

PENNSYLVANIA BULLETIN

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(Master Transmittal Sheet):**

No. 562, September 2021

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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.

The *Pennsylvania Bulletin* is available at www.pacodeandbulletin.gov.

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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**.

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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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PART I. GENERAL

[246 PA. CODE CH. 200]

Proposed New Pa.R.J.A. 104—115; Rescission of Pa.R.Civ.P. 101—104, 106—108 and 127—153; Amendment of Pa.R.Civ.P. 126, Pa.R.O.C.P. 1.2, Pa.R.Crim.P. 101, Pa.R.J.C.P. 101 and 1101, Pa.R.A.P. 107 and 903, Pa.R.Civ.P.M.D.J. 204 and Pa.R.E. 101

A proposal is being considered for the proposed adoption of amendment of Pennsylvania Rules of Judicial Administration 104—115, the rescission of Pennsylvania Rules of Civil Procedure 101—104, 106—108, and 127—153, and the amendment of Pennsylvania Rule of Civil Procedure 126, Pennsylvania Rule of Orphans' Court Procedure 1.2, Pennsylvania Rule of Criminal Procedure 101, Pennsylvania Rules of Juvenile Court Procedure 101 and 1101, Pennsylvania Rules of Appellate Procedure 107 and 903, Pennsylvania Rule of Civil Procedure before Magisterial District Judges 204, and Pennsylvania Rule of Evidence 101 to establish and reference rules of

construction for the Court's procedural and evidentiary bodies of rules for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any publication report accompanying the proposal has been prepared for the convenience of those using the rules. Such a report will neither constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

All interested persons are invited to submit comments, suggestions, or objections in writing to:

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All communications in reference to the proposal should be received by November 1, 2021. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. Receipt of all submissions will be acknowledged.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 1. GENERAL PROVISIONS

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

Rule 104. Principles of Construction.

In the construction of procedural or evidentiary rules adopted by the Supreme Court, the principles set forth in Rules 105 to 115 shall be observed, unless the application of such principles would result in a construction inconsistent with the manifest intent of the Supreme Court.

Rule 105. Number. Tense.

The singular shall include the plural, and the plural, the singular. Words used in the past or present tense shall include the future.

Rule 106. Words and Phrases.

(a) Words and phrases shall be construed according to rules of grammar and according to their common and approved usage; but technical words and phrases and such others as have acquired a peculiar and appropriate meaning or as are expressly defined by rule shall be construed according to such peculiar and appropriate or express meaning or definition.

(b) General words shall be construed to take their meanings and be restricted by preceding particular words.

Official Comment: A word or phrase's common meaning may be discerned through examination of its dictionary definition and its legal meaning may be gleaned from its use in the *corpus juris*. See *Commonwealth v. Wardlaw*, 249 A.3d 937, 947 (Pa. 2021).

Rule 107. Computation of Time.

(a) *Days*. When any period of time is referred to in any rule, such period, except as otherwise provided in subdivisions (c) and (d), shall be computed to exclude the first and include the last day of such period.

(b) *Omitted Days*. Whenever the last day of any such period shall fall on Saturday or Sunday, or on any day made a legal holiday by the laws of this Commonwealth or of the United States, such day shall be omitted from the computation.

(c) *Successive Weeks*. Whenever in any rule providing for the publishing of notices, the phrase "successive weeks" is used, weeks shall be construed as calendar weeks. The publication upon any day of such weeks shall be sufficient publication for that week, but at least five days shall elapse between each publication. At least the number of weeks specified in "successive weeks" shall elapse between the first publication and the day for the happening of the event for which publication shall be made.

(d) *Months*. Whenever in any rule the lapse of a number of months after or before a certain day is required, such number of months shall be computed by counting the months from such day, excluding the calendar month in which such day occurs, and shall include the day of the month in the last month so counted having the same numerical order as the day of the month from which the computation is made, unless there are not so many days in the last month so counted, in which case the period computed shall expire with the last day of such month.

Rule 108. Construction of Rules. Intent of Supreme Court Controls.

(a) The object of all interpretation and construction of rules is to ascertain and effectuate the intention of the Supreme Court.

(b) Every rule shall be construed, if possible, to give effect to all its provisions. When the words of a rule are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.

(c) When the words of a rule are not explicit, the intention of the Supreme Court may be ascertained by considering, among other matters:

- (1) precedent of the Supreme Court interpreting the current rule;
- (2) the commentary accompanying the rule;
- (3) the rulemaking history;
- (4) other procedures governing the same or similar subjects;
- (5) the practice followed under the rule; and
- (6) the consequences of a particular interpretation.

Official Comment: For "commentary accompanying the rule," see Pa.R.J.A. 103, Comment. Concerning subdivision (c)(3), consideration of the rulemaking history may include the occasion and necessity for a rule, circumstances under which it was promulgated, prior practice, and the objective to be attained. Such information may be found in Rules Committees' reports. See *id.* Statements

contained in these reports have not been adopted by the Supreme Court and should only be consulted for the limited purpose of understanding the history of a rule. For subdivision (c)(6), see Pa.R.J.A. 109 (Presumptions in Ascertaining the Intent of the Supreme Court).

Rule 109. Presumptions in Ascertaining the Intent of the Supreme Court.

Ascertaining the Supreme Court's intention in the adoption or amendment of a rule may be guided by the following presumptions among others:

(a) The Supreme Court does not intend a result that is absurd, impossible of execution or unreasonable;

(b) The Supreme Court intends the entire rule or chapter of rules to be effective and certain;

(c) The Supreme Court does not intend to violate the Constitution of the United States or of this Commonwealth;

(d) If the Supreme Court has construed the language used in a rule or statute, the Supreme Court in promulgating a rule on the same subject matter which employs the same language intends the same construction to be placed upon such language;

(e) The Supreme Court intends to favor the public interest as against any private interest; and

(f) No rule shall be construed to confer a right to trial by jury where such right does not otherwise exist.

Rule 110. Titles, Conditions, Exceptions, and Headings.

(a) The title or heading of a rule may be considered in construing the rule.

(b) Conditions shall be construed to limit rather than to extend the operation of the clauses to which they refer.

(c) Exceptions expressed in a rule shall be construed to exclude all others.

(d) The title or heading prefixed to a chapter of rules shall not be considered to control but may be used in construing the rules.

Rule 111. Rules in Derogation of the Common Law.

The principle that laws in derogation of the common law are to be strictly construed, shall have no application to the rules promulgated by the Supreme Court.

Rule 112. Rules *In Pari Materia*.

Rules or parts of rules are *in pari materia* when they relate to the same proceedings or class of proceedings. Rules *in pari materia* shall be construed together, if possible, as one rule or one chapter of rules.

Rule 113. Particular Controls General.

Whenever a general provision in a rule shall be in conflict with a particular provision in the same or another rule, the two shall be construed, if possible, so that effect may be given to both. If the conflict between the two provisions is irreconcilable, the particular provisions shall prevail and shall be construed as an exception to the general provision, unless the general provision shall be promulgated later and it shall be the manifest intention of the Supreme Court that such general provision shall prevail.

Rule 114. Construction of Rule Amendments.

(a) *Textual Indicators*. Amended text indicated by the text in bold font within brackets shall be omitted, and the text in bold font and underscored shall be read as part of the rule.

(b) *Amendments.* Whenever a rule or part of a rule is amended, the amendment shall be construed to merge into the original rule, become a part thereof, and replace the part amended. The remainder of the original rule and amendment shall be read together and viewed as one rule promulgated at one time; but the portions of the rule which were not altered by the amendment shall be construed as effective from the time of their original promulgation and the new provisions shall be construed as effective only from the date when the amendment became effective.

(c) *Merger of Subsequent Amendments.* Whenever a rule has been more than once amended, the latest amendment shall be read into the original rule as previously amended and not into such rule as originally promulgated.

Rule 115. Procedures Inconsistent with Rules.

Procedures set forth in statute or local rule shall be inapplicable to the extent that they are inconsistent with rules prescribed by the Supreme Court governing proceedings on the same subject matter.

Official Comment: See Pa. Const. art. V, § 10(c); 42 Pa.C.S. § 1722(a)(1); see also Pa.R.J.A. 103(d)(2); *Appeal of Gibbons*, 104 Pa. 587, 591 (1884) (court of common pleas cannot adopt rules inconsistent with Supreme Court rules).

**TITLE 210. RULES OF APPELLATE PROCEDURE
PART I. RULES OF APPELLATE PROCEDURE
ARTICLE I. PRELIMINARY PROVISIONS
CHAPTER 1. GENERAL PROVISIONS
IN GENERAL**

Rule 107. [Rules of] Construction of Rules.

[Chapter 19 of Title 1 of the *Pennsylvania Consolidated Statutes* (rules of construction) so far as not inconsistent with any express provision of these rules, shall be applicable to the interpretation of these rules and all amendments hereto to the same extent as if these rules were enactments of the General Assembly] In the construction of the Pennsylvania Rules of Appellate Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

[**Official Note:** The effect of this rule is substantially the same as Pa.R.Civ.P. 76 to 153, which were in turn patterned after the Statutory Construction Act. See also former Commonwealth Court Rules 120 and 121.]

**ARTICLE II. APPELLATE PROCEDURE
CHAPTER 9. APPEALS FROM LOWER COURTS
Rule 903. Time for Appeal.**

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Official Note: 42 Pa.C.S. § 5571(a) (appeals generally) provides that the time for filing an appeal, a petition for allowance of appeal, a petition for permission to appeal or a petition for review or a quasi-judicial order, in the Supreme Court, the Superior Court or the Commonwealth Court shall be governed by general rules and that no other provision of 42 Pa.C.S. Ch. 55D shall be applicable to such matters. In order to prevent inadvertent legislative creation of nonuniform appeal times, 42 Pa.C.S. § 1722(c) (time limitations) expressly authorizes the suspension by general rule of nonuniform statutory appeal times. See also 42 Pa.C.S. § 5501(a) (scope of chapter),

which makes Chapter 55 (limitation of time) of the Judicial Code subordinate to any other statute prescribing a different time in the case of an action or proceeding, but which does not so provide in the case of an appeal.

* * * * *

Rule of Appellate Procedure 107 incorporates by reference the rules of construction [**of the Statutory Construction Act of 1972, 1 Pa.C.S. §§ 1901—1991. See 1 Pa.C.S. § 1908**] **in the Pennsylvania Rules of Judicial Administration, Pa.R.J.A. 104—115. See Pa.R.J.A. 107(a)-(b)** relating to computation of time for the rule of construction relating to (1) the exclusion of the first day and inclusion of the last day of a time period and (2) the omission of the last day of a time period which falls on Saturday, Sunday or legal holiday.

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**TITLE 225. RULES OF EVIDENCE
ARTICLE I. GENERAL PROVISIONS**

Rule 101. Scope; Adoption and Citation; **Construction.**

(a) *Scope.* These rules of evidence govern proceedings in all courts of the Commonwealth of Pennsylvania's [**unified judicial system**] **Unified Judicial System**, except as otherwise provided by law.

(b) *Adoption and Citation.* These rules of evidence are adopted by the Supreme Court of Pennsylvania under the authority of Article V § 10(c) of the Constitution of Pennsylvania, adopted April 23, 1968. They shall be known as the Pennsylvania Rules of Evidence and shall be cited as "Pa.R.E."

(c) Construction. In the construction of the Pennsylvania Rules of Evidence, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Comment

Preface to Comments

The original Comments to the Pennsylvania Rules of Evidence were prepared by the Ad Hoc Committee on Evidence. The Comments accompanied the Pennsylvania Rules of Evidence that were adopted by the Pennsylvania Supreme Court on May 8, 1998. The Pennsylvania Rules of Evidence closely followed the format, language, and style of the Federal Rules of Evidence, but the guiding principle was to preserve the Pennsylvania law of evidence. The original Comments reflected this approach by identifying the Pennsylvania sources of the law. The original Comments also compared the Pennsylvania Rules to the Federal Rules for the convenience of the Bench and Bar.

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**TITLE 231. RULES OF CIVIL PROCEDURE
PART I. GENERAL
CHAPTER 100. RULES OF CONSTRUCTION**

Rule 101. [Principles of Interpretation] **(Reserved).**

[**In the construction of any rule, the principles set forth in Rules 102 to 108 shall be observed, unless the application of such principles would result in a construction inconsistent with the manifest intent of the Supreme Court.**]

Rule 102. [Number. Gender. Tense] **(Reserved).**

[**The singular shall include the plural, and the plural, the singular. Words used in the past or present tense shall include the future.**]

Rule 103. [Words and Phrases] (Reserved).

