediate. Soil was contaminated by releases of lubricating oil. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Republican Herald* on April 29, 2021.

Quillman Property, 333 East Norwegian Street, Pottsville, PA 17901, Pottsville City, **Schuylkill County**. Envirosearch Consultants, P.O. Box 940, Springhouse, PA 19477, on behalf National Federal Mortgage Association, 14221 Dallas Parkway # 1000, Dallas, TX 75265, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Republican Herald* on April 30, 2021.

Northwest Region: Environmental Cleanup and Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Lansberry Trucking, LLC Rollover, Shoulder of Westbound Lane, State Route 286, Glen Campbell, PA 15742, Banks Township, **Indiana County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823 on behalf of Lansberry Trucking, Inc., 507 Shawville Highway, Woodland, PA 16881 has submitted a Notice of Intent to Remediate. During a traffic accident, the truck's fuel tank was damaged causing diesel fuel to be released resulting in the contamination of site soil. Intended future use of the property will be nonresidential. The Notice of Intent to Remediate was published in the *Indiana Gazette* on May 1, 2021.

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

209 Wawa Road, 209 Wawa Road, Media, PA 19063, Chester Heights Borough, **Delaware County**. Henry Bienkowski, PG, Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of John E. & Nancy S. Good, 2 Worthington Drive, West Grove, PA 19390 submitted a Notice of Intent to Remediate. The onsite soils were found to be contaminated with No. 2 fuel oil. The current and future use of the property is expected to be residential. The proposed cleanup standard for the site is Statewide health standard. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on April 23, 2021.

451 Gypsy Lane, 451 Gypsy Lane, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Stephen Huxta, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Marcia Taylor, 451 Gypsy Lane, King of Prussia, PA 19406 submitted a Notice of Intent to Remediate. Site soil has been contaminated with No. 2 fuel oil. The intended future use of the site is to remain residential. The proposed cleanup standard for the site is Statewide health standard. The Notice of Intent to Remediate was published in the *Times Herald* on April 8, 2021.

Elwyn, 111 Elwyn Road, Elwyn, PA 19063, Middletown Township, **Delaware County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc., 170 East First Avenue, Colledgeville, PA 19426 on behalf of Peter Thomas, 111 Elwyn Road, Elwyn, PA 19063 submitted a Notice of Intent to Remediate. The site was found to be contaminated with transformer oil in surface and subsurface soil at the site. The proposed future use of the property will be maintained as an educational institution and residential property. The proposed cleanup standard for the site is Statewide health standard. The Notice of Intent to Remediate was published in the *Delaware County Times* on April 26, 2021.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit(s) Revoked Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

General Permit No. WMGR123SW036. Range Resources—Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317. A Determination of Applicability under general permit WMGR123 was issued on October 3, 2019 and renewed on December 30, 2020 for the processing, transfer and beneficial use of oil and gas liquid waste at the Imperial Land North Tank Pad Facility located at Quicksilver Road, McDonald, PA 15057, Robinson Township, **Washington County**. On April 1, 2021, the permittee notified the Department of closure of the facility and requested their bond be released. The Southwest Regional Office terminated general permit WMGR123SW036 and approved the bond release on May 18, 2021.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

General Permit Application No. WMGR123SW027. Range Resources—Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317. The application to modify an existing determination of applicability to increase the capacity of the Hopewell 18 Tank Pad reuse water storage facility located in Hopewell Township, **Washington County** was accepted as administratively complete in the Regional Office on May 17, 2021.

Comments concerning the application should be directed to Gregory Holesh, Environmental Engineering Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Persons interested in obtaining more information about the general permit application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Residual Waste Permit Received, Under the Solid Waste Management Act of July 7, 1980, P.L. 35 P.S. §§ 6018.101—6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act 53 P.S. §§ 4000.101—4000.1904 and regulations to operate a Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Permit Application ID No. 100081. Southern Alleghenies Landfill, Inc., 843 Miller Picking Road, Davidsville, PA 15928. A Solid Waste Management permit application was received for reissuing the permit for a change of ownership of the Southern Alleghenies Landfill, located in Conemaugh Township, **Somerset County**. The application was deemed administratively complete by the Regional Office on May 4, 2021.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation

to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

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

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

Contact: James Beach, New Source Review Chief, (484) 250-5920.

46-0045: PECO Energy Co. (300 Front St., Bldg. 3, West Conshohocken, PA 19428) for the installation of four (4) new Uniflux/Exotherm heaters to replace the five (5) existing Vaporizers at their gas plant located in West Conshohocken Borough, **Montgomery County**. The proposed heaters will be used to heat the coils vaporizing the liquified natural gas (LNG) when the LNG must be vaporized and directed to the pipeline distribution system for customers.

There will be a decrease in NO_x emissions (-3.36 TPY) and an insignificant increase in CO, VOC, PM₁₀ and SO_x emissions when the four (4) proposed, new heaters are installed. As a result of potential emissions of nitrogen oxides (NO_x), the facility is still a Title V facility.

In addition, the Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

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.

07-05041C: Fort Dearborn Co. (13985 South Eagle Valley Road, Tyrone, PA 16686) for the installation of a new flexographic printing press and regenerative thermal oxidizer at the label and packaging printing facility located in Snyder Township, **Blair County**. Potential emissions from the controlled flexographic press are estimated to be 4.30 tpy CO, 5.98 tpy NO_x, 0.37 tpy PM₁₀/PM_{2.5}, 0.02 tpy SO_x, 22.89 tpy VOC, 0.16 tpy of combined HAPs. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12 and applicable requirements of 25 Pa. Code § 129.67a Control of VOC emissions from flexible packaging printing presses. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance

with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

65-00137C: ATI Flat Rolled Products Holdings, LLC (100 River Rd., Brackenridge, PA 15014-1537). 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 65-00137C to allow the installation and initial temporary operation of one (1) 7 MMBtu/hr NG Boiler, one (1) 500 kW Emergency Generator, one (1) Kolene Descaling line with an average of 35 tons/hr throughput and controlled by one (1) 17,250 ACFM scrubber, one (1) Sulfuric Acid Pickling line with an average of 35 tons/hr throughput and controlled by the existing 3,715 ACFM Tri-Mer scrubber, one (1) 8 MMBtu/hr Kolene Heater, one (1) Cleaning Line Alkaline Degreasing source with an average throughput of 10,400 tpy, one (1) Cleaning Line Pickling source with an average throughput of 10,400 tpy and controlled by a 2,500 SCFM scrubber, one (1) Bright Anneal Alkaline Degreasing source with an average throughput of 53,000 tpy, one (1) 17.7 MMBtu/hr Bright Anneal Furnace, one (1) Bright Anneal Passivation source with an average throughput of 53,000 tpy, one (1) 3.6 MMBtu/hr Hood Anneal Furnace, and one (1) Cooling Tower with recirculation rate of 792.5 gpm. The facility is located in Vandergrift Borough, **Westmoreland County**.

Potential to emit from this project shall not equal or exceed 26.0 tons of nitrogen oxides (NO_x), 14.0 tons of carbon monoxide (CO), 7.0 tons of particulate matter less than 10 microns in diameter (PM₁₀), 7.0 tons of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 1.0 ton of sulfur dioxide (SO₂), 1.0 ton of volatile organic compounds (VOC), and 1.0 ton of HNO₃, 1.0 ton of HF, 1.0 ton of H₂SO₄, and 5 lbs of Total Chromium. Facility-wide potential to emit after completion of the project shall not equal or exceed 365.0 tons of nitrogen oxides (NO_x), 99.0 tons of carbon monoxide (CO), 87.0 tons of particulate matter less than 10 microns in diameter (PM₁₀), 87.0 tons of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 1.0 ton of sulfur dioxide (SO₂), 22.0 tons of volatile organic compounds (VOC), and 3.0 tons of HNO₃, 1.0 ton of HF, 1.0 ton of H₂SO₄, and 0.10 ton of Total Chromium. All new sources were evaluated for compliance with best available technology (BAT) requirements.

The authorization is subject to State, as well as Federal National Emission Standards for Hazardous Air Pollutants regulations. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise the existing Title V Operating Permit or submit a revision to the pending Title V Operating Permit application in accordance with 25 Pa. Code Subchapter G.

The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this

project are available for review by any interested party at the Department's 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 the Department at 412.442.4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Laura Dickson, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; ldickson@pa.gov; or fax 412.442.4194. 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-65-00137C) 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 public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward F. Orris, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to eorris@pa.gov. All comments must be received prior to the close of business 30 days after the date of this publication.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.

40-00017: Martins Creek, LLC—Jenkins CTG (835 Hamilton Street, Suite 150, Allentown, PA 18101). The Department intends to issue a State-Only Operating Permit renewal for their facility located in Laflin Borough, **Luzerne County**. The renewal State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping, and reporting requirements designed to insure the operation of the facility within applicable air quality requirements.

48-00034: Lafayette College—Easton (901 Bushkill Drive, Easton, PA 18042). The Department intends to issue a State-Only Operating Permit renewal for their facility located in the City of Easton, **Northampton County**. The renewal State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping, and reporting requirements designed to insure the operation of the facility within applicable air quality requirements.

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.

06-03096: Lucas Lane, Inc. (10 Lucas Lane, Bernville, PA 19506) to issue a State Only Operating Permit for the oil filter recycling facility located in Upper Tulpehocken Township, **Berks County**. The potential emissions from the facility are estimated at 1.80 tpy of PM₁₀, 2.33 tpy of SO_x, 1.13 tpy of NO_x, 0.15 tpy of CO and 0.08 tpy of VOC emissions. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 123.21 sulfur compound emissions.

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

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

41-00064: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) to issue a renewal State-Only (Synthetic Minor) Operating Permit renewal for their Armstrong Township Crushing Plant facility located in Armstrong Township, **Lycoming County**. The facility's main sources include a sandstone processing operation, two New Road model S36X80DCT portable stacking conveyors powered by 51 bhp Caterpillar model C2.2 diesel-fired engines, and a 250 ton/hour McCloskey R155 portable screener powered by a 130 bhp Caterpillar 3054C diesel-fired nonroad engine. The Department intends to incorporate into the operating permit all applicable conditions of approval contained in the RFD exemption for insignificant air-contaminant sources authorized for this facility. This facility has the potential to emit 1.88 tons of carbon monoxide, 7.95 tons of nitrogen oxides, 72.97 tons of particulate matter (including particulate matter less than 10 microns and particulate matter less than 2.5 microns), 2.09 tons of sulfur oxides, 7.95 tons of volatile organic compounds, 0.03 ton of hazardous air pollutants, and 1,173 tons of greenhouse gases (expressed as carbon dioxide equivalent). Revisions include adding sourced determined to be of minor significance through the Request for Determination process. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping, and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Part 60 Subpart OOO. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

41-00068: Keystone Leather Distribution, Inc. (2100 Reach Road, Williamsport, PA 17701) to issue a renewal State Only Operating Permit for their Williamsport facility located in City of Williamsport, **Lycoming County**. The facility's main sources include one (1) Leather shoe sole waterproofing operation, one (1) spray booth, and two (2) natural gas fired space heaters. The facility has potential emissions of 0.09 ton per year of nitrogen oxides, 0.14 ton per year of carbon monoxide, 0.001 ton per year of sulfur oxides, 0.02 ton per year of particulate matter, 8.81 tons per year of volatile

organic compounds including total hazardous air pollutants (HAPs). No emission or major equipment changes are being proposed by this action. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

26-00585: Universal Pressure Pumping (18360 Technology Dr., Box 4, Meadville, PA 16335-8333). In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice that they intend to issue a renewal Natural Minor State Only Operating Permit (SOOP) to authorize the operation of the Mt. Braddock District Plant located in North Union Township, **Fayette County**.

Equipment at this facility includes two (2) sand storage tipples (Sand Tipples # 1 and # 3) equipped with dust collectors, five (5) cement storage silos equipped with dust collectors, two (2) fly ash storage silos equipped with dust collectors, a cement and fly ash mixing operation equipped with a dust collector, cement truck loading operations, four (4) cement and fly ash batch tanks, two (2) hydrochloric acid storage tanks equipped with an acid scrubber, an HCl transloading operation equipped with an acid scrubber, a waste oil space heater, a 66 Bhp diesel engine at Sand Tipple # 3, a diesel storage tank, and paved and unpaved roads and surfaces. The potential emissions from the facility are estimated to be: 2.31 tpy NO_x, 2.38 tpy CO, 0.59 tpy SO_x, 22.78 tpy PM, 22.16 tpy PM₁₀, 0.01 tpy VOC, 0.05 tpy HCl, and 332 tpy GHG. 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 26-00585) and concise statements re-

garding 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.

63-00939: MarkWest Liberty Midstream & Resources, LLC (4600 J. Barry Ct., Ste. 500, Canonsburg, PA 15317-5854) initial Synthetic Minor Operating Permit is for the MarkWest Stewart natural gas compressor station located in Mount Pleasant Township, **Washington County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of two 1,340-HP Caterpillar G3516LE compressor engines, two 1,380-HP Caterpillar G3516B compressor engines, one 2,370-HP Caterpillar G3608TA compressor engine, one 60.0 MMBscf/day dehydration unit and associated 1.0 MMBtu/hr reboiler, one 7.0 MMBtu/hr flare, two 400-bbl condensate storage tanks, one 400-bbl gunbarrel tank, pneumatic devices, venting/blowdowns, fugitives, condensate loadout, crankcase vents, pigging operations, and miscellaneous sources that includes rod packing. The facility is required to conduct regular surveys of the site while operating to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys, as well as conduct leak detection and repair (LDAR). The facility-wide potential-to-emit is 67.1 TPY NO_x, 29.5 TPY CO, 49.6 TPY VOC, 2.9 TPY PM, 2.9 TPY PM₁₀/PM_{2.5}, 0.20 TPY SO_x, 50,600 TPY CO_{2e}, 10.5 TPY total HAP, and 6.0 TPY single HAP. The air quality permit includes facility-wide and source-specific emission limitations, operating requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the 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 (63-00939) 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>.

65-00962: CCF Industries, Inc. (4716 State Route 66, Apollo, PA 15613-1404). In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) Modification to CCF Industries, Inc. to remove special conditions under 25 Pa. Code §§ 129.101—129.107 from the current operating permit. The facility is located in Washington Township, **Westmoreland County**.

It was established as a de minimis emission increase through a Request for Determination dated November 12, 2015, that the VOC emissions from the facility shall not exceed 10 tpy.

Per 25 Pa. Code § 127.449(c), conditions of this approval that will be incorporated into SOOP 65-00962 are as follows:

Facility-wide VOC emissions shall not exceed 10 tons in any 12-month rolling period.

The Owner/Operator shall operate and maintain all air contamination sources and air cleaning devices at this facility in accordance with manufacturers' specifications and good operating practices.

The owner/operator shall maintain monthly records of raw material throughput and estimates of the associated VOC and HAP emissions from spray painting operation using appropriate emission calculations. These records shall be kept and maintained on site for 5 years and be made available to the Department for review upon request.

All the sources and all other regulatory requirements in the State Only Operating Permit remain unchanged.