[(a) Words and phrases shall be construed according to rules of grammar and according to their common and approved usage; but technical words and phrases and such others as have acquired a peculiar and appropriate meaning or as are expressly defined by rule shall be construed according to such peculiar and appropriate or express meaning or definition.

(b) General words shall be construed to take their meanings and be restricted by preceding particular words.]

Rule 104. [Numerals] (Reserved).

[The Roman numerals and Arabic numerals shall be deemed parts of the English language.]

Rule 106. [Computation of Time] (Reserved).

[(a) When any period of time is referred to in any rule, such period in all cases, except as otherwise provided in Rules 107 and 108, shall be so computed as to exclude the first and include the last day of such period.

(b) Whenever the last day of any such period shall fall on Saturday or Sunday, or on any day made a legal holiday by the laws of this Commonwealth or of the United States, such day shall be omitted from the computation.]

Rule 107. [Time. Publication for Successive Weeks] (Reserved).

[Whenever in any rule providing for the publishing of notices, the phrase “successive weeks” is used, weeks shall be construed as calendar weeks. The publication upon any day of such weeks shall be sufficient publication for that week, but at least five days shall elapse between each publication. At least the number of weeks specified in “successive weeks” shall elapse between the first publication and the day for the happening of the event for which publication shall be made.]

Rule 108. [Time. Computation of Months] (Reserved).

[Whenever in any rule the lapse of a number of months after or before a certain day is required, such number of months shall be computed by counting the months from such day, excluding the calendar month in which such day occurs, and shall include the day of the month in the last month so counted having the same numerical order as the day of the month from which the computation is made, unless there are not so many days in the last month so counted, in which case the period computed shall expire with the last day of such month.]

Rule 126. [Liberal Construction and Application of Rules] Purpose and Construction.

(a) The rules shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which they are applicable. The court at every stage of any such action or proceeding may disregard any error or defect of procedure which does not affect the substantial rights of the parties.

(b) In the construction of the Pennsylvania Rules of Civil Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Official Comment: Former Pa.R.C.P. 101—104, 106—108, and 127—153 were rescinded and replaced as follows:

Subject	Former Rule	Current Rule
<u>Principles</u>	Pa.R.C.P. 101	Pa.R.J.A. 104
<u>Number/Tense</u>	Pa.R.C.P. 102	Pa.R.J.A. 105
<u>Words/Phrases</u>	Pa.R.C.P. 103	Pa.R.J.A. 106
<u>Numerals</u>	Pa.R.C.P. 104	—
<u>Comp Time</u>	Pa.R.C.P. 106	Pa.R.J.A. 107(a)-(b)
<u>Time—Weeks</u>	Pa.R.C.P. 107	Pa.R.J.A. 107(c)
<u>Time—Months</u>	Pa.R.C.P. 108	Pa.R.J.A. 107(d)
<u>Court Intent</u>	Pa.R.C.P. 127	Pa.R.J.A. 108
<u>Presumptions</u>	Pa.R.C.P. 128	Pa.R.J.A. 109
<u>Titles</u>	Pa.R.C.P. 129	Pa.R.J.A. 110
<u>Common Law</u>	Pa.R.C.P. 130	Pa.R.J.A. 111
<u>In Pari Materia</u>	Pa.R.C.P. 131	Pa.R.J.A. 112
<u>Inconsistent</u>	Pa.R.C.P. 133	Pa.R.J.A. 115
<u>Controls</u>	Pa.R.C.P. 132	Pa.R.J.A. 113
<u>Amendatory</u>	Pa.R.C.P. 152	Pa.R.J.A. 114(b)
<u>Merger</u>	Pa.R.C.P. 153	Pa.R.J.A. 114(c)

Rule 127. [Construction of Rules. Intent of Supreme Court Controls] (Reserved).

[(a) The object of all interpretation and construction of rules is to ascertain and effectuate the intention of the Supreme Court.

(b) Every rule shall be construed, if possible, to give effect to all its provisions. When the words of a rule are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.

(c) When the words of a rule are not explicit, the intention of the Supreme Court may be ascertained by considering, among other matters:

- (1) the occasion and necessity for the rule;
- (2) the circumstances under which it was promulgated;
- (3) the mischief to be remedied;
- (4) the object to be attained;
- (5) the prior practice, if any, including other rules and Acts of Assembly upon the same or similar subjects;
- (6) the consequences of a particular interpretation;
- (7) the contemporaneous history of the rule; and
- (8) the practice followed under the rule.]

Rule 128. [Presumptions in Ascertaining the Intent of the Supreme Court] (Reserved).

[In ascertaining the intention of the Supreme Court in the promulgation of a rule, the courts may be guided by the following presumptions among others:

(a) That the Supreme Court does not intend a result that is absurd, impossible of execution or unreasonable;

(b) That the Supreme Court intends the entire rule or chapter of rules to be effective and certain;

(c) That the Supreme Court does not intend to violate the Constitution of the United States or of this Commonwealth;

(d) That if the Supreme Court has construed the language used in a rule or statute, the Supreme Court in promulgating a rule on the same subject matter which employs the same language intends the same construction to be placed upon such language;

(e) That the Supreme Court intends to favor the public interest as against any private interest;

(f) That no rule shall be construed to confer a right to trial by jury where such right does not otherwise exist.]

Rule 129. [Construction of Rules, Titles, Provisos, Exceptions and Headings. Use of Notes and Explanatory Comments] (Reserved).

[(a) The title or heading of a rule may be considered in construing the rule.

(b) Provisos shall be construed to limit rather than to extend the operation of the clauses to which they refer.

(c) Exceptions expressed in a rule shall be construed to exclude all others.

(d) The title or heading prefixed to a chapter of rules shall not be considered to control but may be used in construing the rules.

(e) A note to a rule or an explanatory comment is not a part of the rule but may be used in construing the rule.]

Rule 130. [Rules in Derogation of the Common Law] (Reserved).

[The principle that laws in derogation of the common law are to be strictly construed, shall have no application to the rules promulgated by the Supreme Court.]

Rule 131. [Rules *in Pari Materia*] (Reserved).

[Rules or parts of rules are *in pari materia* when they relate to the same proceedings or class of proceedings. Rules *in pari materia* shall be construed together, if possible, as one rule or one chapter of rules.]

Rule 132. [Particular Controls General] (Reserved).

[Whenever a general provision in a rule shall be in conflict with a particular provision in the same or another rule, the two shall be construed, if possible, so that effect may be given to both. If the conflict between the two provisions is irreconcilable, the particular provisions shall prevail and shall be construed as an exception to the general provision, unless the general provision shall be promulgated later and it shall be the manifest intention of the Supreme Court that such general provision shall prevail.]

Rule 133. [Rules Inconsistent with Laws] (Reserved).

[All laws shall be suspended to the extent that they are inconsistent with rules prescribed under the Constitution of 1968.

Official Note: See Article V, Section 10(c) of the Constitution of 1968 and Section 1722(a)(1) of the Judicial Code, 42 Pa.C.S. § 1722(a)(1).]

Rule 152. [Construction of Amendatory Rules] (Reserved).

[Whenever a rule or part of a rule is amended, the amendment shall be construed to merge into the original rule, become a part thereof, and replace the part amended. The remainder of the original rule and amendment shall be read together and viewed as one rule promulgated at one time; but the portions of the rule which were not altered by the amendment shall be construed as effective from the time of their original promulgation and the new provisions shall be construed as effective only from the date when the amendment became effective.]

Rule 153. [Merger of Subsequent Amendments] (Reserved).

[Whenever a rule has been more than once amended, the latest amendment shall be read into the original rule as previously amended and not into such rule as originally promulgated.]

PART II. ORPHANS' COURT RULES

CHAPTER I. PRELIMINARY RULES

Rule 1.2. [Construction and Application of Rules] Purpose and Construction.

(a) The Rules adopted by the Supreme Court regulating the practice and procedure of the Orphans' Court Divisions of this Commonwealth and the local rules adopted by such courts shall be liberally construed to secure the just, timely and efficient determination of every action or proceeding to which they are applicable. The court at every stage of any action or proceeding may disregard any error or defect of procedure that does not affect the substantive rights of the parties in interest.

(b) [The principles of interpretation and related matters set forth in Pa.R.C.P. Nos. 102 through 153 inclusive, with the exception of Pa.R.C.P. No. 126, shall apply to these Rules] In the construction of the Pennsylvania Rules of Orphans' Court Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Note: Rule 1.2(a) is identical to former Rule 2.1. Rule 1.2(b) is new.

[Explanatory Comment] *Comment:* The Orphans' Court Division exercises equitable powers and applies equitable principles. *Estate of Hahn*, 369 A.2d 1290, 1291-92 (Pa. 1977); *Estate of Freihofer*, 174 A.2d 282, 284 (Pa. 1961).

[The question frequently arises as to the effect and use of the notes and explanatory comments which are issued with the Orphans' Court Rules. Notes and explanatory comments are not part of the Rules but they may be used in construing the

Rules. The Supreme Court of Pennsylvania has stated in *Laudenberger v. Port Authority of Allegheny County*, 436 A.2d 147, 151 (Pa. 1981):

These explanatory notes have not been officially adopted or promulgated by this Court, nor do they constitute part of the rule. However, they indicate the spirit and motivation behind the drafting of the rule, and they serve as guidelines for understanding the purpose for which the rule was drafted.]

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

Rule 101. Purpose and Construction.

(A) These rules are intended to provide for the just determination of every criminal proceeding.

(B) These rules shall be construed to secure simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

(C) [**To the extent practicable, these rules shall be construed in consonance with the rules of statutory construction**] In the construction of the Pennsylvania Rules of Criminal Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Comment

These rules were adopted under the Act of July 11, 1957, P.L. 819, 17 P.S. 2084 (Supp.), which was repealed by JARA, 42 P.S. § 20002(a), and replaced by 42 Pa.C.S. § 1722(a)(1).

Official Note: Rule 2 adopted June 30, 1964, effective January 1, 1965; renumbered Rule 101 and amended March 1, 2000, effective April 1, 2001.

Committee Explanatory Reports:

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

TITLE 237. RULES OF JUVENILE COURT PROCEDURE

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

Rule 101. Purpose and Construction.

(A) These rules are intended to provide for the just determination of every delinquency proceeding.

(B) These rules establish uniform practice and procedure for courts exercising jurisdiction as provided in the Juvenile Act, [42 Pa.C.S. § 6301 *et seq.*,] 42 Pa.C.S. §§ 6301 *et seq.*, and shall be construed to secure uniformity and simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

(C) These rules shall be interpreted and construed to effectuate the purposes stated in the Juvenile Act, 42 Pa.C.S. § 6301(b).

(D) [**To the extent practicable, these rules shall be construed in consonance with the rules of statutory construction**] In the construction of the Pennsylvania Rules of Juvenile Court Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Official Note: Rule 101 adopted April 1, 2005, effective October 1, 2005.

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

Rule 1101. Purpose and Construction.

(A) These rules are intended to provide for the just determination of every dependency proceeding.

(B) These rules establish uniform practice and procedure for courts exercising jurisdiction as provided in the Juvenile Act, [42 Pa.C.S. § 6301 *et seq.*,] 42 Pa.C.S. §§ 6301 *et seq.*, and shall be construed to secure uniformity and simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

(C) These rules shall be interpreted and construed to effectuate the purposes stated in the Juvenile Act, 42 Pa.C.S. § 6301(b).

(D) [**To the extent practicable, these rules shall be construed in consonance with the rules of statutory construction**] In the construction of Pennsylvania Rules of Juvenile Court Procedure, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

Official Note: Rule 1101 adopted August 21, 2006, effective February 1, 2007.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1101 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

Rule 204. Purpose and [Intent of Rules] Construction.

(A) The purpose and intent of these rules is to provide a complete and exclusive procedure for every action or proceeding to which they are applicable.

(B) In the construction of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges, the principles set forth in Pa.R.J.A. 104 to 115 shall be observed.

[**Official Note**] Comment: This rule sets forth the general purpose and intent to make mandatory the use of the procedures prescribed in these rules.