A person may oppose the proposed State Only Operating Permit Modification by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. 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 State Only Operating Permit (65-00962) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

CCF Industries State Only Operating Permit Modification application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this 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 request a review of the CCF Industries State Only Operating Permit 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 Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

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

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

Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

24-00022: St. Marys Carbon Company (259 Eberl St, Saint Marys, PA 15857-1677). The Department is providing notice that they intend to modify a State Only Natural Minor Operating Permit for the carbon, graphite, and metal/graphite production facility located in the City of Saint Marys, **Elk County**. The modification is for the inclusion into the permit of the two (2) existing carbon/graphite mixers as well as a compliance schedule for the submittal of a plan approval application to install oxidizer(s) to control odor emissions from these mixers. The facility's other primary emission sources include eight natural gas boilers, four carbon baking kilns, four belt chain furnaces, four curing ovens, three continuous furnaces, five smoke ovens, three carbon baking furnaces, a graphitization system, finishing departments and associated machines, a backup generator, and a degreaser. The potential emissions of the primary pollutants from the facility are as follows: 9.94 TPY NO_x, 8.28 TPY CO, 10.32 TPY VOC, 0.31 TPY HAPs, 4.06 TPY PM₁₀ and PM_{2.5}, and 0.43 TPY SO_x; thus, the facility is a natural minor. The backup generator is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The modified permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

32-00207: Sprankle Mills Tipple Valier Coal Yard (91 Coolspring Road, Punxsutawney, PA 15767) the Department intends to issue a renewal of the State Only Operating Permit for operating of a coal preparation plant located in North Mahoning Township, **Indiana County**. The subject facility consists of an enclosed coal crusher, shaker/screen, front end loader, dump trucks and rail cars. Emissions from the facility are based on the coal throughput limit of 195,000 tpy and AP-42 emission factors. The facility has the potential to emit 2.54 tpy PM₁₀. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 60 Subpart Y). The renewal permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue an initial Natural Minor Operating Permit for the following facility:

OP19-000024: St. Joseph Preparatory School (1733 West Girard Avenue, Philadelphia, PA 19130), for the operation of air emission sources in a private school, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are two (2) boilers firing natural gas each rated 4 MMBtu/hr, two (2) hot water

heaters firing natural gas each rated 0.50 MMBtu/hr, and one (1) emergency generator firing diesel fuel rated 380 HP.

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.

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:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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 ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹ 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).

Permit No. 32841321 and NPDES Permit No. PA0006874. Consol Mining Company LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, to renew the permit and related NPDES permit for O'Donnell No. 3 Mine in Washington Township, **Indiana County** and Plumcreek Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on May 6, 2021. Application received: February 10, 2021.

Permit No. 30841313 and NPDES Permit No. PA0022594. Consol Mining Company LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, to renew the permit and related NPDES permit for reclamation and water treatment only for Dilworth Mine in Cumberland Township, **Green County**. No additional discharges. The application was considered administratively complete on May 6, 2021. Application received: February 10, 2021.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, (Contact: Melanie Ford-Wigfield).

Permit No. 56100107 and NPDES No. PA0263117. Fieg Brothers, P.O. Box 38, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County** affecting 192.2 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 11, 2021.

Permit No. 56150101 and NPDES No. PA0269476. Fieg Brothers, P.O. Box 38, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 101.5 acres. Receiving streams: unnamed tributaries to/and Quemahoning Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Quemahoning Reservoir. Application received: May 11, 2021.

Permit No. 11150103. Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only of a bituminous surface mine in West Carroll Township, **Cambria County**, affecting 104.0 acres. Receiving streams: unnamed tributaries # 1 and # 2 to/and the West Branch of the Susquehanna River, classified for the following uses: cold water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 11, 2021.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, (Contact: Cayleigh Boniger).

Permit No. 33090106. MSM Coal Company, Inc., P.O. Box 243, DuBois, PA 15801, Renewal of an existing bituminous surface mine in Knox Township, **Jefferson County**, affecting 54.1 acres. Receiving stream(s): Unnamed tributaries to Fivemile Run, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: February 19, 2021.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, (Contact: Ashley Smith).

Permit No. 41940101 and NPDES PA0219843. Fisher Mining Company, Inc., 40 Choate Circle, Montoursville, PA 17754. Permit renewal for continued operation and restoration of a bituminous surface coal mine located in McHenry and Pine Townships, **Lycoming County** affecting 409.6 acres. Receiving stream(s): Buckeye Run to Otter Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 5, 2021.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, (Contact: Tracy Norbert).

Permit No. 26000201 and NPDES Permit No. PA0202801. Carbon Fuel Resources, Inc., 4325 State Route 51, Rostraver Township, PA 15012. Renewal application for continued mining to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 73.7 acres. Receiving streams: unnamed tributary to Monongahela River and unnamed tributary to Browns Run to Monongahela River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 10, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 54950201R5. Gilberton Coal Company, 10 Gilberton Road, Gilberton, PA 17934, renewal of an existing anthracite coal refuse reprocessing operation in Butler Township, **Schuylkill County** affecting 15.0 acres. Receiving stream: Mahanoy Creek, classified for the following use: cold water fishes. Application received: April 1, 2021.

Permit No. 54900205R6. Wheelabrator Culm Services, Inc., 90 Arboretum Drive, Suite 300, Portsmouth, NH 03801, renewal of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 670.7 acres. Receiving stream: Mill Creek, classified for the following uses: cold water and migratory fishes. Application received: April 30, 2021.

Permit No. 54851601R7. Superior Coal Preparation Co-Op, LLC, 184 Schwenks Road, Hegins, PA 17938, renewal of an existing anthracite coal preparation plant operation in Hegins and Hubley Townships, **Schuylkill County** affecting 19.0 acres. Receiving stream: Pine Creek, classified for the following uses: cold water and migratory fishes. Application received: May 4, 2021.

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.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, (Contact: Cayleigh Boniger).

Permit No. 10160304 and NPDES No. PA0280763. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Commencement, operation, and restoration of a large industrial minerals mine in Worth Township, **Butler County**, affecting 367.0 acres. Receiving stream(s): Unnamed tributaries to Black Run, unnamed tributaries to Hogue Run, and Slippery Rock Creek, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 2, 2021.

Permit No. 1270-10160304-E1024221-005. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Application for a stream encroachment to construct a haul road stream crossing over Unnamed Tributary No. 2 to Black Run in Worth Township, **Butler County**. Receiving stream(s): Unnamed tributaries to Black Run, unnamed tributaries to Hogue Run, and Slippery Rock Creek, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application also includes a request for a Section 401 Water Quality Certification. Application received: February 2, 2021.

Permit No. 1270-10160304-E1024221-006. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Application for a stream encroachment to mine through and reconstruct 242 feet of Unnamed Tributary No. 3 to Black Run in Worth Township, **Butler County**. Receiving stream(s): Unnamed tributaries to Black Run, unnamed tributaries to Hogue Run, and Slippery Rock Creek, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application also includes a request for a Section 401 Water Quality Certification. Application received: February 2, 2021.

Permit No. 1270-10160304-E1024221-007. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Application for a stream encroachment to mine through and reconstruct 1,103 feet of Unnamed Tributary No. 4 to Black Run in Worth Township, **Butler County**. Receiving stream(s): Unnamed tributaries to Black Run, unnamed tributaries to Hogue Run, and Slippery Rock Creek, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application also includes a request for a Section 401 Water Quality Certification. Application received: February 2, 2021.

Permit No. 1270-10160304-E1024221-008. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Application for a stream encroachment to mine through and reconstruct 396 feet of Unnamed Tributary No. 8 to Black Run in Worth Township, **Butler County**. Receiving stream(s): Unnamed tributaries to Black Run, unnamed tributaries

to Hogue Run, and Slippery Rock Creek, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application also includes a request for a Section 401 Water Quality Certification. Application received: February 2, 2021.

Permit No. 1270-10160304-E-5. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Application for a stream encroachment to conduct support activities up to 25 feet from Unnamed Tributary No. 16 to Hogue Run in Worth Township, **Butler County**. Receiving stream(s): Unnamed tributaries to Black Run, unnamed tributaries to Hogue Run, and Slippery Rock Creek, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application also includes a request for a Section 401 Water Quality Certification. Application received: February 2, 2021.

Permit No. 10160304. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Application for a wetlands encroachment in Worth Township, **Butler County** to allow for direct impacts to 2.21 acres of emergent wetlands, 1.35 acres of scrub-shrub wetlands, and 0.45 acre of forested wetlands. As replacement for the wetland impacts, 2.39 acres of emergent wetlands, 2.77 acres of scrub-shrub wetlands, and 1.35 acres of forested wetlands will be developed according to the Module 14.4 mitigation plan. Receiving stream(s): Unnamed tributaries to Black Run, unnamed tributaries to Hogue Run, and Slippery Rock Creek, classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application also includes a request for a Section 401 Water Quality Certification. Application received: February 2, 2021.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, (Contact: Ashley Smith).

Permit No. 08110304 and NPDES No. PA0257575. T-M-T Gravel and Contracting, Inc., 1841 Pennsylvania Ave., Pine City, NY 14871, renewal of an NPDES permit for a large noncoal mining site located in Wells Township, **Bradford County** affecting 65 acres. Receiving stream(s): Seely Creek classified for the following use(s): CWF/MF. There are no potable water supply intakes within 10 miles downstream. Application received: May 10, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 45850810. Pocono Manor Investors, LP, P.O. Box 141, Pocono Manor, PA 18349, Stage I & II bond release of a quarry operation in Pocono Township, **Monroe County** affecting 5.0 acres on property owner by Pocono Manor Investors, LP. Application received: May 4, 2021.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472.1900.

NPDES No. PA0079791 (Mining Permit No. 3279103), Consol Mining Company, LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, renewal of an NPDES permit for surface mining in Young Township, **Indiana County**, affecting 19.0 acres. Receiving stream(s): Big Run, classified for the following use(s): Cold-Water Fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: June 30, 2020.

The following outfall discharges to Big Run:

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

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

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
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.

NPDES No. PA0249998 (Mining Permit No. 3366BSM2), PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for continued discharge from an existing post-mining treatment system in Stonycreek township, **Somerset County**, affecting 109.4 acres. Receiving stream: UNT to Stonycreek River, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: March 5, 2021.

The following outfalls discharge to UNT to Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Facility)	N
002 (Treatment Facility)	N

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

<i>Outfalls: 001 & 002</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	1.9	3.8	4.7
Aluminum (mg/l)	1.7	3.4	4.2
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.5 standard units at all times.
Alkalinity must exceed acidity at all times.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342.8200.

NPDES No. PA0100803 (Mining Permit No. 17841607), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for coal storage and shipping in Bradford Township, **Clearfield County**, affecting 84.2 acres. Receiving stream(s): Roaring Run, classified for the following use(s): Cold Water Fishes. This receiving stream is included in the Clearfield Creek TMDL. Application received: December 28, 2020.

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.

The following outfalls discharge to Roaring Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Treatment Pond T-2
002	N	Treatment Pond T-3
003	N	Sediment Trap S-1

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

<i>Outfalls: 001 and 002 (All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>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

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

<i>Outfalls: 003 (Dry Weather)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)			Monitor & Report
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

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

<i>Outfalls: 003 (≤10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</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

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

Outfalls: 003 (>10-yr/24-hr Precip. Event)

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

Noncoal NPDES Draft Permits

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342.8200.

NPDES No. PA025791 (Mining Permit No. 41110301). Glenn O. Hawbaker, Inc., 711 East College Avenue, Bellefonte, PA 16823, renewal of an NPDES permit for Large Non-Coal Surface Mining in McNett Township, **Lycoming County** affecting 35.7 acres. Receiving stream(s): North Pleasant Stream, classified for the following use(s): HQ-CWF. Application received: March 10, 2021.

The following outfalls require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001 (SP1)	N	Sediment Basin 1
002 (SP2)	N	Sediment Basin 2
003 (SP3)	N	Sediment Basin 3
004 (SP4)	N	Sediment Basin 4

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of land application infiltration via distribution pipes.

The following outfalls discharge to North Pleasant Stream:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001 (SP1)	N	Sediment Pond Emergency Spillway
002 (SP2)	N	Sediment Pond Emergency Spillway
003 (SP3)	N	Sediment Pond Emergency Spillway
004 (SP4)	N	Sediment Pond Emergency Spillway

The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event. Effluent limits for the emergency spillway are as follows:

Outfalls: 001—004 Sediment Pond Emergency Spillway (During >10-yr/24-hr Precipitation Event)
Parameter

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/L)	N/A	N/A	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.			

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, (570) 621.3118.

NPDES Permit No. PA00594954. Lehigh Cement Co., LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of Individual NPDES Permit Associated with Noncoal Mining Activities on SMP No. 7775SM5 in Oley Township, **Berks County**, affecting 91.04 acres. Receiving stream: Limekiln Creek, classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is PA American Royersford, Schuylkill River. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 2 Application received: April 29, 2020.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	TFO

<i>Outfalls: Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH (S.U.)	6.0			9.0
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Acidity (mg/L)				Report
Alkalinity (mg/L)				Report
Net Alkalinity (mg/L)	0.0			
Flow (GPM or MGD)		2.16		2.88

NPDES Permit No. PA0226131. Cavage Mountain View Farms, LLC, 2 Gallik Road, Waymart, PA 18472, a new non-discharging, no-outfall Individual NPDES Permit Associated with Mining Activities on SMP No. 64200301 in South Caanan Township, **Wayne County** affecting 17.7 acres. Receiving stream: unnamed tributary to Middle Creek classified for the following uses: HQ—cold water and migratory fishes. The first active downstream potable water supply intake from the point of discharge is Martins Creeks SES, Delaware River. The Department has made a tentative determination to approve the non-discharge to unnamed tributary to Middle Creek. Application received: September 22, 2020.

NPDES Permit No. PA0594512. New Enterprise Stone & Lime, 3912 Brumbaugh Road, New Enterprise, PA 16664, Noncoal Surface Mine Permit No. 6276SM2 in East Earl Township, **Lancaster County**, affecting 232.0 acres. Receiving streams: Conestoga Creek, classified for the following uses: warm water fishes and migratory fishes. There are no downstream potable water supply intakes in Pennsylvania. The Department has made a tentative determination to impose the effluent limitations noted as follows. Application received: December 8, 2020.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	MDT
002	N	MDT

<i>Outfalls: 001</i> <i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instantaneous</i> <i>Maximum</i>
Discharge (MGD)		3.5		6
Total Suspended Solids		35.0	70.0	90.0
<i>Outfalls: 002</i> <i>Parameter</i>	<i>Minimum</i>	<i>30 Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instantaneous</i> <i>Maximum</i>
Discharge (MGD)		.86		3.5
Total Suspended Solids		35.0	70.0	90.0

pH¹ (S.U.): Must be between 6.0 and 9.0 at all times.
Alkalinity must exceed acidity at all times.

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 Hamilton 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. E2301221-010, GMH Runnymede Farms Property, LLC, 10 Campus Drive, Newtown

Square, PA 19073, Edgmont Township, **Delaware County**, ACOE Philadelphia District.

To restore, remove, construct, and maintain the existing Sawgrass Valley stormwater management facilities in and along the UNT Crum Creek. The applicant proposes to remove the existing stormwater piping system and stormwater outfall structure, five stormwater and sediment control structures, an existing gabion basket wall, and an existing check dam from the stream channel. The applicant proposes to install a series of rock steps pools along the UNT Crum Creek to control the storm water flow along the existing channel.

The site is located near the intersection of Runnymede Drive and Sawgrass Lane, (Media, PA USGS map, Lat: 39.965738; Long: -75:430981) in Edgmont Township, Delaware County.

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

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

E5402121-003: PA Department of Transportation, Eng District 5-0, 1002 Hamilton Street, Allentown, PA 18101, North Manheim Township, Mt. Carbon and St. Clair Boroughs, Schuylkill County, Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the Mount Carbon Bowstring Truss Adaptive Reuse Project:

1. To remove and relocate an existing Truss Bridge spanning the Schuylkill River (CWF, MF). 0.008 acre of floodway will be impacted for minor grading activities required after the removal of the eastern abutment.

2. To relocate the 18-ft wide Truss Bridge with a 108-ft span and 11.8-ft underclearance in order to carry the Schuylkill River Greenway Association (SRGA) trail over Mill Creek (CWF, MF).

3. To place R-8 riprap in the floodway and watercourse of Mill Creek (CWF, MF) for bank protection. 155 linear feet of floodway and 175 linear feet of watercourse will be impacted.

4. To construct an outfall pipe/apron and place fill for trail construction in the floodplain of Mill Creek (CWF, MF). The proposed activities will fill 0.009 acre of floodplain.

The project is located adjacent to S.R. 0061 over the Schuylkill River, approximately 0.1 mile south of the S.R. 0061/2004 intersection (Pottsville, PA Quadrangle Latitude: 40° 40' 22.51" N; Longitude: 76° 11' 8.34" W) and along S.R. 0061, approximately 0.6 mile north of the S.R. 0061/1006 intersection (Pottsville, PA Quadrangle Latitude: 40° 43' 44.09" N; Longitude: 76° 11' 39.93" W).

E5402221-002. Comcast Cable Communications Management, LLC, 1131 South Duke Street, Lancaster, PA 17602, in City of Pottsville, Branch Township, **Schuylkill County**, U.S. Army Corps of Engineers, Philadelphia District.

To install an overhead guy wire across the West Branch Schuylkill River (CWF, MF) along Gordon Nagle Trail, on the border of the City of Pottsville and Branch Township, PA. The Schuylkill River is classified as a Scenic River and a SLLA water. The proposed cable line crossing will be attached to existing utility poles on either side of the river. No earth disturbance, in-stream work, or wetland impacts will be proposed or affected for this project. The project is in the City of Pottsville and Branch Township, Schuylkill County. Quadrangle Latitude: 40° 40' 05"; Longitude: -76° 14' 09". (Pottsville, PA Quadrangle, Latitude: 40° 40' 05"; Longitude: -76° 14' 09").

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

E2203220-029. Samuel E. Blank, 122 Indian Trail Road, Lykens, PA 17048, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 10-foot wide single span steel I-beam bridge crossing, having a 36.4-foot clear span and an average 3.4-foot underclearance, across tributary Pine Creek (CWF, MF). The project is located at 542 Honeymoon Trail Road, approximately 0.2-mile North of intersection with Colemans Church Road. (Klingers-town, PA Quadrangle, Latitude: 40.629546; Longitude: -76.657706) in Lykens Township, Dauphin County.

E2203221-003. Highview Commercial, LLC, 280 Route 35 South, Red Bank, NJ 07701-5900, in Londonderry Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) place and maintain fill in palustrine emergent wetlands and 2.) install and maintain a 40.0-foot long, 18.0-inch diameter RCP pipe in palustrine emergent wetlands, all permanently impacting 0.04 acre of wetlands and temporarily impacting 0.03 acre of wetlands, for the purpose of constructing a proposed convenience store. The project is located at 7600 Allentown Boulevard (Latitude: 40.335246°N; Longitude: 76.729754°W) in Londonderry Township, Dauphin County. Wetland impacts are de minimus and replacement is not required.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E4904221-001. Pennsylvania American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055. Milton Water Treatment Plant, in Milton Borough, **Northumberland County**, ACOE Baltimore District (Milton, PA Quadrangle; Latitude: 41° 0' 33.3"; Longitude: -76° 51' 46.7").

The applicant proposes upgrades to an existing water treatment plant. The upgrades include a clear well measuring 108 ft by 89 ft and an infiltration basin measuring 100 ft by 89 ft within the floodway of the West Branch of the Susquehanna River (WWF), a new high service pump station measuring 90 ft by 70 ft located within the floodplain of the West Branch of the Susquehanna River (WWF). This permit also proposes two excavations of 273 ft by 81.6 ft within the floodway and 2,471 ft by 71 ft within the floodplain of the West Branch of the Susquehanna River (WWF). This work does not propose an increase in water surface elevations for the 100 yr storm event.

E3803221-001. Fort Indiantown Gap National Guard Training Center, Fort Indiantown Gap, Bldg 0-1, Fisher Avenue, Annville, PA 17003 Fort Indiantown Gap—Perimeter Security Fence in East Hanover Township and Union Township, **Lebanon County**, ACOE Baltimore District (Indiantown Gap, PA Quadrangle; Latitude: 40° 25' 48.89"; Longitude: -76° 32' 53.39").

Fort Indiantown Gap National Guard Training Center, Fort Indiantown Gap Post (FIG) is providing the enclosed Joint Permit Application for a Pennsylvania Water Obstruction and Encroachment Permit for the Perimeter Security Fence Project (Project). The Project is in East Hanover and Union Townships, Lebanon County, Pennsylvania. The Project proposes to construct a perimeter security fence around the west, south, and eastern perimeter of Fort Indiantown Gap Training Facility. The fence will not be installed in one continuous fence, but rather sections of fencing that ultimately connects to existing fence and encloses the facilities. The fence will limit public accessibility and improve the safety of the facility.

The proposed fence will be a 12-foot tall chain-link fence. A barbed wire apron on extension arms will be placed on top of the fence. The fence posts will be supported by concrete bases spaced at 10-foot intervals. Approximately 4.1 miles of fence will be installed as a part of this Project. The project area is not continuous and is comprised of multiple fence segments. For the most part, the fence is located adjacent to roadways or existing infrastructure and connects with existing sections of fence. The proposed design is the same as the existing fence.

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

E1006121-010. PADOT, Engineering District 10-0, 2550 Oakland Ave., Indiana, PA 15701. SR 0356, Section 253, in Summit Township, **Butler County**, ACOE Pittsburgh District (Saxonburg, PA Quadrangle N: 41°, 49', 27.41"; W: 79°, 51', 26.52").

To remove the existing structure and to construct and maintain a 93.5-ft long concrete box culvert having a 8.0-ft wide by 8.5-ft high waterway opening on SR 0356, Section 253, Segment 0330, Offset 0058 over UNT Coal Run (WWF) in Summit Township, Butler County resulting in 165-ft of permanent stream impacts and 215-ft of temporary stream impacts to UNT 1 Coal Run, with the proposed alignment resulting in a loss of 15-ft of UNT 1 Coal Run. As part of the stream realignment, an existing culvert will be extended resulting in 10-ft of permanent and 72-ft of temporary impacts to UNT 2 Coal Run.

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101; Email: RA-EPREGIONAL PERMIT@pa.gov.

E0603221-004. Shoemakersville Municipal Authority, 115 East Ninth Street, Shoemakersville, PA 19555, Shoemakersville Borough, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a wastewater treatment plant headworks facility and associated appurtenances in the floodplain of the Schuylkill River (WWF, MF). The project will result in 0.02 acre of permanent and 0.13 acre of temporary floodplain impacts.

The project is located at the existing Shoemakersville Wastewater Treatment Plant on 2nd Street (Temple, PA Quadrangle, Latitude: 40.493683°; Longitude: -75.970019°) in Shoemakersville Borough, Berks County.

E2803221-001. Greene Township, 1145 Garver Lane, Scotland, PA 17254. Greene Township, **Franklin County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a bituminous parking lot, rain garden and gravel path in the floodway/floodplain of Connococheague Creek (CWF, MF). The project will result in 0.19 acre of permanent floodway/floodplain impact.

This project is located 200 feet northwest of the intersection of Main Street and Garver Lane along the eastern bank of Connococheague Creek (Scotland, PA Quadrangle, Latitude 39° 58' 17.21"; Longitude -77° 35' 14.55") in Greene Township, Franklin County.

DAM SAFETY

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.

D63-127. Glencannon Homes Association, P.O. Box 831, McMurray, PA 15317. To modify, operate and maintain Glencannon Pond Dam across a tributary to Chartiers Creek (HQ-WWF) for the purpose of raising the top of the dam to comply with Department Regulations. (Canonsburg, PA Quadrangle Latitude: 40.26; Longitude: -80.14) in North Strabane Township, **Washington County**.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended, and renewed NPDES and WQM permits, applications for permit waivers, and NOIs for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 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 official file for each listed action can be reviewed at the DEP or delegated county conservation district (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a, including links to Individual NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES_Permits@pa.gov.

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 Hamilton 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. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0253570	Industrial Stormwater Individual NPDES Permit	Issued	Glen Gery Corp 1166 Spring Street Wyomissing, PA 19610-1721	Harmar Township Allegheny County	SWRO
PA0276383	Industrial Stormwater Individual NPDES Permit	Issued	Electro Chemicals Engineering & Manufacturing Co. 750 Broad Street Emmaus, PA 18049-3605	Emmaus Borough Lehigh County	NERO
0386201	Industrial Waste Individual WQM Permit	Issued	Keystone Conemaugh Project LLC 175 Cornell Road Suite 1 Blairsville, PA 15717-8076	Plumcreek Township Armstrong County	NWRO
4517801	Joint DEP/PFBC Pesticides Permit	Issued	Lake Naomi Club Rte 423 P.O. Box T Pocono Pines, PA 18350	Tobyhanna Township Monroe County	NERO
4815802	Joint DEP/PFBC Pesticides Permit	Issued	Wright Louise 733 Copella Road Bath, PA 18014-9782	Moore Township Northampton County	NERO
6413809	Joint DEP/PFBC Pesticides Permit	Issued	Lake Underwood Nimrod Club 69 Union Mill Road Covington Twp, PA 18444-7912	Preston Township Wayne County	NERO
6516801	Joint DEP/PFBC Pesticides Permit	Issued	Ligonier Camp & Conference Center 188 Macartney Lane Ligonier, PA 15658-2708	Ligonier Township Westmoreland County	SWRO
6520802	Joint DEP/PFBC Pesticides Permit	Issued	Fennick Sean E 4855 Mamont Road Murrysville, PA 15668-9320	Murrysville Borough Westmoreland County	SWRO
PA0050016	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Optinova Valley Forge Inc. 435 School Lane Plymouth Meeting, PA 19462-2744	Plymouth Township Montgomery County	SERO
PA0008222	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Graymont PA Inc. 375 Graymont Road Bellefonte, PA 16823-6869	Spring Township Centre County	NCRO
PA0253006	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Cook Inc. 1186 Montgomery Lane Vandergrift, PA 15690-6065	Parks Township Armstrong County	NWRO
PA0030864	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Western Beaver County School District 343 Ridgemont Drive Midland, PA 15059-2219	Ohioville Borough Beaver County	SWRO
PA0032182	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Mingo Park Estates Inc. 92 Little Mingo Road Finleyville, PA 15332-3715	Nottingham Township Washington County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0093076	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Jones Estates Brookhaven LLC 676 Banning Road Dawson, PA 15428-1006	South Franklin Township Washington County	SWRO
PA0093980	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Better Built Mobile Homes 102 Kimberlin Drive Irwin, PA 15642-3186	Sewickley Township Westmoreland County	SWRO
PA0096733	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Goyal Maheep 240 Mingo Road Royersford, PA 19468	Saltlick Township Fayette County	SWRO
PA0031984	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	PA DCNR 3000 State Route 18 Hookstown, PA 15050-1605	Hanover Township Beaver County	SWRO
PA0060593	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Aqua Pennsylvania Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010	Rice Township Luzerne County	NERO
PA0063878	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Northeastern Schuylkill Joint Municipal Authority Schuylkill County P.O. Box 170 6 Holly Road Barnesville, PA 18214-0170	Rush Township Schuylkill County	NERO
NOEX09602	No Exposure Certification	Issued	Manchester, LLC 200 Orleans Street Richmond, VA 23231-3005	Hanover Township Luzerne County	NERO
NOEXSW042	No Exposure Certification	Issued	Ernies Waste Oil LLC 155C Swiontek Road Aliquippa, PA 15001-5844	Independence Township Beaver County	SWRO
PAG030115	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	MM Metals USA LLC 53 Middle Drive Morrisville, PA 19067	Falls Township Bucks County	SERO
PAG033651	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cargill Inc. 320 N 16th Street Lebanon, PA 17046-4511	Lebanon City Lebanon County	SCRO
PAG033654	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	South Mountain Creamery LLC 8305 Bolivar Road Middletown, MD 21769-8408	Guilford Township Franklin County	SCRO
PAG036294	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Norfolk Southern Corp 50 W 1st Street Waynesburg, PA 15370-2151	Waynesburg Borough Greene County	SWRO
PAR216143	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Gold Bond Bldg Products LLC P.O. Box 346 Shippingport, PA 15077-0346	Shippingport Borough Beaver County	SWRO
PAR808347	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	UPS Inc. 521 N Center Avenue New Stanton, PA 15672-9415	Millcreek Township Erie County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG044863	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Kehrer Brett N 1923 Biddle Road Montoursville, PA 17754-7834	Upper Fairfield Township Lycoming County	NCRO
PAG056273	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	TKL Holdings LLC P.O. Box 44 Delmont, PA 15626-0044	Loyalhanna Township Westmoreland County	SWRO
PAG123912	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Neil 749 Bloody Spring Road Bethel, PA 19507-8943	Upper Tulpehocken Township Berks County	SCRO
PA0276014	Pesticides Individual NPDES Permit	Issued	Lake Naomi Club Rte 423 P.O. Box T Pocono Pines, PA 18350	Tobyhanna Township Monroe County	NERO
0112402	Sewage Treatment Facilities Individual WQM Permit	Issued	Split Shots Bar & Grill 4587 Chambersburg Road Biglerville, PA 17307-9531	Franklin Township Adams County	SCRO
2021404	Sewage Treatment Facilities Individual WQM Permit	Issued	Brown Roger L 17930 Station Road Centerville, PA 16404-6756	Rome Township Crawford County	NWRO
4185405	Sewage Treatment Facilities Individual WQM Permit	Issued	Kehrer Brett N 1923 Biddle Road Montoursville, PA 17754-7834	Upper Fairfield Township Lycoming County	NCRO
4320404	Sewage Treatment Facilities Individual WQM Permit	Issued	Adventure Bound Sv LLC 905 16th Place Vero Beach, FL 32960	Delaware Township Mercer County	NWRO
5498405	Sewage Treatment Facilities Individual WQM Permit	Issued	Pines at West Penn LLC P.O. Box 677 Morgantown, PA 19543	West Penn Township Schuylkill County	NERO
6374421	Sewage Treatment Facilities Individual WQM Permit	Issued	Jones Estates Brookhaven LLC 676 Banning Road Dawson, PA 15428-1006	South Franklin Township Washington County	SWRO
6520403	Sewage Treatment Facilities Individual WQM Permit	Issued	William K & Marissa L Tedesco 222 Longsite Drive # 43 Uniontown, PA 15401	East Huntingdon Township Westmoreland County	SWRO
0320402	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Ford City Borough Municipal Sewer Disposal Authority P.O. Box 66 Ford City, PA 16226-0066	Ford City Borough Armstrong County	NWRO
1115412	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO
1116400	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO
1116404	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1116407	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO
1117404	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO
1117406	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO
1119400	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO
1120400	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Johnstown Redevelopment Authority Cambria County 416 Main Street Suite 200 Johnstown, PA 15901-1828	West Taylor Township Cambria County	SWRO
PA0216101	Single Residence STP Individual NPDES Permit	Issued	Beener Kerry 144 Berry Road Rockwood, PA 15557-6928	Milford Township Somerset County	SWRO
PA0218456	Single Residence STP Individual NPDES Permit	Issued	Wright Dale R & Elaine L 432 Lakeview Drive New Brighton, PA 15066-4123	New Sewickley Township Beaver County	SWRO
PA0232670	Single Residence STP Individual NPDES Permit	Issued	Antonuk Edward A Sr 1304 Pinetop Road Woodland, PA 16881-8301	Lawrence Township Clearfield County	NCRO
PA0255734	Single Residence STP Individual NPDES Permit	Issued	William K & Marissa L Tedesco 222 Longsite Drive # 43 Uniontown, PA 15401	East Huntingdon Township Westmoreland County	SWRO
PA0263605	Single Residence STP Individual NPDES Permit	Issued	Cynthia Williams 26833 State Highway 408 Cambridge Springs, PA 16403-5431	Rockdale Township Crawford County	NWRO
PA0264041	Single Residence STP Individual NPDES Permit	Issued	Mathe Garth 3749 Williams Road Erie, PA 16510-6147	Harborcreek Township Erie County	NWRO
PA0264075	Single Residence STP Individual NPDES Permit	Issued	Snyder Harry 6686 Pleasant Drive Warren, PA 16365-7440	Pleasant Township Warren County	NWRO
PA0264229	Single Residence STP Individual NPDES Permit	Issued	Piper Michael 19021 Route 68 Sligo, PA 16255-4627	Monroe Township Clarion County	NWRO
PA0264415	Single Residence STP Individual NPDES Permit	Issued	Jeffrey & Mary Cusick 1049 Hartford Road Sharpsville, PA 16150-9648	South Pymatuning Township Mercer County	NWRO
PA0264423	Single Residence STP Individual NPDES Permit	Issued	Herrit Dennis 201 Walker Avenue Butler, PA 16001-6441	Center Township Butler County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0267279	Single Residence STP Individual NPDES Permit	Issued	Thurston Griswold Henry 4760 Cold Springs Road Huntingdon, PA 16652-3156	Oneida Township Huntingdon County	SCRO
PA0261912	Small Flow Treatment Facility Individual NPDES Permit	Issued	Split Shots Bar & Grill 4587 Chambersburg Road Biglerville, PA 17307-9531	Franklin Township Adams County	SCRO
PA0264211	Small Flow Treatment Facility Individual NPDES Permit	Issued	Jenner Township Somerset County 2058 Lincoln Highway Boswell, PA 15531-4012	Jenner Township Somerset County	SWRO
PA0289175	Small Flow Treatment Facility Individual NPDES Permit	Issued	Brown Roger L 17930 Station Road Centerville, PA 16404-6756	Rome Township Crawford County	NWRO
WQG02462104	WQG-02 WQM General Permit	Issued	Towamencin Municipal Authority 2225 Kriebel Road Lansdale, PA 19446-5019	Towamencin Township Montgomery County	SERO