PUBLICATION REPORT

Proposed New Pa.R.J.A. 104—115; Rescission of Pa.R.Civ.P. 101—104, 106—108, & 127—153; Amendment of Pa.R.Civ.P. 126, Pa.R.O.C.P. 1.2, Pa.R.Crim.P. 101, Pa.R.J.C.P. 101 & 1101, Pa.R.A.P. 107 & 903, Pa.R.Civ.P.M.D.J. 204, Pa.R.E. 101

A proposal is being considered for the proposed adoption of Pennsylvania Rules of Judicial Administration 104—115, rescission of Pennsylvania Rules of Civil Procedure 101—104, 106—108, and 127—153, and amendment of Pennsylvania Rule of Civil Procedure 126, Pennsylvania Rule of Orphans' Court Procedure 1.2, Pennsylvania Rule of Criminal Procedure 101, Pennsylvania Rules of Juvenile Court Procedure 101 and 1101, Pennsylvania Rules of Appellate Procedure 107 and 903, Pennsylvania

Rule of Civil Procedure before Magisterial District Judges 204, and Pennsylvania Rule of Evidence 101 to establish and reference rules of construction for the Court's procedural and evidentiary bodies of rules.

This proposal was prompted by a suggestion for a uniform set of rules of construction placed either in the Rules of Judicial Administration or in each body of procedural rules. In general, this proposal involves the extracting the rules of construction from the Pennsylvania Rules of Civil Procedure and placing them in the Pennsylvania Rules of Judicial Administration. The proposal also includes corollary amendments to the various bodies of rules to reference the newly placed rules of construction.

Background

Procedural rules adopted by the Supreme Court have the force of statute. *See, e.g., Dombrowski v. City of Philadelphia*, 245 A.2d 238, 241 n. 4 (Pa. 1968). Procedural rules, like statutes, may be subject to interpretation based upon their language and the circumstances in which they apply. To guide the interpretation of rules, courts have relied upon rules of construction used for interpretation of statutes, see 1 Pa.C.S. §§ 1901—1957, to interpret procedural rules. *See, e.g., Commonwealth v. McClelland*, 233 A.3d 717 (Pa. 2020) (interpreting Pa.R.Crim.P.); *Commonwealth v. Wardlaw*, 249 A.3d 937 (Pa. 2021) (interpreting Pa.R.A.P.).

In 1939, rules of construction were added to the Pennsylvania Rules of Civil Procedure based largely on language contained in sections of the Statutory Construction Act of May 28, 1937, P.L. 1019, with modification to reflect their intended application to rules of court. Over time, the Statutory Construction Act, as well as the procedural rules of construction, have been amended to their present form. These rules of construction have guided the interpretation of the Rules of Civil Procedure. *See, e.g., Bruno v. Erie Ins. Co.*, 106 A.3d 48 (Pa. 2014); *Terra Technical Services, LLC v. River Station Land, L.P.*, 124 A.3d 289 (Pa. 2015).

Many of the other bodies of rules have rules of construction of varying degree. The Rules of Criminal Procedure, Rules of Juvenile Court Procedure, and Rules of Appellate Procedure simply reference the “rules of statutory construction” and address the consequence of procedural defect. *See* Pa.R.Crim.P. 101; Pa.R.J.C.P. 101(D), 1101(D); Pa.R.A.P. 107. The Rules of Orphans’ Court Procedure incorporate by reference Pa.R.Civ.P. 102—153, but exclude Pa.R.Civ.P. 126. *See* Pa.R.O.C.P. 1.2. The Rules of Civil Procedure before Magisterial District Judges do not reference rules of construction, but do contain rules based upon Pa.R.Civ.P. 106 and 108 for the computation of time. *See* Pa.R.Civ.P.M.D.J. 203, Note. The Rules of Evidence do not reference rules of construction.

Proposal

In order to provide for uniform rules of construction for all procedural and evidentiary bodies of rules, it is proposed that the detailed rules of construction be removed from the Rules of Civil Procedure, revised if merited, and relocated to the Rules of Judicial Administration to logically follow the rules governing the rule-making process. Having one set of rules of construction for all bodies of rules would permit readers to understand their application across all rules rather than a particular body of rules. Further, replicating the same rules of construction within each body of rules seemed unnecessarily duplicative and invited inconsistency in the appli-

cation of identically worded rules. Therefore, it is further proposed that any rules of construction organic to a body of rules be removed with each body of rules thereafter containing a reference to the Rules of Judicial Administration concerning the rules of construction. Additionally, insofar as practicable, the title to the referral rule within each body of rules to the Rules of Judicial Administration would be retitled “Purpose and Construction.”

Not every rule of construction found in the Rules of Civil Procedure would be relocated to the Rules of Judicial Administration. Pa.R.Civ.P. 104 concerning Roman numerals and Arabic numerals being deemed parts of the English language would be omitted from the proposed rules of construction. Such an anachronistic provision appears unnecessary for the modern construction of judicial rules. There is a dearth of Pennsylvania cases litigating the meaning of numerals within the rules based simply on the fact that they are expressed as numbers rather than stated in English, *e.g.*, “VII” v. “7” v. “seven.” While that may owe to the existence of Pa.R.Civ.P. 104 and 1 Pa.C.S. § 1904, it is submitted that any ambiguity may be resolved by the context in which the numerals are used and not whether numerals are or are not part of the English language. For example, “1/2” can be an expression of a mathematical operation or a date, which may be an ambiguity resolved by examining its context, but its existence cannot be ignored because Arabic numbers were used. The rejected need for such a rule is exemplified by the discontinued use of the numero sign, *i.e.*, “No.,” in the citation of the rules.

Pa.R.Civ.P. 105 concerning bonds would remain in the Pennsylvania Rules of Civil Procedure because that rule is specific to civil proceedings. Application of that guidance to other bodies of rules may unintendedly conflict with existing provisions. *See, e.g., Pa.R.Crim.P. 525* (bail bond).

Consideration was given to whether the rules of construction should be further modified to improve readability and applicability to rules, as opposed to statutes. As observed, the Rules of Civil Procedure’s rules of construction were largely based on the rules of statutory construction. Therefore, there is merit in preserving the operative text to the extent feasible. This approach would allow the application of the statutory rules of construction to inform the application of the judicial rules of construction given that both are similarly worded. Further, this would maintain consistency with prior Court interpretations of rules citing the statutory rules of construction. Additionally, this consistency would reduce the complexity for the reader to understand and employ two different rules of construction.

Notwithstanding the goal of maintaining existing language, there were some aspects of the rules of construction that were revised to clarify their application. Any proposed revision to the existing language is described below with reference to the new Rule of Judicial Administration and the former Rule of Civil Procedure.

Pa.R.J.A. 104. Principles of Interpretation—Formerly Pa.R.Civ.P. 101

The title has been revised from “Principles of Interpretation” to “Principles of Construction” to reflect existing rule text. Additionally, “any rule” has been revised to specify that the rules of construction are only intended to apply to procedural or evidentiary rules adopted by the Court. Other rules adopted by the Court and rules adopted by other authorities may be subject to construction, but these rules are not mandated in that construction.

Pa.R.J.A. 105. Number. Tense.—Formerly Pa.R.Civ.P. 102

No revisions were made to the existing language. This rule differs from 1 Pa.C.S. § 1902 insofar as the provision regarding gender was removed from Pa.R.Civ.P. 102 in rulemaking dated April 12, 1999.

Pa.R.J.A. 106. Words and Phrases.—Formerly Pa.R.Civ.P. 103

A Comment has been added to the rule.

Pa.R.J.A. 107. Computation of Time.—Formerly Pa.R.Civ.P. 106, 107, and 108

This rule is a consolidation of Pa.R.Civ.P. 106—108 and reflects the Court’s prior use of 1 Pa.C.S. § 1908 for the computation of time. *See, e.g., City of Philadelphia v. F.A. Realty Investors Corp.*, 15 EAL 2021 (filed June 9, 2021) (granting petition for allowance of appeal, vacating the intermediate appellate court’s order, and remanding for further proceeding after concluding petitioners filed a timely Pa.R.A.P. 1925(b) statement, citing 1 Pa.C.S. § 1908). The text of Pa.R.Civ.P.M.D.J. 203, which is largely reiterative of Pa.R.J.A. 107(a)-(b), (d), was retained in that body of rules so that unrepresented parties are not required to consult another body of rules for the computation of time.

Pa.R.J.A. 108. Construction of Rules. Intent of Supreme Court Controls.—Formerly Pa.R.Civ.P. 127

The factors that may be considered in determining the intention of the Supreme Court have been revised to include specific sources of information germane to rule-making. A Comment has also been added to assist the reader and reference limits placed on certain sources.

Rule 109. Presumptions in Ascertaining the Intent of the Supreme Court.—Formerly Pa.R.Civ.P. 128

Stylistic revisions have been made, but the substance of Pa.R.Civ.P. 128 is preserved.

Rule 110. Titles, Conditions, Exceptions, and Headings.—Formerly Pa.R.Civ.P. 129

The term “provisos” has been replaced with “conditions” to reflect current rulemaking terminology. Additionally, reference to “use of notes and explanatory comments” has been removed from the title and rule. That reference can now be found at Pa.R.J.A. 107(c)(2).

Rule 111. Rules in Derogation of the Common Law.—Formerly Pa.R.Civ.P. 130

No revisions were made to the existing language.

Rule 112. Rules In Pari Materia.—Formerly Pa.R.Civ.P. 131

No revisions were made to the existing language.

Rule 113. Particular Controls General.—Formerly Pa.R.Civ.P. 132

No revisions were made to the existing language.

Rule 114. Construction of Rule Amendments.—Formerly Pa.R.Civ.P. 152 & 153

This rule consolidates former Pa.R.Civ.P. 152 (Construction of Amendatory Rules) and 153 (Merger of Subsequent Amendments) as separate subdivisions. Subdivision (a) was added to describe the significance of textual indicators when reading amended rule text.

Rule 115. Procedures Inconsistent with Rules.—Formerly Pa.R.Civ.P. 133

This rule differs substantially from Pa.R.Civ.P. 133, which stated: “All laws shall be suspended to the extent

they are inconsistent with rules prescribed under the Constitution of 1968.” As proposed, Pa.R.J.A. 114 is intended to assist the reader in the interpretation and application of the statewide procedural rules when there may be conflicting statutory procedures or local rules of procedure. The rule is not intended to serve as a separate and additional basis for the suspension of statutory procedures or local rules of procedure. Such authority exists independent of this rule. Notably, this rule references “procedures,” which is intended to exclude substantive rules of evidence that may be enacted by statute. *See Commonwealth v. Olivo*, 127 A.3d 769, 780 (Pa. 2015) (concluding the statutory rule of evidence does not violate the Court’s authority over procedural rules).

Also included are the proposed amendments of the procedural and evidentiary bodies of rules to reference the new Rules of Judicial Administration. All comments, concerns, and suggestions regarding this proposal are welcome.

[Pa.B. Doc. No. 21-1452. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Order Amending Rules 1910.1, 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-5, 1910.16-6 and 1910.16-7 of the Pennsylvania Rules of Civil Procedure; No. 720 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 17th day of August, 2021, upon the recommendation of the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment in the *Pennsylvania Bulletin*, 51 Pa.B. 265 (January 16, 2021):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1910.1, 1910.16-1, 1910.16-2, 1910.16-3, 1910.16-3.1, 1910.16-4, 1910.16-5, 1910.16-6, and 1910.16-7 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on January 1, 2022.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.1. Scope. Definitions.

* * * * *

(c) As used in this chapter, unless the context of a rule indicates otherwise, the following terms shall have the following meanings:

* * * * *

[“Trier of fact,”] “Trier-of-fact,” the judge, hearing officer, or conference officer who makes factual determinations.

* * * * *

Rule 1910.16-1. [**Amount of**] Support **Obligation**. Support Guidelines.

(a) *Applicability of the Support Guidelines.*

(1) Except as provided in subdivision [(3)] (a)(3), the support guidelines determine [**the amount of support that a spouse or parent should pay**] a spouse’s or parent’s support obligation based on the parties’ combined monthly net income, as defined in Pa.R.C.P. No. 1910.16-2, and the number of persons being supported.

(2) If a person caring for or having custody of a minor child, who does not have a duty of support to the minor child, initiates a child support action as provided in Pa.R.C.P. No. 1910.3:

(i) the complaint shall [**identify the parent(s) as defendant(s)**] name the parents as defendants;

(ii) in determining the basic child support [**amount**] obligation, the monthly net income for the individual initiating the action shall not be considered in the support calculation by the [**trier of fact**] trier-of-fact;

(iii) the parents’ monthly net incomes shall be combined to determine the basic child support [**amount**] obligation, which shall be apportioned based on the parents’ respective monthly net incomes consistent with Pa.R.C.P. No. 1910.16-4. The parents shall pay the obligee their proportionate share of the basic child support [**amount**] obligation as a separate obligor; and

(iv) as with other support actions, the [**trier of fact may make adjustments or deviations**] trier-of-fact may adjust or deviate the basic child support, spousal support, or alimony pendente lite obligation consistent with the support guidelines based on the evidence presented by the parties.