II. Final Actions on PAG-02 General NPDES Permit NOIs and Individual NPDES Permit Applications for Construction Stormwater.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230175	PAG-02 General Permit	Issued	Chris Magarity 404 Pennsylvania Avenue Fort Washington, PA 19034-3413	Chadds Ford Delaware County	SERO
PAC150256	PAG-02	Issued	Chester County Area Airport Authority 1 Earhart Drive Coatesville, PA 19320	Valley Township Chester County	SERO
PAC150260	PAG-02	Issued	Dewson Construction Company 7 South Lincoln Street Wilmington, DE 19605	Kennett Township Chester County	SERO
PAC150246	PAG-02	Issued	Lyn Hughes Limited, L.P. 206 Gale Lane Kennett Square, PA 19348	East Marlborough Township Chester County	SERO
PAD150200	Individual NPDES	Issue	512 Lapp Road LLC c/o Builders, Inc. 4 Raymond Drive Havertown, PA 19083	East Whiteland Township Chester County	SERO
PAD090006 A-2	Individual NPDES	Amendment	LifeQuest 2460 John Fries Highway Quakertown, PA 18951	Milford Township Bucks County	SERO
PAD230012 A-8	Individual NPDES	Amendment	City of Philadelphia Division of Aviation Philadelphia International Airport Terminal D-E, Philadelphia International Airport 8000 Essington Avenue Philadelphia, PA 19153-3755	Tinicum Township Delaware County	SERO
PAC350111	PAG-02 General Permit	Issued	PennDOT District 4-0 55 Keystone Industrial Park Dunmore, PA 18512-1540	City of Scranton Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC350107	PAG-02 General Permit	Issued	Halle Properties LLC 20225 North Scottsdale Road Scottsdale, AZ 85255-6456	Dickson City Borough Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAD070011	Individual NPDES	Issued	Randall Sheetz and Holly Sheetz 3341 Scotch Valley Road Hollidaysburg, PA 16648	Frankstown Township Cumberland County	SCRO
PAD360060	Individual NPDES	Issued	Kenton Martin 23 East 28th Division Highway Lititz, PA 17543	Elizabeth Township Lancaster County	SCRO
PAC010162	PAG-02 General Permit	Issued	Justin M. Martin Poultry Operation 1901 Bon-Ox Road New Oxford, PA 17350	Mount Pleasant Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC010168	PAG-02 General Permit	Issued	Store It, LLC 589 Brysonia-Wenksville Road Biglerville, PA 17307	Franklin Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC070086	PAG-02 General Permit	Issued	Mid-Atlantic Interstate Transmission 341 White Pond Drive A-WAC-C1 Akron, OH 44320	Logan Township Blair County	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
PAC210219 A-1	PAG-02 General Permit	Issued	Vildana Muminovic 810 Crooked Stick Drive Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC340035	PAG-02 General Permit	Issued	Daniel Shetler 25235 Route 35 Mifflintown, PA 17059	Fermanagh Township Juniata County	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059-8709 717.436.8953, ext. 5
PAC360488	PAG-02 General Permit	Issued	Gary Price 246B Creek View Drive Lancaster, PA 17602	Mount Joy Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360497	PAG-02 General Permit	Issued	Akron Mennonite Church 1311 Diamond Street Akron, PA 17501	Akron Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360552	PAG-02 General Permit	Issued	Kendal Burkholder 555 Horseshoe Trail Road Denver, PA 17517	East Cocalico Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360367 A-8	PAG-02 General Permit	Issued	Houston Run Properties 1324 Main Street East Earl, PA 17519	Salisbury Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360557 A-1	PAG-02 General Permit	Issued	G. Investments LP 520 East Oregon Road Suite 101 Lititz, PA 17543	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360367 A-6	PAG-02 General Permit	Issued	Houston Run Properties 1324 Main Street East Earl, PA 17519	Salisbury Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360601	PAG-02 General Permit	Issued	RA Stonerook-Strasburg, LLC 2148 Embassy Drive Suite 201 Lancaster, PA 17603	Strasburg Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC500031	PAG-02 General Permit	Issued	Cove Mountain Homes 200 Whitetail Road Marysville, PA 17053	Carroll Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717.582.8988, ext. 4
PAC670426	PAG-02 General Permit	Issued	CRG 200 Barr Harbor Drive Suite 250 Conshohocken, PA 19428	Conewago Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670433	PAG-02 General Permit	Issued	Hanover Foods Corporation 1486 York Street Hanover, PA 17331	Penn Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670419	PAG-02 General Permit	Issued	AG-HS Fairview Industry LLC 5605 Glenridge Drive Suite 350 Atlanta, GA 30342	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC170045	PAG-02 GP	Issued	City of DuBois 16 W. Scribner Ave DuBois, PA 15801	City of DuBois Sandy Township Clearfield County	Clearfield County CCD 6395 Clearfield Woodland Hwy Suite 2 Clearfield PA 16830
PAC650258	PAG-02 General Permit	Issued	Municipal Authority of the City of New Kensington P.O. Box 577 920 Barnes Street New Kensington, PA 15068-6207	City of New Kensington Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
PAC650262	PAG-02 General Permit	Issued	Ligonier Construction Company 1350 Route 30 East Laughlintown, PA 15655	Allegheny Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
PAD020627	Individual NPDES	Issued	Allegheny County Airport Authority Fourth Floor Mezzanine Landside Terminal P.O. Box 12370 Pittsburgh, PA 15231-0370	Findlay Township Allegheny County	SWRO
PAD560006	Individual NPDES	Issued	Borough of Somerset 347 West Main Street Somerset, PA 15501	Jefferson Township Somerset County	SWRO
PAC320048	PAG-02 General Permit	Issued	PADOT District 10 2550 Oakland Avenue Indiana, PA 15701	Cherryhill Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751
PAC030024	PAG-02 General Permit	Issued	Leechburg Area School District 210 Penn Avenue Leechburg, PA 15656	Leechburg Borough Armstrong County	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425

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 Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Permit No. 4620535, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 W. Lancaster, Inc. Bryn Mawr, PA 19010
Township	Upper Merion
County	Montgomery
Type of Facility	PWS
Consulting Engineer	Mott MacDonald 325 Chestnut Street Suite-300 Philadelphia, PA 19106
Permit to Construct Issued	November 23, 2020

Permit No. 0921503, Public Water Supply.

Applicant	Pine Run Retirement Community 777 Ferry Road Doylestown, PA 18901-2102
Township	Doylestown
County	Bucks
Type of Facility	PWS

Consulting Engineer	Environmental Guidance & Solutions P.O. Box 261 Lafayette Hill, PA 19444
Permit to Construct Issued	March 29, 2021

Permit No. 0921506, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 W. Lancaster, Inc. Bryn Mawr, PA 19010
Township	Bristol
County	Bucks
Type of Facility	PWS
Consulting Engineer	Mott MacDonald 111 Wood Avenue South Isean, NJ 08830-4112
Permit to Construct Issued	April 15, 2021

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

Permit No. 1421502MA, Minor Amendment. Public Water Supply.

Applicant	Doug Weikel, Chairman Spring Township Water Authority 1309 Blanchard Street Bellefonte, PA 16823-8625
Borough or Township	Spring Township
County	Centre County
Type of Facility	Public Water Supply
Consulting Engineer	Andrew H. Johnson, P.E. Gwin, Dobson & Forman, Inc. 3121 Fairway Drive Altoona, PA 16602

Permit Issued May 14, 2021

Permit No. 1721502MA, Minor Amendment. Public Water Supply.

Applicant	Randy Bloom Pike Township Municipal Authority P.O. Box 27 Curwensville, PA 16833
Borough or Township	Pike Township
County	Clearfield County
Type of Facility	Public Water Supply
Consulting Engineer	Patrick J. Ward, P.E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801

Permit Issued May 14, 2021

Permit No. 0820502, Major Amendment. Public Water Supply.

Applicant	Miller Group Holding, LP 950 East Main St Suite 107 Schuylkill Haven, PA 17972
Borough or Township	Burlington Borough
County	Bradford County

Type of Facility Public Water Supply
 Consulting Engineer Mr. Sean C. Sweeney, P.E.
 Barton and Loguidice, DPC
 3901 Hartzdale Drive
 Suite 101
 Camp Hill, PA 17011
 Permit Issued May 13, 2021

Operations Permit issued to: **Aqua Pennsylvania, Inc., PWSID No. 4140095**, College Township, **Centre County** on May 17, 2021, for the operation of facilities approved under construction permit # 1419505. This permit is a major amendment of the recent upgrades to the Penn State Filtration Plant.

Operations Permit issued to: **Spring Township Municipal Authority**, P.O. Box 133, Beaver Springs, PA 17812, **PWSID No. 4550011**, Spring Township, **Snyder County** on May 13, 2021, for the operation of facilities approved under construction permit # 5519502MA. This permit authorizes operation of a standard water-storage standpipe that measures 26 feet in diameter by 36 feet high with a 135,000-gallon capacity for finished water.

Operations Permit issued to: **Elkland Borough Water Authority**, 105 Parkhurst Street, Beaver Springs, Elkland, PA 16920, **PWSID No. 2590035**, Elkland Borough Township, **Tioga County** on May 11, 2021, for the operation of facilities approved under construction permit # GWR-A1. This permit approves 4-log inactivation of viruses for Well Nos. 24 and 17 (Entry Point 101) at Elkland Borough Water Authority. Please comply with the Special Conditions attached to the permit. Please note that this permit supersedes Permit GWR, issued November 22, 2010.

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 analy-

sis. 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 Hamilton 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.

Contact: Eric Supey, Environmental Program Manager.

Quillman Property, 333 East Norwegian Street, Pottsville, PA 17901, Pottsville City, **Schuylkill County**. Envirosearch Consultants, P.O. Box 940, Springhouse, PA 19477, on behalf National Federal Mortgage Association, 14221 Dallas Parkway # 1000, Dallas, TX 75265, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an above-ground storage tank. The report is intended to document remediation of the site to meet Statewide health 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 Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

UPS Altoona Center, 3042 Route 764, Duncansville, PA 16635-8045, Allegheny Township, **Blair County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940, on behalf of United Parcel Service Corporate Buildings & Systems Engineering, 55 Glenlake Parkway NE, Atlanta, GA 30328, submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum contaminants. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on May 11, 2021.

Northwest Region: Environmental Cleanup and Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

New Castle Power Station, 2189 State Route 168 South, West Pittsburgh, PA 16160, Taylor Township, **Lawrence County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of New Castle Power, LLC, 2189 State Route 168 South, West Pittsburgh, PA 16160 has submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site groundwater contaminated with Arsenic, Iron, Lithium, Manganese, Selenium, and Sulfate. The Remedial Investigation Report/Cleanup Plan was disapproved by the Department on May 11, 2021.

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

United States Steel Corporation—(KIPC) 102 Acre Parcel, One Ben Fairless Drive, Fairless Hills, PA 19030, Falls Township, **Bucks County**. John Garges, GHD Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 15222 on behalf of Mark Rupnow, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site soil contaminated with VOCs, SVOCs, metals, cyanide, PCBs, iron and vanadium. The Final Report demonstrated attainment of the site-specific standard/Statewide health standard and was approved by the Department on May 5, 2021.

AIR QUALITY

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

GP3-64-008B: E.R. Linde Construction Corp. (239 Golf Hill Road, Honesdale, PA 18431) issued on April 29, 2021, for the operation of portable nonmetallic mineral processing equipment at the Middle Creek Quarry site located in Palmyra Township, **Wayne County**.

GP11-64-008B: E.R. Linde Construction Corp. (239 Golf Hill Road, Honesdale, PA 18431) issued on April 29, 2021, for the operation of seven engines ranging from 275—450 BHP associated with the GP3 portable nonmetallic mineral processing equipment at the Middle Creek Quarry site located in Palmyra Township, **Wayne County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

40-00084A: Lacey Memorial, Inc. (R 1000 South Church Street, Hazleton, PA 18201) was issued on May 10, 2021, for the installation of one (1) propane-fired cremation unit with afterburner control at their crematory facility located in Hazleton City, **Luzerne County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source

Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

06-03186A: Technical Machinery Solutions, LLC (9024 Old Route 22, Bethel, PA 19507) on May 12, 2021, for the new mailer production facility in Bethel Township, **Berks County**.

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

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

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

67-05083F: Calpine Mid-Merit, LLC (1055 Pikes Peak Road, Delta, PA 17314) on May 13, 2021, for the upgrade of the Block 2 Electricity Generation Project's nominally rated power output capacity from 760 MW to 830 MW at the York Energy Center in Peach Bottom Township, **York County**. The plan approval was extended.

67-05004U: Pixelle Specialty Solutions, LLC (228 South Main Street, Spring Grove, PA 17362-1000) on May 14, 2021, for the installation of two 115 MMBtu/hr natural gas burners in the # 3 Recovery Boiler (ID 037) which will be limited by an annual fuel limitation of 225.49 mmscf of natural gas, upgrade of the PLC software and various hardware of the Hardwood Digester (ID 112) to increase pulp production by 2.1%, and upgrades to the water removal system of paper machines # 1 and # 8 (contained in ID 115) to increase paper production by approximately 8% at the pulp and paper mill in Spring Grove Borough, **York County**. The plan approval was extended.

36-05026D: LSC Communications MCL, Inc. (1375 Harrisburg Pike, Lancaster, PA 17601-2612) on May 17, 2021, for the installation of a new heatset web offset printing press controlled by two existing regenerative thermal oxidizers at the Lancaster West facility in the City of Lancaster, **Lancaster County**. The plan approval was extended.

36-05014K: Arconic Lancaster Corp. (1480 Manheim Pike, Lancaster, PA 17604-3152) on May 17, 2021, 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.

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

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

60-00027A: Mifflinburg Area School District (178 Maple St., Mifflinburg, PA 17844) on May 10, 2021, to extend the plan approval expiration date to November 8, 2021 to allow continued operation of an 8.5 MMBtu/hr biomass boiler at its campus in Mifflinburg Borough, West Buffalo and Buffalo Townships, **Union County**.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

PA-04-00699H: Gold Bond Building Products, LLC (168 Shippingport Hill Road, P.O. Box 346, Shippingport, PA 15077-0346) plan approval amendment issuance date May 14, 2021, as a functional change without modification and to continue operation of its gypsum products at their gypsum product facility located in Shippingport Borough, **Beaver County**.

63-00654: Elliott Company, Inc. (1250 Scott St. Ext., Donora, PA 15033-2249) an Administrative Amendment to change the name of the Responsible Official in the State

Only Operating Permit (SOOP) renewal to Elliott Company. The facility located in the Donora Borough, **Washington County**.

PA-63-01032: Ameri Precision Metals, Inc. (40 Curry Ave., Canonsburg, PA 15317-1743) plan approval modification issuance on May 14, 2021, for shake down sources and air cleaning devices at their Canonsburg Facility located in Canonsburg Borough, **Washington County**.

65-00829: Fulmer/Perma-Cast a Division of Motive Power, Inc. (9002 Corporate Cir., Export, PA 15632-8970) an Administrative Amendment to change the name of the Responsible Official in the State Only Operating Permit (SOOP) renewal to Fulmer/Perma-Cast. The facility located in the Penn Township, **Westmoreland County**.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

48-00066: Polymer Products Company, Inc. (100 Station Ave, Stockertown, PA 18083). The Department issued, on April 22, 2021, a State-Only Operating Permit for the operation of sources at their facility located in Stockertown Borough, **Northampton County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

54-00057: Reading Anthracite Company (200 Mahantongo St, P.O. Box 1200, Pottsville, PA 17901). The Department issued, on April 22, 2021, a State-Only Operating Permit for the operation of sources at their facility located in Butler Township, **Schuylkill County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

67-05031: MarkCinco, LLC (800 Hanover Road, York, PA 17404-6212) on May 11, 2021, for the wood kitchen cabinet manufacturing facility located in Jackson Township, **York County**. The State-Only Permit was renewed.

07-05037: Cove Shoe Co. (107 Highland Street, Martinsburg, PA 16662-1424) on May 12, 2021, for the boot and shoe manufacturing facility located in Martinsburg Borough, **Blair County**. The State-Only Permit was renewed.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

10-00355: Glacial Sand & Gravel Company/Rodgers Site (P.O. Box 1022, Kittanning, PA 16201) on May 13, 2021, the Department issued a Natural Minor State Only Operating Permit renewal for the operation of a sand and gravel processing facility located at the intersection of T860 and T383 (Swope and W. Liberty), Harrisville, PA in Worth Township, **Butler County**. The operation of the facility's air contamination source consists of crushing, screening, transferring, stockpiling, unpaved roadways, and unloading/loading. The potential emissions are estimated at 25.16 tpy PM and 8.21 tpy PM₁₀. The facility is subject to State regulations and NSPS 40 CFR Part 60 Subpart OOO. The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 49663009R7. Mallard Contracting Co., Inc., 122 Wilburton Road, Mt. Carmel, PA 17851, renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Mt. Carmel and Conyngham Townships, **Northumberland** and **Columbia Counties** affecting 1,189.2 acres. Receiving stream: Shamokin Creek. Application received: December 11, 2020. Renewal issued: May 14, 2021.

Permit No. 49663009C5. Mallard Contracting Co., Inc., 122 Wilburton Road, Mt. Carmel, PA 17851, correction to update the post-mining land use of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Mt. Carmel and Conyngham Townships, **Northumberland** and **Columbia Counties** affecting 1,189.2 acres. Receiving stream: Shamokin Creek. Application received: December 11, 2020. Renewal issued: May 14, 2021.

Permit No. PAM121001. Mallard Contracting Co., Inc., 122 Wilburton Road, Mt. Carmel, PA 17851, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 49663009 in Mt. Carmel and Conyngham Townships, **Northumberland**

and **Columbia Counties**, receiving stream: Shamokin Creek. Application received: December 11, 2020. Renewal issued: May 14, 2021.

Permit No. GP12-4966009R2. Mallard Contracting Co., Inc., 122 Wilburton Road, Mt. Carmel, PA 17851, renewal of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 49663009 in Mt. Carmel and Conyngham Townships, **Northumberland** and **Columbia Counties**. Application received: December 11, 2020. Permit renewed: May 14, 2021.

Permit No. 40663025R7. Pagnotti Enterprises, Inc., 144 Brown Street, Yatesville, PA 18640, renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Hazle Township, **Luzerne County** affecting 325.0 acres. Receiving stream: Black Creek. Application received: March 1, 2021. Renewal issued: May 14, 2021.

Permit No. PAM111095R2. Pagnotti Enterprises, Inc., 144 Brown Street, Yatesville, PA 18640, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 40663025 in Hazle Township, **Luzerne County**, receiving stream: Black Creek. Application received: March 1, 2021. Renewal issued: May 14, 2021.

Noncoal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Ford-Wigfield).

Permit 01930302 and NPDES No. PA0223239, Specialty Granules, LLC, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214, renewal of NPDES Permit, located in Hamiltonban Township, **Adams County**. Receiving streams: unnamed tributaries to Toms Creek, classified for the following uses: high quality, cold water fishes and migratory fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 8, 2019. Permit issued: May 12, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 06970301C15 and NPDES Permit No. PA0223794. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, correction to an existing NPDES Permit for discharge of treated mine drainage from a quarry operation in Robeson and Union Townships, **Berks County**. Receiving stream: Hay Creek. Application received: April 27, 2020. Permit corrected: May 11, 2021.

Permit No. 6475SM10C4 and NPDES Permit No. PA0224391. Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, renewal of an existing NPDES Permit for discharge of treated mine drainage from a quarry operation in Jenkins Township, **Luzerne County**. Application received: June 7, 2019. Permit renewed: May 17, 2021.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).

Permit No. 08214103. DW Drilling & Blasting LLC, 2733 E. Battlefield St. # 320, Springfield, MO 65804-3981. Blasting for construction of a gas tank pad located in Monroe Township, **Bradford County** with an expiration date of May 10, 2022. Permit issued: May 13, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 36214120. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Martin Appliance Warehouse in West Earl Township, **Lancaster County** with an expiration date of August 30, 2021. Permit issued: May 12, 2021.

Permit No. 36214121. Douglas Explosives, Inc., 2052 Philipsburg Bigler Highway, Philipsburg, PA 16866, construction blasting for Stoner Farm Phase 1 in Manheim Township, **Lancaster County** with an expiration date of April 15, 2022. Permit issued: May 12, 2021.

Permit No. 45214108. Holbert Explosives, Inc., 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, construction blasting for 4183 Cherry Lane Church Road in Paradise Township, **Monroe County** with an expiration date of May 1, 2022. Permit issued May 13, 2021.

Permit No. 49214101. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Tractor Supply in Coal Township, **Northumberland County** with an expiration date of September 30, 2021. Permit issued: May 14, 2021.

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. Section 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 Hamilton 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.

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

E2506220-025, NLA III Real Estate Holdings, LLC, 5739 West Ridge Road, Building C, Erie, PA 16505. Elizabeth Lane Townhomes, in Fairview Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42° 01', 52.386"; W: -80°, 14', 44.680").

Temporarily impact 0.43 acre of wetlands and permanently impact 0.03 acre of wetlands for the construction and maintenance of an approximately 624 feet long utility line tie-in associated with the development of nine (9), six-unit apartment buildings on a 26 acre parcel on the north side of Water Street (SR 4004) east of Avonia Road (SR 0098) in Fairview Township, Erie County.

E42-367, National Fuel Gas Supply Corporation, 1100 State Street, Erie PA 16501-1912. Northern Access 2016 Expansion Project, in Sergeant, Keating, Annin, Eldred, and Ceres Townships, **McKean County**, ACOE Pittsburgh District (Crosby, PA Quadrangle N: 41° 42' 04.84"; W: 78° 29' 59.98").

To construct, operate, and maintain approximately 28 miles of 24-inch natural gas transmission pipeline and related infrastructure (three mainline valve sites, cathodic protection, temporary pipe storage yard, contractor yard, and temporary and permanent access roads to support construction and permanent facility access) from the interconnection/tie-in at the existing NFG Midstream Clermont, LLC, facility along SR 146 approximately 1 mile west of Clermont (Crosby, PA Quadrangle N: 41° 42' 04.84"; W: 78° 29' 59.98") in Sergeant Township, McKean County extending generally north crossing through portions of Sergeant, Keating, Annin, Eldred, and Ceres Townships, McKean County, to where it will cross the Pennsylvania/New York border approximately 2 miles west of where SR 44 crosses the State line (Bullis Mills, PA Quadrangle N: 41° 59' 57.51"; W: 78° 17' 56.98") in Ceres Township, McKean County.

The project includes the following aquatic resource impacts:

A. Streams: Installation of 104 pipeline stream crossings (with temporary equipment crossings) by dry-crossing methodologies, 2 pipeline crossings by conventional bore (Oswayo Creek and UNT Rock Run), 1 pipeline crossing by Horizontal Directional Drill (Allegheny River), 1 pipeline crossing by coffer/bladder dam (Potato Creek), 14 temporary equipment crossings, and

10 floodway-only pipeline and temporary equipment crossings resulting in 1,003 linear feet of permanent stream crossing by pipeline, 10,524 linear feet of temporary stream impact, 10.80 acres of permanent floodway disturbance, and 9.65 acres of temporary floodway disturbance for crossings of Bloomster Hollow and tributaries, tributaries to Irons Hollow, Blacksmith Run and tributaries, Cloverlot Hollow and tributaries, Kent Hollow and tributaries, Newell Creek and tributaries, Oswayo Creek and tributaries, Marvin Creek and tributaries, Champlin Hollow and tributaries, Open Brook, Allegheny River, tributary to Rock Run, Barden Brook and tributaries, Potato Creek and tributaries, tributaries to Cole Creek, McCrea Run and tributaries, and Pierce Brook.

B. Wetlands: Installation of 51 pipeline wetland crossings (with temporary equipment crossings) by open trench, 1 pipeline wetland crossing (with temporary equipment crossing) by combination open cut and conventional bore), 7 temporary equipment crossings, and 8 temporary construction workspace areas resulting in 6,124 linear feet of permanent pipeline wetland crossing, 7.10 acres of wetland disturbance within the permanent ROW [1.68 acres of which is permanent conversion of scrub-shrub and forested wetland], 5.22 acres of wetland disturbance in the temporary ROW 1.96 acres of which is temporary conversion of scrub-shrub and forested wetlands.

C. Ponds: Installation of 1 pipeline open water pond crossing (with temporary equipment crossing) by open cut resulting in 23 linear feet of permanent pipeline pond crossing.

To compensate for permanent conversion impacts by enhancing existing, degraded PEM wetlands located in State Game Lands 062 including:

A. Planting a minimum of 0.507 acre of scrub-shrub habitat in wetland areas

B. Planting a minimum of 1.175 acres of forested habitat in wetlands areas

C. To restore impacted forested wetlands within the temporary construction ROW totaling approximately 1.96 acres

D. To restore impacted wetlands within the permanent ROW by restoring original contours, replacing native soils, and stabilizing

E. To restore impacted streams within the permanent ROW by restoring original contours, replacing native streambed material, and stabilizing banks

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

E0829220-033: Appalachia Midstream, LLC, 30351 Route 6, Wysox, PA 18854, Monroe and Overton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12-inch diameter natural gas line, flexamat panels and a temporary timber mat bridge impacting 56 linear feet of an unnamed tributary to Millstone Creek (HQ-CWF, MF) (Monroeton, PA Quadrangle, Latitude: 41° 40' 00", Longitude: -76° 29' 53");

2. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 54 linear feet of an unnamed tributary to Millstone Creek (HQ-CWF, MF) (Powell, PA Quadrangle, Latitude: 41° 39' 42", Longitude: -76° 30' 06");

3. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 50 linear feet of an unnamed tributary to Millstone Creek (HQ-CWF, MF) (Powell, PA Quadrangle, Latitude: 41° 39' 33", Longitude: -76° 30' 56");

4. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 52 linear feet of an unnamed tributary to Millstone Creek (HQ-CWF, MF) (Powell, PA Quadrangle, Latitude: 41° 39' 33", Longitude: -76° 31' 01");

5. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 178 linear feet of an unnamed tributary to Millstone Creek (HQ-CWF, MF) and impacting 829 square feet of an adjacent Palustrine Emergent Wetland (EV) (Powell, PA Quadrangle, Latitude: 41° 39' 32", Longitude: -76° 31' 04");

6. a 12-inch diameter natural gas line, a stacked stone streambank restoration and a temporary timber mat bridge impacting 130 linear feet of Millstone Creek (HQ-CWF, MF) (Powell, PA Quadrangle, Latitude: 41° 39' 32", Longitude: -76° 31' 07");

7. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 54 linear feet of an unnamed tributary to Millstone Creek (HQ-CWF, MF) (Powell, PA Quadrangle, Latitude: 41° 39' 32", Longitude: -76° 31' 10");

8. a temporary timber mat bridge impacting 90 square feet of a Palustrine Emergent Wetland (Powell, PA Quadrangle, Latitude: 41° 39' 36", Longitude: -76° 31' 23");

The project will result in 574 linear feet or 7,103 square feet of temporary stream impacts and 919 square feet (0.02 acre) of PEM impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Monroe and Overton Township, Bradford 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.

D37-054EA. Scott Thomas, Pennsylvania American Water, 800 West Hershey Park Drive, Hershey, PA 17033, Perry and Wayne Townships, **Lawrence County**. USACOE Pittsburgh District.

Project proposes to remove the Slippery Rock-Wortemburg Pump Dam and the intake building to eliminate a threat to public safety and to restore approximately 500 feet of stream channel to a free-flowing condition. The project is located across Slippery Rock Creek (CWF) (Beaver Falls, PA Quadrangle, Latitude: 40.85798; Longitude: -80.2555).

DAM SAFETY

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.

D02-053A. IP Harmor Holdings, LLC, 2929 Allen Parkway, Suite 3275, Houston, TX 77019. Permit issued to modify Harmor Refuse Bank Dam, located across a tributary of Guys Run, for the purpose of coal refuse disposal. (New Kensington West, PA Quadrangle, Latitude: 40° 32' 40" N; Longitude: 79° 50' 47" W) Harmor Township, **Allegheny County**.

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 Hamilton 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.

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

ESCGP-3 # ESX100050004-01—Schreengost Pad 8
 Applicant Name EXCO Resources PA LLC
 Contact Person Cary Cannon
 Address 13448 State Route 422, Ste 1
 City, State, Zip Kittanning, PA 16201

County Armstrong
 Township(s) Rayburn Township
 Receiving Stream(s) and Classification(s) UNT To Cowanshannock Creek (WWF)

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

ESCGP-3 # ESG290821032-00
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Adam Weightman
 Address 30351 Route 6
 City, State, Zip Wysox, PA 18854
 County Bradford
 Township(s) Leroy
 Receiving Stream(s) and Classification(s) UNT to Towanda Creek (CWF, MF)
 Secondary: Towanda Creek (TSF, MF)

ESCGP-3 # ESG294121005-00
 Applicant Name HEP Tioga Gathering, LLC
 Contact Person James A. Townsley, III
 Address 22024 Route 14
 City, State, Zip Troy, PA 16947
 County Lycoming
 Township(s) Jackson
 Receiving Stream(s) and Classification(s) UNT to Roaring Branch (HQ-CWF, MF, EV, MF)
 Secondary: Roaring Branch (HQ-CWF, MF, EV, MF)

ESCGP-3 # ESG295321001-00
 Applicant Name Roulette Oil & Gas, LLC
 Contact Person James Reynolds
 Address 1140 State Route 445
 City, State, Zip Shinglehouse, PA 16748
 County Potter Township(s) Hebron
 Receiving Stream(s) and Classification(s) UNT of Fishing Creek (CWF)
 Secondary: Fishing Creek (CWF)

Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6984.