Example 1. The parents have one child, who is in the custody of the maternal grandmother. Maternal grandmother initiates a support action against the parents. Mother’s monthly net income is \$3,000 and Father’s monthly net income is \$2,000 for a combined monthly net income of \$5,000. For purposes of the child support calculation, maternal grandmother’s income is irrelevant and not part of the calculation. The basic child support obligation for one child at a combined monthly net income of \$5,000 is [**\$990**] \$993 per month. Mother’s percentage share of the combined monthly net income is 60% (\$3,000/\$5,000) and Father’s percentage share of the combined monthly net income is 40% (\$2,000/\$5,000). Mother’s preliminary monthly share of the child support obligation is [**\$594** (\$990 × 60%)] \$596 (\$993 × 60%) and Father’s preliminary monthly share of the child support obligation is [**\$396** (\$990 × 40%)] \$397 (\$993 × 40%). Maternal grandmother is the obligee with Mother and Father as separate obligors owing [**\$594 and \$396**] \$596 and \$397, respectively, to the maternal grandmother.

(3) In [**actions**] an action in which the plaintiff is a public body or private agency pursuant to Pa.R.C.P. No. 1910.3, the [**amount of the order**] basic child support obligation shall be calculated under the guidelines

based upon [**each obligor’s**] the parent’s monthly net income [, as defined in Pa.R.C.P. No. 1910.16-2,] with the public or private entity’s monthly net income as zero. In such cases, each parent shall be treated as a separate obligor, and the parent’s obligation will be based upon [**his or her own**] the parent’s monthly net income without regard to the other parent’s monthly net income [**of the other parent**] .

(i) The [**amount of**] basic child support obligation owed to [**other children**] a child not in placement shall be deducted from each parent’s monthly net income before calculating support for the child [**or children**] in placement, including the [**amount of**] direct support the support guidelines assume [**will be provided by**] the custodial parent will provide.

Example 2. [**Mother and Father**] The parents have three children and do not live in the same household. Mother has primary custody of two children and monthly net income of [**\$2,000**] \$2,500 per month. Father’s monthly net income is [**\$3,000**] \$4,000. The parties’ third child is in foster care placement. Pursuant to the schedule in Pa.R.C.P. No. 1910.16-3, the basic child support [**amount**] obligation for the two children with Mother is [**\$1,415**] \$1,733. As Father’s income is [**60%**] 62% of the parties’ combined monthly net income, [**his**] Father’s basic child support obligation to Mother is [**\$849**] \$1,074 per month. The guidelines assume that Mother will provide [**\$566**] \$659 per month in direct expenditures to the two children [**in her home**] . The agency/obligee brings an action against each parent for the support of the child in placement. Father/obligor’s monthly net income will be [**\$2,151**] \$2,926 for purposes of this calculation ([**\$3,000**] \$4,000 less [**\$849**] \$1,074 in support for the children with Mother). As the agency/obligee’s income is zero, Father’s support for the child in placement will be 100% of the [**schedule amount of**] basic child support obligation for one child at the [**\$2,151**] \$2,926 income level, or [**\$509**] \$674 per month. Mother/obligor’s net income will be [**\$1,434**] \$1,841 for purposes of this calculation ([**\$2,000**] \$2,500 less [**\$566**] \$659 in direct support to the children in [**her custody**] . Her] Mother’s custody. Mother’s support obligation will be 100% of the [**schedule amount**] basic child support obligation for one child at that income level, or [**\$348**] \$423 per month.

Example 3. [**Mother and Father**] The parents have two children in placement. Father owes child support of \$500 per month for two children of a former marriage. At the same income levels as in Example 2, Father’s monthly net income for determining his obligation to the children in placement would be [**\$2,500** (\$3,000] \$3,500 (\$4,000 less \$500 support for two children of prior marriage). [**His**] Father’s obligation to the agency would be [**\$849**] \$1,205 per month (100% of the [**schedule amount**] basic child support obligation for two children at the [**\$2,500**] \$3,500 per month income level). Mother’s monthly net income would not be diminished as she owes no other child support. [**She**] Mother would owe [**\$686**] \$877 for the children in

placement (100% of the [**schedule amount**] **basic child support obligation** for two children at the [**\$2,000**] **\$2,500** income level).

(ii) If the parents reside in the same household, [**their respective obligations to the children who remain**] **each parent's respective basic child support obligation to a child that remains** in the household and [**are**] **is** not in placement shall be calculated according to the guidelines, with the parent having the higher income as the obligor, and the calculated [**support amount**] **basic child support obligation** shall be deducted from the parents' monthly net incomes for purposes of calculating support for [**the child(ren)**] **a child** in placement.

*Example 4. [**Mother and Father**]* **The parents** have four children, two of whom are in placement. Mother's monthly net income is \$4,000 and Father's is \$3,000. The basic **child support [amount] obligation** for the two children in the home is [**\$1,660**] **\$1,841**, according to the schedule in Pa.R.C.P. No. 1910.16-3. As Mother's **monthly net income** is 57% of the parties' combined monthly net [**incomes**] **income**, her share would be [**\$946**] **\$1,049**, and Father's 43% share would be [**\$714**] **\$792**. Mother's **monthly net income** for purposes of calculating support for the two children in placement would be [**\$3,054**] **\$2,951** (\$4,000 less [**\$946**] **\$1,049**). She would pay 100% of the basic child support **obligation** at that income level, or [**\$1,032**] **\$1,026**, for the children in placement. Father's **monthly net income** would be [**\$2,286**] **\$2,208** (\$3,000 less [**\$714**] **\$792**), and his obligation to the children in placement would be [**\$784**] **\$772**.

(iii) [**In the event that the combined amount the parents are required to pay exceeds the cost of placement, the trier-of-fact shall deviate the support amount downward to reduce each parent's obligation in proportion to his or her share of the combined obligation.**] **If the basic child support obligation exceeds the placement's cost, the trier-of-fact shall:**

(A) deviate the basic child support obligation downward; and

(B) apply the parent's percentage of the combined monthly net income to the reduced basic child support obligation.

(4) The support of a spouse or child is a priority obligation so that a party is expected to meet this obligation by adjusting [**his or her**] **the party's** other expenditures.

(b) *Support [**Amount**] **Obligation.*** The support [**amount**] **obligation** (child support, spousal support, or alimony *pendente lite*) awarded pursuant to the Pa.R.C.P. Nos. 1910.11 and 1910.12 procedures [**must**] **shall** be determined in accordance with the support guidelines, which consist of the guidelines expressed as the **basic child support schedule** in Pa.R.C.P. No. 1910.16-3, the Pa.R.C.P. No. 1910.16-4 formulas, and the operation of the **support** guidelines as set forth in these rules.

(c) *Spousal Support and Alimony Pendente Lite.*

(1) Spousal support and alimony *pendente lite* orders [**must**] **shall** not be in effect simultaneously.

(2) In determining a spousal support or alimony *pendente lite* [**award's**] **obligation's** duration, the trier-of-fact shall consider the marriage's duration, *i.e.*, the date of marriage to the date of final separation.

(d) *Rebuttable Presumption.* If the trier-of-fact determines that a party has a duty to pay support, there is a rebuttable presumption that the guideline-calculated support [**amount**] **obligation** is the correct support [**amount**] **obligation**.

(1) The presumption is rebutted if the trier-of-fact concludes in a written finding or states on the record that the guideline support [**amount**] **obligation** is unjust or inappropriate.

(2) The trier-of-fact shall consider the [**children's**] **child's** and parties' special needs and obligations, and apply the Pa.R.C.P. No. 1910.16-5 deviation factors, as appropriate.

(e) *Support Guidelines Review.* The **support** guidelines [**must**] **shall** be reviewed at least every four years to ensure that their application determines **the** appropriate support [**amounts**] **obligation**.

* * * * *

Rule 1910.16-2. Support Guidelines. Calculation of Monthly Net Income.

Generally, the [**support amount awarded**] **the basic child support, spousal support, or alimony pendente lite obligation** is based on the parties' monthly net [**income**] **incomes**.

(a) *Monthly Gross Income.* Monthly gross income is ordinarily based on at least a six-month average of a party's income. The support law, 23 Pa.C.S. § 4302, defines the term "income" and includes income from any source. The statute lists many types of income including, but not limited to:

- (1) wages, salaries, bonuses, fees, and commissions;
- (2) net income from business or dealings in property;
- (3) interest, rents, royalties, and dividends;
- (4) pensions and all forms of retirement;
- (5) income from an interest in an estate or trust;
- (6) Social Security disability benefits, Social Security retirement benefits, temporary and permanent disability benefits, workers' compensation, and unemployment compensation;
- (7) alimony if, in the trier-of-fact's discretion, inclusion of part or all of it is appropriate; and

Official Note: In determining the appropriateness of including alimony in gross income, the trier-of-fact shall consider whether the party receiving the alimony must include the amount received as gross income when filing [**his or her**] federal income taxes. If the alimony is not includable in the party's gross income for federal income tax purposes, the trier-of-fact may include in the party's monthly net income the alimony received, as appropriate. See Pa.R.C.P. No. 1910.16-2(c)(2)(ii).

Since the reasons for ordering payment of alimony vary, the appropriateness of including it in the recipient's gross income must also vary. For example, if the obligor is

paying \$1,000 per month in alimony for the express purpose of financing the obligee's college education, it would be inappropriate to consider that alimony as income from which the obligee could provide child support. However, if alimony is intended to finance the obligee's general living expenses, inclusion of the alimony as income is appropriate.

(8) other entitlements to money or lump sum awards, without regard to source, including:

- (i) lottery winnings;
- (ii) income tax refunds;
- (iii) insurance compensation or settlements;
- (iv) awards and verdicts; and
- (v) payments due to and collectible by an individual regardless of source.

Official Note: The trier-of-fact determines the most appropriate method for imputing lump-sum awards as income for purposes of establishing or modifying the party's support obligation. These awards may be annualized or averaged over a shorter or longer period depending on the case's circumstances. The trier-of-fact may [**order**] **require** all or part of the lump sum award escrowed to secure the support obligation during that period.

The trier-of-fact shall not include income tax refunds in a party's income, if the trier-of-fact factored in the tax refund when calculating the party's actual tax obligation and monthly net income.

(b) *Treatment of Public Assistance, SSI Benefits, Social Security Payments to a Child Due to a Parent's Death, Disability or Retirement and Foster Care Payments.*

(1) *Public Assistance and SSI Benefits.* Neither public assistance nor Supplemental Security Income (SSI) benefits shall be included as income for determining support.

(2) *Child's Social Security Derivative Benefits.*

(i) If a child is receiving Social Security derivative benefits due to a parent's retirement or disability:

(A) The trier-of-fact shall determine the basic child support [**amount**] **obligation** as follows:

(I) add the child's benefit to the monthly net income of the party who receives the child's benefit;

(II) calculate the parties' combined monthly net income, including the child's benefit;

(III) determine the basic child support [**amount**] **obligation** set forth in the Pa.R.C.P. No. 1910.16-3 schedule; and

(IV) apportion the basic child support [**amount**] **obligation** between the parties based on the party's percentage of the combined monthly net income.

(B) If the obligee receives the child's benefit, the trier-of-fact shall deduct the child's benefit from the basic **child** support obligation of the party whose retirement or disability created the child's benefit.

(C) If the obligor receives the child's benefit, the trier-of-fact shall not deduct the child's benefit from the obligor's basic **child** support obligation, even if the obligor's retirement or disability created the child's benefit. To illustrate for the parties the impact of the obligor receiving the benefit instead of the obligee, the [**domes-**

tic relations section] **trier-of-fact** shall provide the parties with two calculations theoretically assigning the benefit to each household.

(D) The trier-of-fact shall allocate the [**additional**] expenses in Pa.R.C.P. No. [**1910.16-6**] **1910.16-6(a)—(e)** based on the parties' monthly net incomes without considering the child's benefit.

(E) In equally shared custody cases, the party with the higher monthly net income, excluding the child's benefit, is the obligor.