ESCP No.	Applicant Name & Address	Municipality	County	Receiving Water/Use
ESG00083160002	National Fuel Gas Supply Corporation 1100 State Street Erie, PA 16501	Sergeant Township Keating Township Annin Township Eldred Township Ceres Township	McKean County	UNT Warner Brook HQ-CWF, Bloomster Hollow and UNTs CWF, UNT Robbins Hollow HQ-CWF, UNT Shelander Hollow CWF, UNT Donley Fork HQ-CWF, UNTs Iron Hollow CWF, Blacksmith Run and UNTs CWF, Cloverlot Hollow and UNTs CWF, Kent Hollow and UNTs CWF, Newell Creek and UNTs CWF, Oswayo Ck and UNTs CWF, Marvin Creek and UNTs CWF, Champlin Hollow and UNTs CWF, Open Brook CWF, Allegheny River and UNT CWF, Rock Run and UNTs CWF, UNT Allegheny River CWF, Barden Brook and

<i>ESCP No.</i>	<i>Applicant Name & Address</i>	<i>Municipality</i>	<i>County</i>	<i>Receiving Water/Use</i>
				UNTs CWF, UNT Barden Brook CWF, Potato Creek and UNTs CWF, Potato Creek TSF, UNT Cole Creek CWF, UNT S Br Cole Creek CWF, McCrae Run and UNTs CWF, Pierce Brook and UNT CWF

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or 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.

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 Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Gas Stop, 15-23149, 652 E. Lincoln Hwy., Coatesville, PA 19320, Coatesville City, **Chester County**. EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18017, on behalf of KRSF, LLC, 655 E. Lincoln Highway, Coatesville, PA 19320-3532, submitted a Remedial Action Completion Report concerning remediation of soil and

groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

Phila Navy Yard Annex, 51-13723, 5001 S. Broad St. Code 357, Philadelphia, PA 19112, **City of Philadelphia**. Renova-Sovereign Joint Venture, 3417 Sunset Ave, Ocean, NJ 07712, on behalf of Naval Facilities Engineering Command (NAVFAC) Mid-Atlantic 9324 Virginia Avenue, Norfolk, VA 23511-3095, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

PSC San Souci, Storage Tank ID # 40-19264, 21 Main Road, Hanover Township, PA 18706, Hanover Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pragnesh Patel, 2386 Sullivan Trail, Exeter Township, PA 18615, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet Statewide health standards.

Main Street Service Station, Storage Tank ID # 48-29057, 1818 South Main Street, Nazareth, PA 18064, Nazareth Borough, **Northampton County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Chris D. Sutter, 1464 Clearfield Road, Nazareth, PA 18064, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide health standards.

Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Greg Bowman, Environmental Group Manager.

Rutters Farm Store 7, Storage Tank Primary Facility ID # 67-26952, 2251 North George Street, York, PA 17402, Manchester Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, Suite C, York, PA 17404 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the nonresidential Statewide health standard.

Northwest Regional Office: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Schuylers, Storage Tank Facility ID # 62-11857, 11 Main Street, Sugar Grove, PA 16350, Sugar Grove Borough, **Warren County**. Letterle & Associates, 191 Howard Street, Suite 108, Franklin, PA 16323, on behalf of John E. Schuyler, P.O. Box 277, Sugar Grove, PA 16350-0277 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, MTBE, cumene, naphthalene, 1,2,4 trimethylbenzene and 1,3,5 trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide health standard.

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 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.

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 Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Getty 97199, 51-23928, 144-146 W. Roosevelt Blvd, Philadelphia PA 19120, **City of Philadelphia**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Corp., Two Jericho Plaza, Suite 110, Wing C, Jericho, NY 11753, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The RACR demonstrated attainment of nonresidential Statewide health and site-specific standards and was approved by the DEP on May 7, 2021.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Al's Quick Stop 7, Storage Tank ID # 64-12561, 1042 Main Street, Newfoundland, PA 18445, Dreher Township, **Wayne County**. Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Dunne Manning Realty LP, 645 Hamilton Street, Suite 500, Allentown, PA 18101, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Plan was acceptable to meet site-specific standards and was approved by DEP on May 13, 2021.

Northwest Regional Office: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

TNT Enterprises Gas Station, Storage Tank Facility ID # 20-90351, 21779 State Highway 8, Centerville, PA 16404-2012, Bloomfield Township, **Crawford County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101-3630, on behalf of Howick's Auto Body, LLC, P.O. Box 369, Conneaut Lake, PA 16316-0369, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, cumene, and naphthalene. The Remedial Action Completion Report demonstrated attainment of the site-specific standard and was approved by DEP on May 11, 2021.

Country Fair 38, Storage Tank Facility ID # 25-91603, 1818 Sassafras Street, Erie, PA 16502, City of Erie, **Erie County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Country Fair, Inc., 2251 East 30th Street, Erie, PA 16501, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, cumene, ethylbenzene, MTBE, naphthalene, xylenes, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The Remedial Action Plan was acceptable to meet the nonresidential Statewide health standard and was approved by DEP on May 11, 2021.

SPECIAL NOTICES

WATER PROGRAMS REQUEST FOR COMMENT

Proposed Total Maximum Daily Loads (TMDLs) for the Laurel Hill Creek Subwatershed in Somerset County.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed "TMDLs" developed for a

subwatershed of Laurel Hill Creek in Somerset County under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments listed as impaired for aquatic life in the watershed. The impairments addressed by this document were caused by excessive siltation, nutrients, and organic enrichment due to agriculture. It was assumed that limiting nutrient (specifically phosphorus) and sediment inputs to the stream would adequately address the organic enrichment impairment problem.

There currently are no State or Federal in-stream numerical water quality criteria for sediment or nutrients. Therefore, the Department utilized a reference watershed approach to implement the applicable narra-

tive criteria. The proposed TMDL document sets allowable loading of sediment and nutrients in the Laurel Hill Creek Subwatershed. The "TMDLs" included allocations for nonpoint sources, reserves for current and future point sources, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land, streambank, and farm animal source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment and phosphorus loadings within the watershed, the prescribed "TMDL" values, and % reductions needed under annual average conditions.

Summary of "TMDL"—Based Load Reductions (expressed as annual averages) in the Laurel Hill Creek Subwatershed

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>"TMDL" (lbs/yr)</i>	<i>% Reduction</i>
Laurel Hill Creek	Sediment	4,648,942	3,378,125	27
Laurel Hill Creek	Phosphorus	7,410	3,849	48

The following table shows the estimated current sediment and phosphorus loading within the watershed, the prescribed "TMDL" values, and % reductions needed under 99th percentile daily loading conditions.

Summary of "TMDL" -Based Load Reductions (expressed as 99th percentile daily loading) in the Laurel Hill Creek Subwatershed

<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/d)</i>	<i>TMDL (lbs/d)</i>	<i>% Reduction</i>
Laurel Hill Creek	Sediment	99,583	52,620	47
Laurel Hill Creek	Phosphorus	217	101	54

The proposed TMDL document can be viewed at <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/LaurelHillCreekTMDL.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov.

Written/typed comments will be accepted at the previously listed email address. Comment submissions must be submitted within 30 days after publication of this notice in the May 29, 2021 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL to EPA for approval. To ensure timely receipt of comments given the office closure and work from home order, please do not mail hard copies of comments. Rather please submit them by email at michamorri@pa.gov. If comments cannot be emailed, please call Michael Morris at 717.772.5670 to request another method of comment submission.

[Pa.B. Doc. No. 21-857. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Geisinger Gastroenterology and Endoscopy Center—Lewistown	28 Pa. Code § 553.1 (relating to principle)
	28 Pa. Code § 555.1 (relating to principle)
	28 Pa. Code § 555.2 (relating to medical staff membership)
	28 Pa. Code § 555.3(a)—(f) (relating to requirements for membership and privileges)

<i>Facility Name</i>	<i>Regulation and relating to</i>
	28 Pa. Code § 555.4(a)—(c) (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners)
	28 Pa. Code § 557.2(a)—(d) (relating to plan)
	28 Pa. Code § 557.3(a)—(f) (relating to Quality Assurance and Improvement Program)
	28 Pa. Code § 563.1 (relating to principle)
	28 Pa. Code § 563.2(a) and (b) (relating to organization and staffing)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-858. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospital has filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Lehigh Valley Hospital—Pocono	28 Pa. Code § 107.61 (relating to written orders)
	28 Pa. Code § 111.27(b) (relating to nutritional aspects of patient care)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-859. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Preventative Health and Health Services Block Grant Application for Federal Fiscal Year 2021; Virtual Public Hearing

The Department of Health (Department) is making available copies of the proposed Preventive Health and Health Services Block Grant Application for Federal

Fiscal Year 2021 under section 1905 of the Public Health Service Act (act) (42 U.S.C.A. § 300w-4). This block grant application shall serve as the Commonwealth's request to the United States Department of Health and Human Services for block grant funding to address the Healthy People 2030 Health Status Objectives.

The block grant application, describing proposed services, program goals, and objectives and activities, is available for public comment. Copies (electronic or hard

copy) of the proposed block grant application will be available on or after July 26, 2021, and can be obtained by calling the Bureau of Health Promotion and Risk Reduction (Bureau) at (717) 787-6214. For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact the Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA at (717) 787-6214, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

A virtual public hearing will be conducted by the Department for the purpose of receiving testimony on the previously-mentioned block grant application in accordance with section 1905 of the act. Comments and suggestions from the public should relate to the priorities and program plans included in the block grant application.

The virtual public hearing will be held on June 8, 2021, from 2 p.m. until 3 p.m. by means of a teleconference call. The call-in number is 1 (267) 332-8737 and the conference ID is 705 935 446#. Persons wishing to testify are requested to pre-register by contacting the Bureau at (717) 787-6214. Registration will be accepted on the day of the virtual public hearing. Persons will be allotted a maximum of 5 minutes to testify. Testifiers must submit two written copies of their testimony to the Department at the time of the virtual public hearing.

Written comments will be accepted and should be sent to the Bureau of Health Promotion and Risk Reduction, 625 Forster Street, Room 1000, Health and Welfare Building, Harrisburg, PA 17120, and should be received no later than 4 p.m. on June 6, 2021.

Persons with a disability who wish to comment or who require an alternative format of this application (for example: large print, Braille) or who wish to attend the virtual public hearing by joining the video call or require special accommodations to do so should contact Rashida Nasir, Bureau of Health Promotion and Risk Reduction, at (717) 787-6214, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-860. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Public Health Advisory Council Virtual Meeting Regarding the Preventive Health and Health Services Block Grant

The Public Health Advisory Council will be holding a virtual meeting on Monday, June 7, 2021, from 10 a.m. to 1 p.m. The meeting will be conducted virtually as a teleconference call by means of Microsoft Teams, phone only, no video. The call-in information is (267) 332-8737. The conference ID is 747 736 320#.

The purpose of the virtual meeting is to discuss the Preventive Health and Health Services Block Grant Federal Fiscal Year 2021 work plan.

For additional information, contact Rashida Nasir, Administrative Officer 3, Bureau of Health Promotion and Risk Reduction, Health and Welfare Building, Harrisburg, PA at (717) 547-3204.

Persons with a disability who wish to attend the virtual meeting and require auxiliary aid, service or other special accommodations to do so should contact Rashida Nasir, Administrative Officer 3, at (717) 547-3204, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This virtual meeting is subject to cancellation without notice.

ALISON BEAM,
Acting Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Loose Change® Fast Play Game 5123

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Loose Change® (hereinafter “Loose Change®”). The game number is PA-5123.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *\$10 FOR \$1 BONUS*: The area at the bottom of a Loose Change® ticket containing the instructions on how to add the value of the “YOUR COINS” play symbols to equal exactly \$1 and determine whether the player wins a prize. The “\$10 FOR \$1 BONUS” is played separately.

(k) *WINNING COINS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR COINS” area, determine whether a player wins a prize.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR COINS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING COINS” area, determine whether a player wins a prize.

3. *Price*: The price of a Loose Change® ticket is \$1.

4. *Description of Loose Change® Fast Play lottery game*:

(a) Loose Change® lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Loose Change® tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Loose Change® is played by matching any of the play symbols located in the “YOUR COINS” area to any of the play symbols located in the “WINNING COINS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR COINS” play symbol. A bet slip is not used to play this game.

(c) Loose Change® tickets contain a “\$10 FOR \$1 BONUS” area. Whenever all of the “YOUR COINS” play symbols add up to exactly \$1, on a single ticket, the player wins a prize of \$10. The “\$10 FOR \$1 BONUS” is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Loose Change® tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Loose Change® ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Loose Change® ticket and select Loose Change® option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Loose Change® ticket characteristics*:

(a) Loose Change® tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Loose Change® tickets will contain a “WINNING COINS” area, a “YOUR COINS” area and a “\$10 FOR \$1 BONUS” area. The play symbols and their captions, located in the “WINNING COINS” area and the “YOUR COINS” area, are: 1¢ (ONE), 2¢ (TWO), 3¢ (THREE), 4¢ (FOUR), 5¢ (FIVE), 6¢ (SIX), 7¢ (SEVEN),

8¢ (EIGHT), 9¢ (NINE), 10¢ (TEN), 11¢ (ELEVEN), 12¢ (TWELVE), 13¢ (THIRTEEN), 14¢ (FOURTEEN), 15¢ (FIFTEEN), 16¢ (SIXTEEN), 17¢ (SEVENTEEN), 18¢ (EIGHTEEN), 19¢ (NINETEEN), 20¢ (TWENTY), 25¢ (TWENTYFIVE), 30¢ (THIRTY), 35¢ (THIRTYFIVE), 40¢ (FORTY), 45¢ (FORTYFIVE) and 50¢ (FIFTY).

(c) *Prize Symbols*: The prize symbols and their captions, located in the “YOUR COINS” area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and \$2,500 (TWYFIVHUN).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$25, \$50, \$100 and \$2,500. A player can win up to seven times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 1,200,000 tickets will be available for sale for the Loose Change® lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Loose Change® prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR COINS” play symbols matches any of the “WINNING COINS” play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears in the “Prize” area under the matching “YOUR COINS” play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets upon which any of the “YOUR COINS” play symbols matches any of the “WINNING COINS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR COINS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any of the “YOUR COINS” play symbols matches any of the “WINNING COINS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR COINS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets upon which any one of the “YOUR COINS” play symbols matches any of the “WINNING COINS” play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “Prize” area under the matching “YOUR COINS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(f) Holders of tickets upon which any one of the “YOUR COINS” play symbols matches any of the “WINNING COINS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR COINS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets upon which all of the play symbols in the “YOUR COINS” area add up to exactly \$1, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets upon which any one of the “YOUR COINS” play symbols matches any of the “WINNING COINS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR COINS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets upon which any one of the “YOUR COINS” play symbols matches any of the “WINNING COINS” play symbols and a prize symbol of \$4⁰⁰ (FOR

DOL) appears in the "Prize" area under the matching "YOUR COINS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets upon which any one of the "YOUR COINS" play symbols matches any of the "WINNING COINS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area under the matching "YOUR COINS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets upon which any one of the "YOUR COINS" play symbols matches any of the "WINNING COINS" play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "Prize" area under the

matching "YOUR COINS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(l) Holders of tickets upon which any of the "WINNING COINS" play symbols matches any one of the "YOUR COINS" play symbols and a prize symbol of FREE (TICKET) appears under the matching "YOUR COINS" play symbol, on a single ticket, shall be entitled to a prize of one Loose Change® Fast Play Game Ticket.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of "YOUR COINS" Match Any "WINNING COIN," Win Prize Shown Under The Matching Coin. Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
FREE		FREE \$1 TICKET	10	120,000
\$1		\$1	16.67	72,000
\$1 × 2		\$2	50	24,000
\$2		\$2	50	24,000
\$2 × 2		\$4	133.33	9,000
\$4		\$4	125	9,600
\$4 + \$1		\$5	142.86	8,400
\$5		\$5	142.86	8,400
\$5 × 2		\$10	333.33	3,600
	\$10	\$10	200	6,000
\$10		\$10	250	4,800
(\$4 × 2) + (\$1 × 2) + \$5	\$10	\$25	1,500	800
(\$5 × 2) + (\$2 × 2) + \$1	\$10	\$25	1,500	800
(\$5 × 2) + \$4 + \$1	\$10	\$25	4,000	300
\$10 + \$4 + \$1	\$10	\$25	1,600	750
\$10 + \$5	\$10	\$25	1,714	700
\$25		\$25	4,000	300
\$25 × 2		\$50	6,000	200
(\$10 × 3) + \$5 + \$4 + \$1	\$10	\$50	4,000	300
\$25 + \$10 + \$5	\$10	\$50	6,000	200
\$50		\$50	6,000	200
\$50 × 2		\$100	24,000	50
(\$25 × 3) + (\$5 × 3)	\$10	\$100	6,000	200
(\$25 × 2) + (\$10 × 4)	\$10	\$100	24,000	50
(\$25 × 2) + \$50		\$100	24,000	50
\$100		\$100	24,000	50
\$2,500		\$2,500	240,000	5

\$10 FOR \$1 BONUS: When all of YOUR COINS add up to exactly \$1, win \$10 instantly!

BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game

ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the

winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Loose Change® lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Loose Change® lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of

at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Loose Change® or through normal communications methods.

19. *Applicability:* This notice applies only to the Loose Change® lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Money Lines Fast Play Game 5122

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Money Lines (hereinafter “Money Lines”). The game number is PA-5122.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *LINE:* A specific, pre-defined portion of the play area, which contains two, three or four play symbols and a prize symbol in a horizontal line, that, when played according to the instructions, determines whether a player wins a prize. Each LINE is played separately.

(k) *LINE NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

(l) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any “LINE,” determine whether a player wins a prize.

(m) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

3. *Price:* The price of a Money Lines ticket is \$2.

4. *Description of the Money Lines Fast Play lottery game:*

(a) The Money Lines lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Money Lines tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Money Lines is played by matching any of the play symbols in the “WINNING NUMBERS” area to all of the play symbols located in any horizontal “LINE.” A player matching all of the play symbols in the same “LINE” will win the prize shown to the right of that “LINE.” A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Money Lines game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Money Lines game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Money Lines game ticket and select the Money Lines option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Money Lines ticket characteristics:*

(a) A Money Lines ticket shall contain a play area, the cost of the play, the date of sale and a bar code. Each

ticket contains five "LINE" areas designated as "LINE 1," "LINE 2," "LINE 3," "LINE 4" and "LINE 5." Each "LINE" is played separately.

(b) *Play Symbols:* Each Money Lines ticket will contain a "WINNING NUMBERS" area and five "LINE" areas. The play symbols and their captions, located in the "WINNING NUMBERS" area and the five "LINE" areas, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV).

(c) *Prize symbols:* The prize symbols and their captions, located in the "LINE" areas, are: \$2.00 (TWO DOL), \$4.00 (FOR DOL), \$5.00 (FIV DOL), \$10.00 (TEN DOL), \$20.00 (TWENTY), \$40.00 (FORTY), \$50.00 (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500 and \$10,000. For a complete list of prizes that can be won in this game, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to five times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Money Lines lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All Money Lines prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$200

(TWO HUN) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$40.00 (FORTY) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$4.00 (FOR DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$4.

(l) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all of the play symbols in the same "LINE," and a prize symbol of \$2.00 (TWO DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$2.

7. Number and description of prizes and approximate chances of winning: The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When You Completely Match Any Of The "WINNING NUMBERS" To All Of The Numbers In A Horizontal "LINE," Win Prize Shown For That "LINE."</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$2	\$2	8.13	73,800
\$2 × 2	\$4	30.3	19,800
\$4	\$4	30.3	19,800
\$5	\$5	31.25	19,200
\$2 × 5	\$10	200	3,000
\$5 × 2	\$10	250	2,400

<i>When You Completely Match Any Of The "WINNING NUMBERS" To All Of The Numbers In A Horizontal "LINE," Win Prize Shown For That "LINE,"</i> <i>Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
$(\$2 \times 3) + \4	\$10	200	3,000
$(\$4 \times 2) + \2	\$10	200	3,000
\$10	\$10	238.1	2,520
$\$4 \times 5$	\$20	500	1,200
$\$5 \times 4$	\$20	2,000	300
$\$10 \times 2$	\$20	2,000	300
$(\$5 \times 2) + (\$4 \times 2) + \$2$	\$20	434.78	1,380
\$20	\$20	1,250	480
$\$10 \times 4$	\$40	3,000	200
$\$20 \times 2$	\$40	3,000	200
$(\$5 \times 4) + \20	\$40	2,000	300
$(\$10 \times 2) + \20	\$40	3,000	200
$(\$10 \times 3) + (\$5 \times 2)$	\$40	3,000	200
\$40	\$40	4,000	150
$\$10 \times 5$	\$50	6,000	100
$(\$10 \times 2) + (\$5 \times 2) + \$20$	\$50	6,000	100
$(\$20 \times 2) + (\$4 \times 2) + \$2$	\$50	6,000	100
$\$40 + \10	\$50	6,000	100
\$50	\$50	6,000	100
$\$50 \times 2$	\$100	12,000	50
$(\$20 \times 2) + (\$5 \times 2) + \$50$	\$100	12,000	50
$(\$40 \times 2) + (\$5 \times 2) + \$10$	\$100	12,000	50
$\$50 + \$40 + \$10$	\$100	24,000	25
\$100	\$100	12,000	50
$\$100 \times 2$	\$200	24,000	25
$(\$50 \times 2) + (\$40 \times 2) + \$20$	\$200	12,000	50
$\$100 + \$50 + \$40 + \10	\$200	24,000	25
\$200	\$200	24,000	25
$\$100 \times 5$	\$500	120,000	5
\$500	\$500	120,000	5
\$10,000	\$10,000	120,000	5

Each LINE is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket validation and requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Money Lines lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Money Lines lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Money Lines or through normal communications methods.

19. *Applicability*: This notice applies only to the Money Lines lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-863. Filed for public inspection May 28, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Top Dollar Fast Play Game 5121

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Top Dollar (hereinafter “Top Dollar”). The game number is PA-5121.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *CASH BONUS*: The area at the bottom of a Top Dollar ticket containing the prize won when five “\$” CASH BONUS play symbols appear in the play area. “CASH BONUS” is played separately.

(d) *CASH BONUS PLAY SYMBOL*: The symbol found within the “YOUR NUMBERS” area that, when matched according to the instructions, determines whether the player wins the prize shown in the “CASH BONUS” area.

(e) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(f) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(g) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(l) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *TOP DOLLAR NUMBER*: The area at the top of the play area on a Top Dollar ticket containing one play symbol that, when matched against the “WINNING NUMBERS” according to the instructions, determines whether the player wins a prize of \$100. “TOP DOLLAR NUMBER” is played separately. The “TOP DOLLAR NUMBER” does not award a Progressive Top Prize.

(n) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(o) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(p) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Top Dollar ticket is \$20.

4. *Description of Top Dollar Fast Play lottery game*:

(a) Top Dollar lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Top Dollar tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Top Dollar has two ways to win a prize. A bet slip is not used to play this game.

(1) *Key Number Match*: Top Dollar is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol.

(2) *Count Up*: Players finding five “\$” CASH BONUS play symbols in the play area will win the prize shown in the “CASH BONUS” area.

(c) Top Dollar is also played by matching any of the “WINNING NUMBERS” play symbols to the “TOP DOLLAR NUMBER.” Players matching play symbols in this manner will win \$100 instantly.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Top Dollar tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Top Dollar ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Top Dollar ticket and select the Top Dollar option on the Lottery self-service terminal. The

ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Top Dollar ticket characteristics:*

(a) Top Dollar tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Top Dollar tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "CASH BONUS" area and a "TOP DOLLAR NUMBER" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "TOP DOLLAR NUMBER" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT) and a "\$" CASH BONUS play symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and PROG (TOP PRIZE). The prize symbols and their captions, located in the "CASH BONUS" area, are: \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$500 (FIV HUN).

(d) *Prizes:* The prizes that can be won in this game, are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$300,000 and increases by \$2.40 every time a Top Dollar ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$300,000. The prizes that can be won in the "CASH BONUS" area, are: \$20, \$30, \$40, \$50, \$100, \$200 and \$500. The prize that can be won in the "TOP DOLLAR NUMBER" area is \$100. A player can win up to 22 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 1,200,000 tickets will be available for sale for the Top Dollar lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Top Dollar prize payments will be made as one-time, lump-sum cash payments.

(b) *Determination of prize winners for Key Number Match:*

(1) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$300,000.

(2) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(3) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(5) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(6) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(7) Holders of tickets upon which the "TOP DOLLAR NUMBER" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$100.

(8) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(9) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(10) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(11) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(c) *Determination of prize winners for Count Up:*

(1) Holders of tickets upon which five "\$" CASH BONUS play symbols appear in the play area, and a prize symbol of \$500 (FIV HUN) appears in the "CASH BONUS" area, on a single ticket, shall be entitled to a prize of \$500.

(2) Holders of tickets upon which five "\$" CASH BONUS play symbols appear in the play area, and a prize

symbol of \$200 (TWO HUN) appears in the “CASH BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

(3) Holders of tickets upon which five “\$” CASH BONUS play symbols appear in the play area, and a prize symbol of \$100 (ONE HUN) appears in the “CASH BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets upon which five “\$” CASH BONUS play symbols appear in the play area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “CASH BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets upon which five “\$” CASH BONUS play symbols appear in the play area, and a prize symbol of \$40⁰⁰ (FORTY) appears in the “CASH BONUS” area, on a single ticket, shall be entitled to a prize of \$40.

(6) Holders of tickets upon which five “\$” CASH BONUS play symbols appear in the play area, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “CASH BONUS” area, on a single ticket, shall be entitled to a prize of \$30.

(7) Holders of tickets upon which five “\$” CASH BONUS play symbols appear in the play area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “CASH BONUS” area, on a single ticket, shall be entitled to a prize of \$20.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>CASH BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
	\$20	\$20	14.29	84,000
\$20		\$20	14.29	84,000
	\$30	\$30	33.33	36,000
\$30		\$30	33.33	36,000
\$20 × 2		\$40	58.82	20,400
\$20	\$20	\$40	31.25	38,400
	\$40	\$40	31.25	38,400
\$40		\$40	58.82	20,400
\$20	\$30	\$50	100	12,000
\$30	\$20	\$50	100	12,000
	\$50	\$50	100	12,000
\$50		\$50	250	4,800
\$20 × 5		\$100	6,000	200
\$50 × 2		\$100	6,000	200
\$30 + \$20	\$50	\$100	6,000	200
\$40 + \$20	\$40	\$100	6,000	200
\$40 + \$30	\$30	\$100	6,000	200
\$50 + \$20	\$30	\$100	6,000	200
\$50 + \$30	\$20	\$100	6,000	200
\$50	\$50	\$100	6,000	200
\$100 w/ TOP DOLLAR MATCH		\$100	260.87	4,600
	\$100	\$100	6,000	200
\$100		\$100	6,000	200
\$20 × 10		\$200	6,000	200
\$100 + \$50 + \$30 + \$20		\$200	6,000	200
(\$100 w/ TOP DOLLAR MATCH) + (\$40 × 2)	\$20	\$200	4,000	300
(\$100 w/ TOP DOLLAR MATCH) + (\$50 × 2)		\$200	4,000	300
(\$100 w/ TOP DOLLAR MATCH) + \$30 + \$20	\$50	\$200	4,000	300
(\$100 w/ TOP DOLLAR MATCH) + \$40 + \$20	\$40	\$200	4,000	300

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number: Win With:</i>	<i>CASH BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
(\$100 w/ TOP DOLLAR MATCH) + \$40 + \$30	\$30	\$200	4,000	300
(\$100 w/ TOP DOLLAR MATCH) + \$50	\$50	\$200	4,000	300
(\$100 w/ TOP DOLLAR MATCH) + \$100		\$200	4,000	300
\$100 w/ TOP DOLLAR MATCH	\$100	\$200	2,400	500
\$100	\$100	\$200	6,000	200
	\$200	\$200	6,000	200
\$200		\$200	6,000	200
\$50 × 10		\$500	24,000	50
\$100 × 5		\$500	24,000	50
(\$100 w/ TOP DOLLAR MATCH) + (\$20 × 10)	\$200	\$500	20,000	60
(\$100 w/ TOP DOLLAR MATCH) + (\$30 × 10)	\$100	\$500	20,000	60
(\$100 w/ TOP DOLLAR MATCH) + (\$40 × 5)	\$200	\$500	20,000	60
(\$100 w/ TOP DOLLAR MATCH) + (\$50 × 4)	\$200	\$500	20,000	60
(\$100 w/ TOP DOLLAR MATCH) + (\$100 × 2)	\$200	\$500	20,000	60
(\$100 w/ TOP DOLLAR MATCH) + \$100 + \$50 + \$30 + \$20	\$200	\$500	20,000	60
(\$100 w/ TOP DOLLAR MATCH) + \$200	\$200	\$500	20,000	60
	\$500	\$500	30,000	40
\$500		\$500	30,000	40
\$100 × 10		\$1,000	60,000	20
\$500 × 2		\$1,000	60,000	20
(\$100 w/ TOP DOLLAR MATCH) + (\$50 × 5) + (\$40 × 5) + (\$30 × 5) + (\$20 × 5)	\$200	\$1,000	12,000	100
(\$100 w/ TOP DOLLAR MATCH) + (\$50 × 2) + \$500 + \$100	\$200	\$1,000	60,000	20
(\$100 w/ TOP DOLLAR MATCH) + (\$50 × 2) + \$500 + \$200	\$100	\$1,000	60,000	20
\$500	\$500	\$1,000	60,000	20
\$1,000		\$1,000	60,000	20
\$1,000 × 10		\$10,000	400,000	3
\$10,000		\$10,000	400,000	3
PROGRESSIVE TOP PRIZE	\$300,000*	\$300,000	400,000	3

When any WINNING NUMBER matches the TOP DOLLAR NUMBER, win \$100 instantly!

CASH BONUS: When five "\$" symbols appear in the play area above, win prize shown to the right automatically! CASH BONUS is played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$300,000. The PROGRESSIVE TOP PRIZE increases by \$2.40 every time a ticket is purchased, and resets to \$300,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$2.40 from the sale of each Top Dollar ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Top Dollar game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a "PROGRESSIVE TOP PRIZE" being reset without the actual sale of a "PROGRESSIVE TOP PRIZE" winning ticket, all prize money that had accumulated into the "PROGRESSIVE TOP PRIZE" pool (i.e. \$2.40 from the sale of each ticket) shall be awarded as part of the next "PROGRESSIVE TOP PRIZE" won.