[**(ii) If a child is receiving Social Security derivative benefits due to a parent's death:**

(A) **The trier-of-fact shall determine the surviving parent's basic child support amount as follows:**

(I) **The non-parent obligee's monthly net income shall include only those funds the obligee is receiving on the child's behalf, including the Social Security derivative benefit.**

(II) **If the surviving-parent obligor receives the Social Security derivative benefit, the benefit shall be added to the parent's monthly net income to calculate child support.]**

(ii) If a child is receiving Social Security derivative benefits due to a parent's death, the trier-of-fact shall determine the surviving parent's basic child support obligation as follows.

(A) The non-parent obligee's monthly net income shall include only those funds the obligee is receiving on the child's behalf, including the Social Security derivative benefit.

(B) If the surviving-parent obligor receives the Social Security derivative benefit, the benefit shall be added to the parent's monthly net income to calculate child support.

(3) *Foster Care Payments.* If [**either**] a party to a support action is a foster parent [**and/or**] **or** is receiving payments from a public or private agency for the care of a child who is not [**his or her**] **the party's** biological or adoptive child, [**those payments shall not be included in the income of the foster parent or other caretaker**] **the trier-of-fact shall not include those payments in the party's monthly net income** for purposes of calculating child support for the foster parent's or other caretaker's biological or adoptive child.

Example 1. The obligor has monthly net income of \$2,000. The obligee's monthly net income is \$1,500 and the obligee, as primary custodial parent of the parties' two children, receives \$700 per month in Social Security derivative benefits on behalf of the children as a result of the obligor's disability. Add the children's benefit to the obligee's income, which now is \$2,200 per month. At the parties' combined monthly net income of \$4,200, the [**amount of**] basic child support **obligation** for two children is [**\$1,301**] **\$1,372**. As the obligor's income is 48% of the parties' combined monthly net income, the obligor's preliminary share of the basic **child** support obligation is [**\$624**] **\$659**. However, because the obligor's disability created the children's Social Security derivative benefits that the obligee is receiving, the obligor's obligation is reduced by the amount of the benefit, \$700. As the support [**amount**] **obligation** cannot be less than zero, the obligor's **basic child**

support obligation is \$0 per month. If it were the obligee's disability that created the benefit, the obligor's **basic child** support obligation would remain [**\$624**] **\$659**. If the obligor were receiving the children's benefit as a result of the obligor's retirement or disability, the obligor's **monthly net** income would include the amount of the benefit and total \$2,700, or 64% of the parties' combined monthly net income. The obligor's share of the basic **child** support obligation would then be [**\$833**] **\$878** and would not be reduced by the amount of the children's benefit because the obligor, not the obligee, is receiving the benefit. Therefore, the obligor's **basic child** support obligation is less if the obligee is receiving the benefit created by the obligor.

Example 2. Two children live with Grandmother who receives \$800 per month in Social Security death benefits for the children as a result of Father's death. Grandmother also receives \$500 per month from a trust established by Father for the benefit of the children. Grandmother is employed and earns \$2,000 net per month. Grandmother seeks support from the children's mother, who earns \$2,000 net per month. For purposes of calculating Mother's **basic child** support obligation, Grandmother's income will be \$1,300, the amount she receives on **the children's** behalf [**of the children**] in Social Security derivative benefits and the **trust** income [**from the trust**]. (If Mother were receiving the benefit on **the children's** behalf [**of the children it**], **the benefit** would be added to [**her income such that**] Mother's **monthly net** income **and** would be \$2,800 [**and**]. Grandmother's **monthly net** income would be \$500.) Therefore, Mother's and Grandmother's combined monthly net [**incomes total**] **income totals** \$3,300. The basic **child** support [**amount**] **obligation** at the \$3,300 **monthly net** income level for two children is [**\$1,115**] **\$1,137**. As Mother's **monthly net** income of \$2,000 is 61% of the parties' combined **monthly net** income of \$3,300, [**her portion of the**] **Mother's basic child** support obligation is [**\$680**] **\$694**. Since Mother's retirement or disability did not generate the child's derivative benefit, the benefit amount is not subtracted from [**her portion of the**] **Mother's basic child** support [**amount**] **obligation**, and Mother owes Grandmother [**\$680**] **\$694**. If Grandmother was not receiving the children's derivative benefits or **trust** income [**from the trust, her**], **Grandmother's monthly net** income for purposes of calculating Mother's **basic child** support obligation would be zero, and Mother would pay 100% of the basic **child** support [**amount**] **obligation** because Grandmother has no duty to support the children.

Official Note: Care must be taken to distinguish Social Security from Supplemental Security Income (SSI) benefits. Social Security benefits are income pursuant to subdivision (a) of this rule.

(c) *Monthly Net Income.*

(1) Unless these rules provide otherwise, the trier-of-fact shall deduct only the following items from monthly gross income to arrive at monthly net income:

- (i) federal, state, and local income taxes;
- (ii) unemployment compensation taxes and Local Services Taxes (LST);
- (iii) F.I.C.A. payments (Social Security, Medicare and Self-Employment taxes) and non-voluntary retirement payments;

- (iv) mandatory union dues; and
- (v) alimony paid to the other party.

(2) In computing a spousal support or alimony *pendente lite* obligation, the trier-of-fact shall:

(i) deduct from the obligor's monthly net income child support, spousal support, alimony *pendente lite*, or alimony amounts paid to children and former spouses, who are not part of this action; and

(ii) include in a party's monthly net income alimony *pendente lite* or alimony received from a former spouse that was not included in the party's gross income, as provided in subdivision (a).

Official Note: Since the reasons for ordering payment of alimony vary, the appropriateness of including it in the recipient's monthly net income must also vary. For example, if the obligor is paying \$1,000 per month in alimony for the express purpose of financing the obligee's college education, it would be inappropriate to consider that alimony as income from which the obligee could provide child support. However, if alimony is intended to finance the obligee's general living expenses, inclusion of the alimony as income is appropriate.

(d) *Reduced Income or Fluctuating [Income] Earnings.*

(1) [**Voluntary Reduction of Income.** When either party voluntarily assumes a lower paying job, quits a job, leaves employment, changes occupations or changes employment status to pursue an education, or is fired for cause, there generally will be no effect on the support obligation.] **Voluntary Income Reduction.** The trier-of-fact shall not downwardly adjust a party's net income if the trier-of-fact finds that:

(i) the party's income reduction resulted from the party willfully attempting to favorably affect the party's basic support obligation; or

(ii) the party voluntarily assumed a lower paying job, quit a job, left employment, changed occupations, changed employment status to pursue an education, or employment is terminated due to willful misconduct.

(2) [**Involuntary Reduction of, and Fluctuations in, Income.** No adjustments in support payments will be made for normal fluctuations in earnings. However, appropriate adjustments will be made for substantial continuing involuntary decreases in income, including but not limited to the result of illness, lay-off, termination, job elimination or some other employment situation over which the party has no control unless the trier of fact finds that such a reduction in income was willfully undertaken in an attempt to avoid or reduce the support obligation.] **Involuntary Income Reduction. Incarceration. Earnings Fluctuations.**

(i) Involuntary Income Reduction. The trier-of-fact shall adjust a party's monthly net income for substantial continuing involuntary decreases in income due to an employment situation over which the party has no control, including, but not limited to, illness, lay-off, termination, or job elimination.

(ii) Incarceration.

(A) Except as set forth in subdivision (d)(2)(ii)(B), the trier-of-fact shall:

(I) consider an incarcerated party's income reduction as an involuntary income reduction as set forth in subdivision (d)(2)(i); and

(II) adjust the incarcerated party's monthly net income accordingly.

(B) Exception.

(I) A party's incarceration shall not constitute an involuntary income reduction when the incarceration is due to support enforcement purposes or a criminal offense in which the party's dependent child or the obligee was the victim; and

(II) The trier-of-fact makes a written finding that downwardly adjusting the incarcerated party's monthly net income would be unjust or inappropriate and, in a child support action, takes into consideration the child's best interest.

(iii) Earnings Fluctuations. The trier-of-fact shall not adjust a party's monthly net income due to normal or temporary earnings fluctuations.

(3) Seasonal Employees. [Support orders for seasonal employees, such as construction workers, shall ordinarily be based upon a yearly average.] Generally, the trier-of-fact shall base a seasonal employee's monthly net income on a yearly average.

(4) Earning Capacity. [If the trier of fact determines that a party to a support action has willfully failed to obtain or maintain appropriate employment, the trier of fact may impute to that party an income equal to the party's earning capacity. Age, education, training, health, work experience, earnings history and child care responsibilities are factors which shall be considered in determining earning capacity. In order for an earning capacity to be assessed, the trier of fact must state the reasons for the assessment in writing or on the record. Generally, the trier of fact should not impute an earning capacity that is greater than the amount the party would earn from one full-time position. Determination of what constitutes a reasonable work regimen depends upon all relevant circumstances including the choice of jobs available within a particular occupation, working hours, working conditions and whether a party has exerted substantial good faith efforts to find employment.]

(i) When a party willfully fails to obtain or maintain appropriate employment, the trier-of-fact may impute to the party an income equal to the party's earning capacity.

(A) Earning Capacity Limitation. The trier-of-fact:

(I) shall not impute to the party an earning capacity that exceeds the amount the party could earn from one full-time position; and

(II) shall determine a reasonable work regimen based upon the party's relevant circumstances, including the jobs available within a particular occupation, working hours and conditions, and whether a party has exerted substantial good faith efforts to find employment.

(B) The trier-of-fact shall base the party's earning capacity on the subdivision (d)(4)(ii) factors.

(C) After assessing a party's earning capacity, the trier-of-fact shall state the reasons for the assessment in writing or on the record.

(D) When the trier-of-fact imputes an earning capacity to a party who would incur childcare expenses if the party were employed, the trier-of-fact shall consider reasonable childcare responsibilities and expenses.

(ii) Factors. In determining a party's earning capacity, the trier-of-fact shall consider the party's:

(A) child care responsibilities and expenses;

(B) assets;

(C) residence;

(D) employment and earnings history;

(E) job skills;

(F) educational attainment;

(G) literacy;

(H) age;

(I) health;

(J) criminal record and other employment barriers;

(K) record of seeking work;

(L) local job market, including the availability of employers who are willing to hire the party;

(M) local community prevailing earnings level; and

(N) other relevant factors.

Official Note: See 45 C.F.R. § 302.56(c)(1)(iii) regarding earning capacity factors.

(e) Net Income Affecting Application of the Support Guidelines.

[(1) Low-Income Cases.

(i) If the obligor's monthly net income and corresponding number of children fall into the shaded area of the schedule set forth in Pa.R.C.P. No. 1910.16-3, the basic child support obligation shall be calculated initially by using the obligor's monthly net income only. For example, if the obligor has monthly net income of \$1,100, the presumptive support amount for three children is \$110 per month. This amount is determined directly from the schedule in Pa.R.C.P. No. 1910.16-3. Next, the obligor's child support obligation is calculated by using the parties' combined monthly net incomes and the appropriate formula in Pa.R.C.P. No. 1910.16-4. The lower of the two calculated amounts shall be the obligor's basic child support obligation.

Example 1: The parties have two children. The obligor has monthly net income of \$1,500, which falls into the shaded area of the schedule for two children. Using only the obligor's monthly net income, the amount of support for two children would be \$472. Next, calculate support using the parties' combined monthly net incomes. The obligee has monthly net income of \$2,500 so the combined monthly net income of the parties is \$4,000. The basic child support amount at that income level for two children is \$1,269. As the obligor's income is 38% of the combined monthly net income of the parties, the obligor's share of the basic support amount is \$482. As the amount of support the

obligor would pay using only the obligor's income is less than the amount calculated using the parties' combined monthly net incomes, the lower amount would be awarded, and the obligor's basic child support obligation would be \$472.

(ii) In computing a basic spousal support or alimony *pendente lite* obligation, the presumptive support amount shall not reduce the obligor's monthly net income below the Self-Support Reserve of \$981 per month.

Example 2: If the obligor earns \$1,000 per month and the obligee earns \$300 per month, the formula in Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) would result in a support obligation of \$213 per month ($(\$1,000 \times 33\%)$ or $\$333$ minus $(\$300 \times 40\%)$ or $\$120$ for a total of $\$213$). Since this amount leaves the obligor with only $\$787$ per month, it must be adjusted so that the obligor retains at least $\$981$ per month. The presumptive minimum spousal support amount, therefore, is $\$19$ per month in this case.

(iii) If the obligor's monthly net income is $\$981$ or less, the trier-of-fact may award support only after consideration of the parties' actual financial resources and living expenses.

(2) *High-Income Cases.* If the parties' combined monthly net income exceeds $\$30,000$ per month, child support, spousal support, and alimony *pendente lite* calculations shall be pursuant to Pa.R.C.P. No. 1910.16-3.1.

Official Note: See Hanrahan v. Bakker, 186 A.3d 958 (Pa. 2018)]

(1) *Low-Income Cases.*

(i) *Self-Support Reserve (SSR).*

(A) The SSR is the minimum monthly net income reserved to the obligor to meet the obligor's basic needs.

(B) The SSR amount is $\$1,063$ per month.

(ii) *Action for Child Support Only.* When the obligor's monthly net income and the number of children in the action intersect in the Basic Child Support Schedule's shaded area as set forth in Pa.R.C.P. No. 1910.16-3, the trier-of-fact shall determine the obligor's basic child support obligation utilizing the lesser of the two calculated amounts from the following methodologies.

(A) The initial calculation is determined by using the obligor's monthly net income only, the schedule set forth in Pa.R.C.P. No. 1910.16-3, and the number of children.

(B) The second calculation is determined by using the parties' combined monthly net income and the basic child support formula in Pa.R.C.P. No. 1910.16-4(a).

(C) If the obligor's monthly net income is at or below the SSR, the trier-of-fact may award support only after consideration of the parties' actual financial resources and living expenses.

Example 1: The parties have two children. The obligee has monthly net income of $\$2,500$. The obligor has monthly net income of $\$1,500$, which falls into the shaded area of the schedule for two children. The initial calculation is made using only the obligor's monthly net income. The basic child support obligation for two children would be $\$397$.

The second calculation uses the parties' combined monthly net income. The parties' combined monthly net income is $\$4,000$. The basic child support obligation for two children is $\$1,340$. The obligor's proportionate share of the parties' combined monthly net income is 38% with a basic child support obligation of $\$509$. The obligor's basic child support obligation using only the obligor's monthly net income is less than the calculated amount using the parties' combined monthly net income. As a result, the trier-of-fact should award the lesser amount, and the obligor's basic child support obligation is $\$397$.

(iii) *Action for Spousal Support/Alimony Pendente Lite Only.*

(A) After calculating the spousal support or alimony *pendente lite* obligation as provided in Pa.R.C.P. No. 1910.16-4, the spousal support obligation shall not reduce the obligor's monthly net income below the SSR.

(B) If the obligor's monthly net income after subtracting the spousal support or alimony *pendente lite* obligation is less than the SSR, the trier-of-fact shall adjust the spousal support or alimony *pendente lite* obligation downward by an amount sufficient for the obligor to retain the SSR amount.

Example 2: The obligor has $\$1,200$ monthly net income, and the obligee has $\$300$ monthly net income. The formula in Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) would result in a monthly spousal support obligation of $\$276$ ($(\$1,200 \times 33\% = \$396)$ minus $(\$300 \times 40\% = \$120)$ for a total of $\$276$). Since this amount leaves the obligor with only $\$924$ per month, the trier-of-fact should adjust the support obligation so the obligor retains at least $\$1,063$ per month. Therefore, the spousal support obligation is $\$137$ per month ($\$1,200 - \$1,063$).

(iv) *Action with Child Support and Spousal Support or Alimony Pendente Lite.*

(A) The trier-of-fact shall calculate the spousal support or alimony *pendente lite* obligation as provided in Pa.R.C.P. No. 1910.16-4.

(B) The trier-of-fact shall subtract the calculated spousal support or alimony *pendente lite* obligation from the obligor's monthly net income to determine the obligor's adjusted monthly net income.

(C) When the obligor's adjusted monthly net income and the number of children in the action intersect in the Basic Child Support Schedule's shaded area as set forth in Pa.R.C.P. No. 1910.16-3, the trier-of-fact:

(I) shall not award spousal support or alimony *pendente lite*; and

(II) shall calculate child support as provided in subdivision (e)(1)(ii).

Example 3: Obligor and obligee have monthly net incomes of $\$2,000$ and $\$165$, respectively, and have two children. Calculating spousal support under subdivision (e)(1)(iv)(A) results in a spousal support obligation of $\$450$ ($\$2,000 \times 25\%$ minus $\$165 \times 30\%$). Obligor's adjusted monthly net income ($\$2,000$ minus $\$450$) is $\$1,550$. Obligor's adjusted monthly net income of $\$1,550$ with two children is in the shaded area of the Basic Child Support Schedule, and as a result, the trier-of-fact shall not award spousal

support. Instead, the trier-of-fact should award child support only as provided in subdivision (e)(1)(ii).

(D) When the obligor’s monthly net income and the number of children in the action do not intersect in the Basic Child Support Schedule’s shaded area as set forth in Pa.R.C.P. No. 1910.16-3, the trier-of-fact shall calculate child support consistent with Pa.R.C.P. No. 1910.16-4.

(I) The combined spousal support or alimony pendente lite and basic child support obligations shall not reduce the obligor’s remaining monthly net income below the SSR.

(II) If the obligor’s monthly net income after subtracting the spousal support or alimony pendente lite and basic child support obligations is less than the SSR, the trier-of-fact shall adjust the support obligation downward by an amount sufficient for the obligor to retain the SSR amount.

(2) High-Income Cases. If the parties’ combined monthly net income exceeds \$30,000, the trier-of-fact shall calculate child support, spousal support, or alimony pendente lite pursuant to Pa.R.C.P. No. 1910.16-3.1.

Official Note: See Hanrahan v. Bakker, 186 A.3d 958 (Pa. 2018).

(f) Child Tax Credit. In order to maximize the total income available to the parties and children, the trier-of-fact may award, as appropriate, the federal child tax credit to the non-custodial parent, or to either parent in cases of equally shared custody, and [order] require the other party to execute the waiver required by the Internal Revenue Code, 26 U.S.C. § 152(e). The trier-of-fact shall consider the tax consequences associated with the federal child tax credit [must be considered] in calculating the party’s monthly net income available for support.

* * * * *

Explanatory Comment—2015

The rule has been amended to provide that a party’s support obligation will be reduced by the child’s Social Security derivative benefit amount if that party’s retirement or disability created the benefit and the benefit is being paid to the household in which the child primarily resides or the obligee in cases of equally shared custody. In most cases, payment of the benefit to the obligee’s household will increase the resources available to the child and the parties. The rule is intended to encourage parties to direct that the child’s benefits be paid to the obligee.

Explanatory Comment—2021

The Self-Support Reserve is determined by the Federal Poverty Guideline for one person converted to a monthly amount—currently \$1,063—for the year the Basic Child Support Schedule was derived.

Subdivision (e)(1) addresses low-income cases and has been completely rewritten and identifies the current monthly Self-Support Reserve (SSR) amount as \$1,063. The SSR is the amount of the obligor’s monthly net income that is reserved to meet the obligor’s basic needs. Subdivisions (e)(1)(ii)—(iv) adjust the methodology for calculating support when the obligor’s monthly net income is at or near the SSR amount.

Rule 1910.16-3. Support Guidelines. Basic Child Support Schedule.

The following schedule represents the amounts spent on children of intact families by combined monthly net income and number of children. Combined monthly net income is on the schedule’s vertical axis, and the number of children is on the schedule’s horizontal axis. This schedule determines the basic child support obligation. Unless these rules provide otherwise, the obligor’s [share of the] basic child support obligation shall be computed using either the formula set forth in Pa.R.C.P. No. 1910.16-4(a)(1)(Part C) or [(2)(Part I)] (a)(2)(Part I).

[Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
1000	17	17	18	18	18	18
1050	62	63	64	64	65	66
1100	107	108	110	111	112	113
1150	152	154	156	157	159	161
1200	197	199	202	204	206	208
1250	242	245	248	250	253	256
1300	287	290	294	297	300	303
1350	325	336	340	343	347	351
1400	336	381	386	390	394	398
1450	348	427	432	436	441	446
1500	360	472	478	483	488	493
1550	372	518	524	529	535	541
1600	383	555	570	576	582	588
1650	395	571	616	622	629	636

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
1700	407	588	662	669	676	683
1750	418	605	708	715	723	731
1800	430	621	730	762	770	778
1850	441	638	748	808	817	826
1900	452	654	767	855	864	873
1950	464	670	786	878	911	921
2000	475	686	805	899	958	968
2050	487	703	824	920	1005	1016
2100	498	719	843	941	1035	1063
2150	509	735	861	962	1058	1111
2200	521	751	880	983	1081	1158
2250	532	768	899	1004	1105	1201
2300	543	784	918	1025	1128	1226
2350	555	800	937	1046	1151	1251
2400	566	816	956	1067	1174	1276
2450	578	832	974	1088	1197	1301
2500	589	849	993	1109	1220	1326
2550	600	865	1012	1131	1244	1352
2600	612	882	1032	1153	1268	1378
2650	623	898	1052	1175	1292	1404
2700	635	915	1071	1197	1316	1431
2750	647	932	1091	1218	1340	1457
2800	658	949	1111	1240	1364	1483
2850	670	965	1130	1262	1389	1509
2900	681	982	1150	1284	1413	1536
2950	693	999	1169	1306	1437	1562
3000	704	1015	1189	1328	1461	1588
3050	716	1032	1209	1350	1485	1614
3100	727	1049	1228	1372	1509	1641
3150	739	1065	1248	1394	1534	1667
3200	751	1082	1268	1416	1558	1693
3250	762	1099	1287	1438	1582	1719
3300	774	1115	1307	1460	1606	1745
3350	782	1127	1320	1475	1622	1763
3400	791	1140	1333	1489	1638	1781
3450	800	1152	1347	1504	1655	1799
3500	809	1164	1360	1519	1671	1817
3550	818	1176	1373	1534	1687	1834
3600	827	1188	1387	1549	1704	1852
3650	836	1200	1400	1564	1720	1870
3700	845	1212	1413	1579	1737	1888
3750	853	1224	1427	1594	1753	1905
3800	862	1236	1440	1608	1769	1923
3850	868	1245	1450	1620	1782	1937
3900	873	1253	1460	1630	1793	1949

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
3950	879	1261	1469	1641	1805	1962
4000	884	1269	1479	1652	1817	1975
4050	890	1277	1488	1662	1829	1988
4100	895	1285	1498	1673	1840	2001
4150	900	1293	1508	1684	1852	2013
4200	906	1301	1517	1695	1864	2026
4250	911	1309	1527	1705	1876	2039
4300	917	1317	1536	1716	1888	2052
4350	922	1325	1545	1726	1899	2064
4400	928	1333	1555	1736	1910	2076
4450	934	1341	1564	1747	1921	2088
4500	940	1349	1573	1757	1932	2100
4550	946	1357	1582	1767	1943	2113
4600	952	1365	1591	1777	1955	2125
4650	957	1373	1600	1787	1966	2137
4700	963	1381	1609	1797	1977	2149
4750	969	1389	1618	1807	1988	2161
4800	975	1397	1627	1817	1999	2173
4850	979	1403	1633	1824	2006	2181
4900	983	1407	1637	1828	2011	2186
4950	986	1411	1641	1833	2016	2191
5000	990	1415	1644	1837	2020	2196
5050	993	1419	1648	1841	2025	2201
5100	996	1423	1652	1845	2030	2206
5150	1000	1427	1656	1850	2034	2211
5200	1003	1431	1660	1854	2039	2217
5250	1007	1436	1663	1858	2044	2222
5300	1010	1440	1667	1862	2049	2227
5350	1014	1445	1672	1868	2055	2234
5400	1018	1451	1679	1876	2063	2243
5450	1022	1457	1686	1883	2072	2252
5500	1027	1463	1693	1891	2080	2261
5550	1031	1469	1700	1899	2089	2270
5600	1036	1475	1707	1906	2097	2279
5650	1040	1481	1714	1914	2105	2289
5700	1044	1487	1720	1922	2114	2298
5750	1049	1493	1727	1929	2122	2307
5800	1053	1499	1734	1937	2131	2316
5850	1057	1505	1741	1945	2139	2325
5900	1062	1511	1748	1952	2148	2334
5950	1066	1517	1755	1960	2156	2343
6000	1071	1523	1761	1968	2164	2353
6050	1075	1529	1768	1975	2173	2362
6100	1079	1536	1775	1983	2181	2371
6150	1085	1542	1783	1992	2191	2381