(d) Prizes payable to "PROGRESSIVE TOP PRIZE" winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to "PRO-

GRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Top Dollar lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Top Dollar lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game

ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Top Dollar or through normal communications methods.

20. *Applicability:* This notice applies only to the Top Dollar lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-864. Filed for public inspection May 28, 2021, 9:00 a.m.]

**DEPARTMENT OF
TRANSPORTATION**

**Automated Red Light Enforcement Transportation
Enhancement Grants Program Applications**

Under 67 Pa. Code Chapter 233 (relating to transportation enhancement grants from automated red light enforcement system revenues), the Department of Transportation (Department) is inviting city, county and municipal governments and other local boards or bodies with authority to enact laws relating to traffic in this Commonwealth to submit applications in accordance with the parameters delineated in 67 Pa. Code Chapter 233. Applications will be accepted from June 1, 2021, to July 1, 2021.

Additional guidance and information can be found on the Department’s Traffic Signal Resource Portal at <http://www.dot.state.pa.us/signals>, including a link to the online application. Supporting documents may be attached to the online application. Only the online application and supporting documents attached to the online application will be considered. Paper copies are not required.

Questions related to the Automated Red Light Enforcement Transportation Enhancement Grants Program may be directed to Stephen Gault, PE, PTOE, Bureau of Maintenance and Operations, 400 North Street, 6th Floor, Harrisburg, PA 17120, (717) 787-6988, ARLE@pa.gov.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 21-865. Filed for public inspection May 28, 2021, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
54-101	Pennsylvania Liquor Control Board Cleaning of Malt or Brewed Beverage Dispensing Systems	5/10/21	6/17/21

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
47-18	Milk Marketing Board Transactions Between Dealers and Producers; Termination of Dealer-Producer Contract	5/12/21	6/17/21
6-340	Professional Standards and Practices Commission Code of Professional Practice and Conduct for Educators	5/12/21	6/17/21

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 21-866. Filed for public inspection May 28, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

1332 State Innovation Waiver Reinsurance Program; Public Comment Period and Virtual Public Forum; Program Parameters; Notice 2021-06

The Commonwealth is accepting public comments on its 1332 State Innovation Waiver Reinsurance Program (PA-Re) beginning Friday, June 4, 2021, and ending Friday, July 9, 2021. Comments may be directed to the Insurance Department 1332 Innovation Waiver, Attn: Katie Merritt, 1326 Strawberry Square, Harrisburg, PA 17120, RA-IN-PA1332Waiver@pa.gov.

A virtual public forum will provide additional opportunities to learn about and comment on the PA-Re. It will be held by means of Microsoft Teams on June 30, 2021, from 11 a.m. to 12 p.m. at https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzEzNjZmMzUtODJkMS00Y2Q0LTg1OTUtODY1Yjk5OTRiYTBi%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%2280cc5f11-04bb-4f9a-a201-84346502e712%22%7d.

This forum will be recorded; attendance will constitute consent to the recording.

Information is available for review at www.insurance.pa.gov/PA1332Waiver. The Commonwealth's PA-Re was approved in July, 2020, by the Centers for Medicare & Medicaid Services, a division of the United States Department of Health and Human Services, and the United States Department of the Treasury. This approval is effective for the period of January 1, 2021, through December 31, 2025, with a provision for a possible extension at the end of the initial term.

Under the Commonwealth's approved 1332 waiver, the Commonwealth has established a reinsurance program, PA-Re. PA-Re is a claims-based, attachment point program that will reimburse health insurers for claims costs of qualifying Affordable Care Act-compliant individual enrollees, where a percentage of the claims costs exceeding a specified threshold (attachment point) and up to a specified ceiling (reinsurance cap) will be reimbursed. For the current first year of the program, beginning January 1, 2021, the adopted parameters are an attachment point of \$60,000, a cap of \$100,000 and a coinsurance rate of 60%. Initially adopted parameters for the second year of the program, beginning January 1, 2022, based on current projections and recognizing the unique challenges of the various Federal legislative responses to the pandemic, have a coinsurance rate of 40%, with the expectation that it may be increased, to reflect higher PennicTM enrollment projections and possible additional developments,

before rates are finalized for the fall open enrollment period; and maintain an attachment point of \$60,000 and a cap of \$100,000.

Questions regarding this notice may be directed to the previously listed mail address and e-mail address.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-867. Filed for public inspection May 28, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Donte Boykin; Doc. No. SC21-05-015

Notice is hereby given of the Order to Show Cause issued on May 18, 2021, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(1), (3), (8) and (20) and 678-A(a) and (b) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (3), (8) and (20) and 310.78(a) and (b)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-868. Filed for public inspection May 28, 2021, 9:00 a.m.]

MILK MARKETING BOARD

Sunshine Meeting Venue Change

The Milk Marketing Board's meeting for Wednesday, June 2, 2021, at 1 p.m. will now be held as a teleconference meeting. The call-in number is +1 (267) 332-8737. The ID number is 450 706 034#.

CAROL HARDBARGER,
Secretary

[Pa.B. Doc. No. 21-869. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2021-3025895. Columbia Gas of Pennsylvania, Inc. Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to two residential premises located in York County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 14, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account—free of charge—through the Commission's web site and accepting eService.

Applicant: Columbia Gas of Pennsylvania, Inc.

Through and By Counsel for: Theodore J. Gallagher, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317, (724) 416-6355, tjgallagher@nisource.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-870. Filed for public inspection May 28, 2021, 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 (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with

52 Pa. Code (relating to public utilities) on or before June 14, 2021. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by June 14, 2021. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account and accepting eService. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. 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. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2020-3022989. Paragon Transportation, LLC (51 Pennwood Place, Suite 200, Warrendale, Allegheny County, PA 15066) in group and party service, in vehicles seating between 11 and 15 passengers, including the driver, from points in Allegheny County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* William A. Buck, 525 William Penn Place, 28th Floor, Pittsburgh, PA 15219.

A-2021-3024612. Luke Angus Garverick (414 Main Street, Watsontown, Northumberland County, PA 17777) persons in paratransit service, by motor vehicle, from points in Northumberland County, to points in Pennsylvania, and return.

A-2021-3025870. Brass Castle Human Services, Inc. (4508 Old Bethlehem Pike, Center Valley, Lehigh County, PA 18034) persons in paratransit service, by motor vehicle, from points in Lehigh, Monroe and Northampton Counties, to points in Pennsylvania, and return.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2021-3025735. Parks Moving Systems, Inc. (740 Commonwealth Drive, Warrendale, Allegheny County, PA 15086) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, household goods in use, as more thoroughly described in the original ordering paragraphs at A-00104390, F.1, F.1Am-B, Am-C and Am-D.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-871. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due June 14, 2021, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Kristen A. Reese; Docket No. C-2021-3024322

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Kristen A. Reese, (respondent) is under suspension effective February 13, 2021 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 3523 March Drive, Camp Hill, PA 17011.
3. That respondent was issued a Certificate of Public Convenience by this Commission on March 01, 2018, at A-8920353.
4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8920353 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Andrew Turriziani, Chief of Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: March 8, 2021

Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 400 North Street
 Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street
 Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-872. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025843. Verizon North, LLC and Matrix Telecom, LLC, d/b/a Excel Telecommunications. Joint petition of Verizon North, LLC and Matrix Telecom, LLC, d/b/a Excel Telecommunications for approval of an amended interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Matrix Telecom, LLC, d/b/a Excel Telecommunications, by their counsel, filed on May 12, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to an 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 Matrix Telecom, LLC, d/b/a Excel Telecommunications joint petition are available for inspection at the Commission's web site at 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. 21-873. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025874. Verizon North, LLC and Matrix Telecom, LLC, d/b/a Matrix Business Technologies. Joint petition of Verizon North, LLC and Matrix Telecom, LLC, d/b/a Matrix Business Technologies for approval of an amended interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Matrix Telecom, LLC, d/b/a Matrix Business Technologies, by their counsel, filed on May 12, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to an 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 Matrix Telecom, LLC, d/b/a Matrix Business Technologies joint petition are available for inspection at the Commission's web site at 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. 21-874. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025889. Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company, LLC and CenturyLink Communications, LLC. Joint petition of Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company, LLC and CenturyLink Communications, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company,

LLC and CenturyLink Communications, LLC, by their counsel, filed on May 14, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling 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. Documents filed in support of Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company, LLC and CenturyLink Communications, LLC joint petition are available for inspection at the Commission's web site at 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. 21-875. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025894. Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC and CenturyLink Communications, LLC. Joint petition of Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC and CenturyLink Communications, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC and CenturyLink Communications, LLC, by their counsel, filed on May 14, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling 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. Documents filed in support of Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC and CenturyLink Communications, LLC joint

petition are available for inspection at the Commission's web site at 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. 21-876. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications; Windstream Communications, Inc.; Doc. No. P-2021-3025445

The Pennsylvania Public Utility Commission (Commission) invites comment on the following petition for designation and ETC annual recertification and reporting requirements for all telecommunications carriers at Docket No. M-2010-2164741. See 52 Pa. Code § 69.2501 (relating to standards applicable for designation and annual certification as an eligible telecommunications carrier, for purposes of obtaining Federal universal service support) for the Final Policy Statement, Standards applicable for Designation and Annual Certification as an Eligible Telecommunications Carrier, for purposes of obtaining Federal universal service support. The Final Policy Statement became effective on October 2, 2010.

On August 2, 2010, the Commission entered an Order adopting a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers at Docket No. M-2010-2164741. See 52 Pa. Code § 69.2501 (relating to standards applicable for designation and annual certification as an eligible telecommunications carrier, for purposes of obtaining Federal universal service support) for the Final Policy Statement, Standards applicable for Designation and Annual Certification as an Eligible Telecommunications Carrier, for purposes of obtaining Federal universal service support. The Final Policy Statement became effective on October 2, 2010.

This notice is to inform telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission. By this notice, the Commission extends the time for filing an answer to the petition under 52 Pa. Code § 5.61 (relating to answers to complaints, petitions, motions and preliminary objections). Interested persons may file an answer on or before 20 days after this notice is published in the *Pennsylvania Bulletin*. Thereafter, the petitioner has 10 days to file and serve its response. Filings must reference the Windstream Communications, Inc., Docket No. P-2021-3025445. Answers to the application must also be served on the petitioner. The petitioner is the assignee of Windstream Services, the winning bidder in FCC Auction 904 for census block groups in 18 states, including the Commonwealth. (Petition at 3).

In accordance with the Commission's Emergency Order at Docket No. M-2020-3019262 (issued on March 20, 2020; ratified on March 26, 2020; modified by Secretarial Letter issued July 27, 2020), all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account and accepting eService. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. Documents filed relative to this docket are available for inspection by searching

under the petitioner's docket number on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

Confidential filings should be clearly marked as such and e-mailed directly to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov.

The contact for questions regarding this notice is Melanie J. El Atieh, Assistant Counsel, Law Bureau, (717) 783-2811.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-877. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service; Telephonic Prehearing Conference

A-2020-3020178. Pennsylvania-American Water Company—Wastewater Division (PAWC-WD). Application of PAWC-WD, under 66 Pa.C.S. §§ 1102(a) and 1329 (relating to enumeration of acts requiring certificate; and valuation of acquired water and wastewater systems), for approval of: (1) the transfer, by sale, of substantially all of the wastewater system assets, properties and rights of Valley Township (Valley) related to its wastewater collection and conveyance system; (2) the right of PAWC-WD to begin to offer or furnish wastewater service to the public in Valley and portions of Sadsbury and West Caln Townships, Chester County; and (3) the use for ratemaking purposes of the lesser fair market value or the negotiated purchase price of the Valley assets related to its wastewater collection and conveyance system.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, June 21, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account—free of charge—through the Commission's web site and accepting eService.

Applicant: Pennsylvania-American Water Company—Wastewater Division

Through and By Counsel: Susan Simms Marsh, Esquire, Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055, (717) 550-1570, Susan.Marsh@amwater.com; David P. Zambito, Esquire, Jonathan P. Nase, Esquire, Cozen O'Connor, 17 North Second Street, Suite 1410, Harrisburg, PA 17101, (717) 703-5892, dzambito@cozen.com, jnase@cozen.com

Telephonic Prehearing Conference

A telephonic prehearing conference on the previously-captioned case will be held as follows:

Type:	Telephonic Prehearing Conference
Date:	Wednesday, June 23, 2021
Time:	10 a.m.
Presiding:	Administrative Law Judge Conrad A. Johnson Administrative Law Judge Emily DeVoe (412) 565-3550

At the previously listed date and time, individuals must call into the prehearing conference. Individuals will not be called by the Presiding Officer.

To participate in the telephonic prehearing conference, individuals must:

- Dial the following toll-free number.
- Enter a PIN number when instructed to do so listed as follows.
- Speak the individual's name when prompted.

The telephone system will connect the individual to the telephonic prehearing conference.

Toll-free bridge number: (866) 566-0826

PIN number: 76982683

Individuals who require an interpreter to participate in the telephonic prehearing conference, the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the telephonic prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free eFiling Subscription Service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission's web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-878. Filed for public inspection May 28, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service; Telephonic Prehearing Conference

A-2020-3019859. Pennsylvania-American Water Company (PAWC). Application of PAWC, under 66 Pa.C.S. §§ 1102(a) and 1329 (relating to enumeration of acts requiring certificate; and valuation of acquired water and wastewater systems) for approval of: (1) the transfer, by sale, of substantially all of the water system assets, properties and rights of Valley Township (Valley) related to its water treatment and distribution system; (2) the right of PAWC to begin to offer or furnish water service to the public in Valley and a portion of West Caln Township, Chester County; and (3) the use for ratemaking purposes of the lesser fair market value or the negotiated purchase price of the Valley assets related to its water treatment and distribution system.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, June 21, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account—free of charge—through the Commission's web site and accepting eService.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Susan Simms Marsh, Esquire, Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055, (717) 550-1570, Susan.Marsh@amwater.com; David P. Zambito, Esquire,

Jonathan P. Nase, Esquire, Cozen O'Connor, 17 North Second Street, Suite 1410, Harrisburg, PA 17101, (717) 703-5892, dzambito@cozen.com, jnase@cozen.com

Telephonic Prehearing Conference

A telephonic prehearing conference on the previously-captioned case will be held as follows:

<i>Type:</i>	Telephonic Prehearing Conference
<i>Date:</i>	Wednesday, June 23, 2021
<i>Time:</i>	10 a.m.
<i>Presiding:</i>	Administrative Law Judge Conrad A. Johnson Administrative Law Judge Emily DeVoe (412) 565-3550

At the previously listed date and time, individuals must call into the prehearing conference. Individuals will not be called by the Presiding Officer.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-879. Filed for public inspection May 28, 2021, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have 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 June 14, 2021. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are 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-21-05-01. PS Taxi, LLC (133 North Fairview Avenue, Upper Darby, PA 19082): An application for

a medallion taxicab certificate of public convenience (CPC) 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:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-21-05-02. Kandia Taxi, LLC (6527 Dorel Street, Philadelphia, PA 19142): An application for a medallion taxicab CPC 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:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 21-880. Filed for public inspection May 28, 2021, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Video Hearing Scheduled

A video hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner by means of video hearing. For a link to attend the video hearing virtually, contact Julie Vitale, Appeal Docket Clerk, at (717) 720-4888.

August 18, 2021	Account of Gerald J. Rodichok (Deceased) (Contested Death Benefit)	9 a.m.
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Persons with a disability and require an auxiliary aid, service or other accommodation to attend the proceeding, should contact the Appeal Docket Clerk to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The video hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

GLEN R. GRELL,
Executive Director

[Pa.B. Doc. No. 21-881. Filed for public inspection May 28, 2021, 9:00 a.m.]