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
6200	1090	1549	1791	2000	2200	2392
6250	1095	1556	1798	2009	2210	2402
6300	1100	1563	1806	2017	2219	2412
6350	1105	1570	1814	2026	2228	2422
6400	1110	1577	1821	2034	2238	2432
6450	1115	1584	1829	2043	2247	2443
6500	1120	1591	1836	2051	2256	2453
6550	1125	1598	1844	2060	2266	2463
6600	1130	1605	1852	2068	2275	2473
6650	1135	1612	1859	2077	2285	2483
6700	1140	1619	1867	2085	2294	2494
6750	1145	1625	1875	2094	2303	2504
6800	1151	1632	1882	2103	2313	2514
6850	1156	1639	1890	2111	2322	2524
6900	1160	1646	1898	2120	2332	2535
6950	1165	1653	1906	2129	2342	2546
7000	1170	1660	1914	2138	2352	2556
7050	1175	1667	1922	2147	2361	2567
7100	1180	1674	1930	2156	2371	2578
7150	1185	1681	1938	2165	2381	2588
7200	1190	1687	1946	2173	2391	2599
7250	1195	1694	1954	2182	2401	2609
7300	1199	1701	1962	2191	2410	2620
7350	1204	1708	1970	2200	2420	2631
7400	1209	1715	1978	2209	2430	2641
7450	1214	1722	1986	2218	2440	2652
7500	1219	1729	1994	2227	2450	2663
7550	1224	1736	2002	2236	2459	2673
7600	1229	1743	2010	2245	2469	2684
7650	1233	1749	2017	2253	2478	2694
7700	1238	1756	2024	2261	2487	2704
7750	1243	1762	2032	2269	2496	2714
7800	1248	1769	2039	2278	2505	2723
7850	1253	1776	2046	2286	2514	2733
7900	1257	1782	2054	2294	2523	2743
7950	1262	1789	2061	2302	2532	2753
8000	1267	1795	2068	2310	2541	2762
8050	1272	1802	2076	2319	2550	2772
8100	1276	1808	2083	2327	2559	2782
8150	1281	1815	2090	2335	2568	2792
8200	1286	1822	2098	2343	2577	2802
8250	1291	1828	2105	2351	2586	2811
8300	1296	1835	2112	2359	2595	2821
8350	1300	1841	2120	2368	2604	2831
8400	1305	1848	2127	2376	2613	2841

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
8450	1310	1854	2134	2384	2622	2850
8500	1315	1861	2142	2392	2631	2860
8550	1320	1868	2149	2400	2640	2870
8600	1324	1874	2156	2408	2649	2880
8650	1329	1881	2164	2417	2659	2890
8700	1334	1888	2172	2426	2669	2901
8750	1339	1895	2181	2436	2679	2912
8800	1344	1902	2189	2445	2689	2923
8850	1349	1909	2197	2454	2699	2934
8900	1353	1916	2205	2463	2710	2945
8950	1358	1923	2214	2473	2720	2956
9000	1363	1930	2222	2482	2730	2967
9050	1368	1937	2230	2491	2740	2978
9100	1373	1944	2238	2500	2750	2990
9150	1378	1951	2247	2509	2760	3001
9200	1383	1958	2255	2519	2771	3012
9250	1387	1965	2263	2528	2781	3023
9300	1392	1972	2271	2537	2791	3034
9350	1397	1979	2280	2546	2801	3045
9400	1402	1986	2288	2556	2811	3056
9450	1407	1993	2296	2565	2821	3067
9500	1412	2000	2304	2574	2831	3078
9550	1417	2007	2313	2583	2842	3089
9600	1421	2014	2321	2593	2852	3100
9650	1426	2020	2328	2601	2861	3110
9700	1428	2024	2332	2605	2866	3115
9750	1431	2027	2336	2609	2870	3120
9800	1433	2031	2340	2614	2875	3125
9850	1436	2034	2344	2618	2880	3130
9900	1438	2038	2347	2622	2884	3135
9950	1441	2041	2351	2626	2889	3140
10000	1443	2044	2355	2630	2894	3145
10050	1445	2048	2359	2635	2898	3150
10100	1448	2051	2363	2639	2903	3155
10150	1450	2055	2366	2643	2908	3160
10200	1453	2058	2370	2647	2912	3166
10250	1455	2061	2374	2652	2917	3171
10300	1458	2065	2378	2656	2922	3176
10350	1460	2068	2382	2660	2926	3181
10400	1463	2072	2385	2664	2931	3186
10450	1465	2075	2389	2669	2936	3191
10500	1468	2079	2393	2673	2940	3196
10550	1470	2082	2397	2677	2945	3201
10600	1473	2085	2401	2681	2950	3206
10650	1475	2089	2404	2686	2954	3211

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
10700	1479	2094	2410	2692	2961	3219
10750	1483	2100	2416	2699	2969	3227
10800	1487	2105	2422	2706	2976	3235
10850	1491	2111	2428	2713	2984	3243
10900	1495	2116	2434	2719	2991	3251
10950	1499	2122	2441	2726	2999	3260
11000	1504	2127	2447	2733	3006	3268
11050	1508	2133	2453	2740	3014	3276
11100	1512	2138	2459	2746	3021	3284
11150	1516	2144	2465	2753	3029	3292
11200	1520	2149	2471	2760	3036	3300
11250	1524	2155	2477	2767	3043	3308
11300	1528	2160	2483	2774	3051	3316
11350	1532	2166	2489	2780	3058	3324
11400	1536	2171	2495	2787	3066	3333
11450	1540	2177	2501	2794	3073	3341
11500	1545	2182	2507	2801	3081	3349
11550	1549	2188	2513	2808	3088	3357
11600	1553	2193	2520	2814	3096	3365
11650	1557	2199	2526	2821	3103	3373
11700	1561	2204	2532	2828	3111	3381
11750	1565	2210	2538	2835	3118	3389
11800	1569	2215	2544	2841	3126	3398
11850	1573	2221	2550	2848	3133	3406
11900	1577	2226	2556	2855	3141	3414
11950	1582	2232	2563	2863	3149	3423
12000	1586	2239	2570	2871	3158	3433
12050	1591	2245	2577	2879	3167	3442
12100	1595	2251	2585	2887	3176	3452
12150	1600	2258	2592	2895	3185	3462
12200	1604	2264	2600	2904	3194	3472
12250	1609	2271	2607	2912	3203	3482
12300	1613	2277	2614	2920	3212	3492
12350	1618	2283	2622	2928	3221	3501
12400	1622	2290	2629	2937	3230	3511
12450	1627	2296	2636	2945	3239	3521
12500	1631	2303	2644	2953	3248	3531
12550	1636	2309	2651	2961	3257	3541
12600	1640	2316	2658	2969	3266	3551
12650	1645	2322	2666	2978	3275	3560
12700	1649	2328	2673	2986	3285	3570
12750	1654	2335	2681	2994	3294	3580
12800	1659	2341	2688	3002	3303	3590
12850	1663	2348	2695	3011	3312	3600
12900	1668	2354	2703	3019	3321	3610

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
12950	1672	2360	2710	3027	3330	3619
13000	1677	2367	2717	3035	3339	3629
13050	1681	2373	2725	3044	3348	3639
13100	1686	2380	2732	3052	3357	3649
13150	1690	2386	2739	3060	3366	3659
13200	1695	2392	2747	3068	3375	3669
13250	1699	2399	2754	3076	3384	3678
13300	1704	2405	2762	3085	3393	3688
13350	1708	2412	2769	3093	3402	3698
13400	1713	2418	2776	3101	3411	3708
13450	1717	2424	2784	3109	3420	3718
13500	1722	2431	2791	3118	3429	3728
13550	1726	2437	2798	3126	3438	3737
13600	1731	2444	2806	3134	3447	3747
13650	1735	2450	2813	3142	3456	3757
13700	1740	2457	2820	3150	3465	3767
13750	1745	2463	2828	3159	3475	3777
13800	1749	2469	2835	3167	3484	3787
13850	1754	2476	2843	3175	3493	3797
13900	1758	2482	2850	3183	3502	3806
13950	1763	2489	2857	3192	3511	3816
14000	1766	2493	2863	3198	3517	3823
14050	1770	2498	2868	3203	3524	3830
14100	1773	2503	2873	3209	3530	3837
14150	1776	2507	2878	3215	3536	3844
14200	1780	2512	2883	3221	3543	3851
14250	1783	2517	2889	3227	3549	3858
14300	1786	2521	2894	3232	3556	3865
14350	1790	2526	2899	3238	3562	3872
14400	1793	2531	2904	3244	3568	3879
14450	1797	2535	2909	3250	3575	3886
14500	1800	2540	2915	3256	3581	3893
14550	1803	2545	2920	3261	3588	3900
14600	1807	2549	2925	3267	3594	3907
14650	1810	2554	2930	3273	3600	3914
14700	1814	2558	2935	3279	3607	3921
14750	1817	2563	2941	3285	3613	3927
14800	1820	2568	2946	3290	3620	3934
14850	1824	2572	2951	3296	3626	3941
14900	1827	2577	2956	3302	3632	3948
14950	1830	2582	2961	3308	3639	3955
15000	1834	2586	2967	3314	3645	3962
15050	1837	2591	2972	3320	3651	3969
15100	1841	2596	2977	3325	3658	3976
15150	1844	2600	2982	3331	3664	3983

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
15200	1847	2605	2987	3337	3671	3990
15250	1851	2610	2993	3343	3677	3997
15300	1854	2614	2998	3349	3683	4004
15350	1858	2619	3003	3354	3690	4011
15400	1861	2624	3008	3360	3696	4018
15450	1864	2628	3013	3366	3703	4025
15500	1868	2633	3019	3372	3709	4032
15550	1871	2638	3024	3378	3715	4039
15600	1874	2642	3029	3383	3722	4046
15650	1878	2647	3034	3389	3728	4053
15700	1881	2652	3039	3395	3735	4059
15750	1885	2656	3045	3401	3741	4066
15800	1888	2661	3050	3407	3747	4073
15850	1891	2666	3055	3412	3754	4080
15900	1895	2670	3060	3418	3760	4087
15950	1898	2675	3065	3424	3767	4094
16000	1902	2679	3071	3430	3773	4101
16050	1905	2684	3076	3436	3779	4108
16100	1908	2689	3081	3442	3786	4115
16150	1912	2693	3086	3447	3792	4122
16200	1915	2698	3091	3453	3798	4129
16250	1918	2703	3097	3459	3805	4136
16300	1922	2707	3102	3465	3811	4143
16350	1925	2712	3107	3471	3818	4150
16400	1929	2717	3112	3476	3824	4157
16450	1932	2721	3117	3482	3830	4164
16500	1935	2726	3123	3488	3837	4171
16550	1939	2731	3128	3494	3843	4178
16600	1942	2735	3133	3500	3850	4184
16650	1946	2740	3138	3505	3856	4191
16700	1949	2745	3143	3511	3862	4198
16750	1952	2749	3149	3517	3869	4205
16800	1956	2754	3154	3523	3875	4212
16850	1959	2759	3159	3529	3882	4219
16900	1963	2763	3164	3534	3888	4226
16950	1966	2768	3169	3540	3894	4233
17000	1969	2773	3175	3546	3901	4240
17050	1973	2777	3180	3552	3907	4247
17100	1976	2782	3185	3558	3913	4254
17150	1979	2787	3190	3564	3920	4261
17200	1983	2791	3195	3569	3926	4268
17250	1986	2796	3201	3575	3933	4275
17300	1990	2801	3206	3581	3939	4282
17350	1993	2805	3211	3587	3945	4289
17400	1996	2810	3216	3593	3952	4296

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
17450	2000	2814	3221	3598	3958	4303
17500	2003	2819	3227	3604	3965	4310
17550	2007	2824	3232	3610	3971	4316
17600	2010	2828	3237	3616	3977	4323
17650	2013	2833	3242	3622	3984	4330
17700	2017	2838	3247	3627	3990	4337
17750	2020	2842	3253	3633	3997	4344
17800	2023	2847	3258	3639	4003	4351
17850	2027	2852	3263	3645	4009	4358
17900	2030	2856	3268	3651	4016	4365
17950	2034	2861	3273	3656	4022	4372
18000	2037	2866	3279	3662	4028	4379
18050	2040	2870	3284	3668	4035	4386
18100	2044	2875	3289	3674	4041	4393
18150	2047	2880	3294	3680	4048	4400
18200	2051	2884	3299	3685	4054	4407
18250	2054	2889	3305	3691	4060	4414
18300	2057	2894	3310	3697	4067	4421
18350	2061	2898	3315	3703	4073	4428
18400	2064	2903	3320	3709	4080	4435
18450	2067	2908	3325	3715	4086	4441
18500	2071	2912	3331	3720	4092	4448
18550	2074	2917	3336	3726	4099	4455
18600	2078	2922	3341	3732	4105	4462
18650	2081	2926	3346	3738	4112	4469
18700	2084	2931	3351	3744	4118	4476
18750	2088	2935	3357	3749	4124	4483
18800	2091	2940	3362	3755	4131	4490
18850	2095	2945	3367	3761	4137	4497
18900	2098	2949	3372	3767	4143	4504
18950	2101	2954	3377	3773	4150	4511
19000	2105	2959	3383	3778	4156	4518
19050	2108	2963	3388	3784	4163	4525
19100	2112	2968	3393	3790	4169	4532
19150	2115	2973	3398	3796	4175	4539
19200	2118	2977	3403	3802	4182	4546
19250	2122	2982	3409	3807	4188	4553
19300	2125	2987	3414	3813	4195	4560
19350	2128	2991	3419	3819	4201	4566
19400	2132	2996	3424	3825	4207	4573
19450	2135	3001	3429	3831	4214	4580
19500	2139	3005	3435	3837	4220	4587
19550	2142	3010	3440	3842	4227	4594
19600	2145	3015	3445	3848	4233	4601
19650	2149	3019	3450	3854	4239	4608

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
19700	2152	3024	3455	3860	4246	4615
19750	2156	3029	3461	3866	4252	4622
19800	2159	3033	3466	3871	4259	4629
19850	2162	3038	3471	3877	4265	4636
19900	2166	3043	3476	3883	4271	4643
19950	2169	3047	3481	3889	4278	4650
20000	2172	3052	3487	3895	4284	4657
20050	2176	3056	3492	3900	4290	4664
20100	2179	3061	3497	3906	4297	4671
20150	2183	3066	3502	3912	4303	4678
20200	2186	3070	3507	3918	4310	4685
20250	2189	3075	3513	3924	4316	4692
20300	2193	3080	3518	3929	4322	4698
20350	2196	3084	3523	3935	4329	4705
20400	2200	3089	3528	3941	4335	4712
20450	2203	3094	3533	3947	4342	4719
20500	2206	3098	3539	3953	4348	4726
20550	2210	3103	3544	3959	4354	4733
20600	2213	3108	3549	3964	4361	4740
20650	2216	3112	3554	3970	4367	4747
20700	2220	3117	3559	3976	4374	4754
20750	2223	3122	3565	3982	4380	4761
20800	2227	3126	3570	3988	4386	4768
20850	2230	3131	3575	3993	4393	4775
20900	2233	3136	3580	3999	4399	4782
20950	2237	3140	3585	4005	4405	4789
21000	2240	3145	3591	4011	4412	4796
21050	2244	3150	3596	4017	4418	4803
21100	2247	3154	3601	4022	4425	4810
21150	2250	3159	3606	4028	4431	4817
21200	2254	3164	3611	4034	4437	4823
21250	2257	3168	3617	4040	4444	4830
21300	2261	3173	3622	4046	4450	4837
21350	2264	3177	3627	4051	4457	4844
21400	2267	3182	3632	4057	4463	4851
21450	2271	3187	3637	4063	4469	4858
21500	2274	3191	3643	4069	4476	4865
21550	2277	3196	3648	4075	4482	4872
21600	2281	3201	3653	4080	4489	4879
21650	2284	3205	3658	4086	4495	4886
21700	2288	3210	3663	4092	4501	4893
21750	2291	3215	3669	4098	4508	4900
21800	2294	3219	3674	4104	4514	4907
21850	2298	3224	3679	4110	4520	4914
21900	2301	3229	3684	4115	4527	4921

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
21950	2305	3233	3689	4121	4533	4928
22000	2308	3238	3695	4127	4540	4935
22050	2311	3243	3700	4133	4546	4942
22100	2315	3247	3705	4139	4552	4949
22150	2318	3252	3710	4144	4559	4955
22200	2321	3257	3715	4150	4565	4962
22250	2325	3261	3721	4156	4572	4969
22300	2328	3266	3726	4162	4578	4976
22350	2332	3271	3731	4168	4584	4983
22400	2335	3275	3736	4173	4591	4990
22450	2338	3280	3741	4179	4597	4997
22500	2342	3285	3747	4185	4604	5004
22550	2345	3289	3752	4191	4610	5011
22600	2349	3294	3757	4197	4616	5018
22650	2352	3299	3762	4202	4623	5025
22700	2355	3303	3767	4208	4628	5031
22750	2359	3307	3771	4212	4633	5036
22800	2362	3311	3775	4216	4638	5041
22850	2365	3315	3779	4220	4642	5046
22900	2369	3319	3783	4224	4647	5051
22950	2372	3323	3787	4229	4652	5056
23000	2375	3328	3792	4233	4656	5061
23050	2378	3332	3796	4237	4661	5066
23100	2382	3336	3800	4241	4665	5071
23150	2385	3340	3804	4246	4670	5076
23200	2388	3344	3808	4250	4675	5081
23250	2392	3348	3812	4254	4679	5087
23300	2395	3352	3816	4258	4684	5092
23350	2398	3356	3820	4262	4689	5097
23400	2402	3360	3824	4267	4693	5102
23450	2405	3365	3828	4271	4698	5107
23500	2408	3369	3833	4275	4703	5112
23550	2412	3373	3837	4279	4707	5117
23600	2415	3377	3841	4284	4712	5122
23650	2418	3381	3845	4288	4717	5127
23700	2422	3385	3849	4292	4721	5132
23750	2425	3389	3853	4296	4726	5137
23800	2428	3393	3857	4300	4730	5142
23850	2432	3397	3861	4305	4735	5147
23900	2435	3401	3865	4309	4740	5152
23950	2438	3406	3869	4313	4744	5157
24000	2441	3410	3874	4317	4749	5162
24050	2445	3414	3878	4322	4754	5167
24100	2448	3418	3882	4326	4758	5172
24150	2451	3422	3886	4330	4763	5177

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
24200	2455	3426	3890	4334	4768	5182
24250	2458	3430	3894	4338	4772	5187
24300	2461	3434	3898	4343	4777	5192
24350	2465	3438	3902	4347	4782	5198
24400	2468	3442	3906	4351	4786	5203
24450	2471	3447	3910	4355	4791	5208
24500	2475	3451	3914	4359	4795	5213
24550	2478	3455	3919	4364	4800	5218
24600	2481	3459	3923	4368	4805	5223
24650	2485	3463	3927	4372	4809	5228
24700	2488	3467	3931	4376	4814	5233
24750	2491	3471	3935	4381	4819	5238
24800	2495	3475	3939	4385	4823	5243
24850	2498	3479	3943	4389	4828	5248
24900	2501	3484	3947	4393	4833	5253
24950	2504	3488	3951	4397	4837	5258
25000	2508	3492	3955	4402	4842	5263
25050	2511	3496	3960	4406	4846	5268
25100	2514	3500	3964	4410	4851	5273
25150	2518	3504	3968	4414	4856	5278
25200	2521	3508	3972	4419	4860	5283
25250	2524	3512	3976	4423	4865	5288
25300	2528	3516	3980	4427	4870	5293
25350	2531	3520	3984	4431	4874	5298
25400	2534	3525	3988	4435	4879	5303
25450	2538	3529	3992	4440	4884	5308
25500	2541	3533	3996	4444	4888	5314
25550	2544	3537	4000	4448	4893	5319
25600	2548	3541	4005	4452	4898	5324
25650	2551	3545	4009	4457	4902	5329
25700	2554	3549	4013	4461	4907	5334
25750	2558	3553	4017	4465	4911	5339
25800	2561	3557	4021	4469	4916	5344
25850	2564	3562	4025	4473	4921	5349
25900	2567	3566	4029	4478	4925	5354
25950	2571	3570	4033	4482	4930	5359
26000	2574	3574	4037	4486	4935	5364
26050	2577	3578	4041	4490	4939	5369
26100	2581	3582	4046	4494	4944	5374
26150	2584	3586	4050	4499	4949	5379
26200	2587	3590	4054	4503	4953	5384
26250	2591	3594	4058	4507	4958	5389
26300	2594	3598	4062	4511	4962	5394
26350	2597	3603	4066	4516	4967	5399
26400	2601	3607	4070	4520	4972	5404

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
26450	2604	3611	4074	4524	4976	5409
26500	2607	3615	4078	4528	4981	5414
26550	2611	3619	4082	4532	4986	5419
26600	2614	3623	4086	4537	4990	5424
26650	2617	3627	4091	4541	4995	5430
26700	2621	3631	4095	4545	5000	5435
26750	2624	3635	4099	4549	5004	5440
26800	2627	3640	4103	4554	5009	5445
26850	2630	3644	4107	4558	5014	5450
26900	2634	3648	4111	4562	5018	5455
26950	2637	3652	4115	4566	5023	5460
27000	2640	3656	4119	4570	5027	5465
27050	2644	3660	4123	4575	5032	5470
27100	2647	3664	4127	4579	5037	5475
27150	2650	3668	4132	4583	5041	5480
27200	2654	3672	4136	4587	5046	5485
27250	2657	3676	4140	4592	5051	5490
27300	2660	3681	4144	4596	5055	5495
27350	2664	3685	4148	4600	5060	5500
27400	2667	3689	4152	4604	5065	5505
27450	2670	3693	4156	4608	5069	5510
27500	2674	3697	4160	4613	5074	5515
27550	2677	3701	4164	4617	5079	5520
27600	2680	3705	4168	4621	5083	5525
27650	2684	3709	4173	4625	5088	5530
27700	2687	3713	4177	4629	5092	5535
27750	2690	3718	4181	4634	5097	5541
27800	2693	3722	4185	4638	5102	5546
27850	2697	3726	4189	4642	5106	5551
27900	2700	3730	4193	4646	5111	5556
27950	2703	3734	4197	4651	5116	5561
28000	2707	3738	4201	4655	5120	5566
28050	2710	3742	4205	4659	5125	5571
28100	2713	3746	4209	4663	5130	5576
28150	2717	3750	4213	4667	5134	5581
28200	2720	3754	4218	4672	5139	5586
28250	2723	3759	4222	4676	5143	5591
28300	2727	3763	4226	4680	5148	5596
28350	2730	3767	4230	4684	5153	5601
28400	2733	3771	4234	4689	5157	5606
28450	2737	3775	4238	4693	5162	5611
28500	2740	3779	4242	4697	5167	5616
28550	2743	3783	4246	4701	5171	5621
28600	2747	3787	4250	4705	5176	5626
28650	2750	3791	4254	4710	5181	5631

Monthly Basic Child Support Schedule						
Combined Monthly Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
28700	2753	3796	4259	4714	5185	5636
28750	2756	3800	4263	4718	5190	5641
28800	2760	3804	4267	4722	5195	5646
28850	2763	3808	4271	4727	5199	5651
28900	2766	3812	4275	4731	5204	5657
28950	2770	3816	4279	4735	5208	5662
29000	2773	3820	4283	4739	5213	5667
29050	2776	3824	4287	4743	5218	5672
29100	2780	3828	4291	4748	5222	5677
29150	2783	3832	4295	4752	5227	5682
29200	2786	3837	4299	4756	5232	5687
29250	2790	3841	4304	4760	5236	5692
29300	2793	3845	4308	4764	5241	5697
29350	2796	3849	4312	4769	5246	5702
29400	2800	3853	4316	4773	5250	5707
29450	2803	3857	4320	4777	5255	5712
29500	2806	3861	4324	4781	5259	5717
29550	2810	3865	4328	4786	5264	5722
29600	2813	3869	4332	4790	5269	5727
29650	2816	3874	4336	4794	5273	5732
29700	2819	3878	4340	4798	5278	5737
29750	2823	3882	4345	4802	5283	5742
29800	2826	3886	4349	4807	5287	5747
29850	2829	3890	4353	4811	5292	5752
29900	2833	3894	4357	4815	5297	5757
29950	2836	3898	4361	4819	5301	5762
30000	2839	3902	4365	4824	5306	5768]

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

Basic Child Support Schedule						
Combined Adjusted Net Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
1100	33	33	34	34	34	35
1150	78	79	80	81	81	82
1200	123	124	126	127	128	130
1250	168	170	172	174	175	177
1300	213	215	218	220	222	225
1350	258	261	264	267	269	272
1400	303	306	310	313	316	320
1450	334	352	356	360	363	367
1500	346	397	402	406	410	415
1550	357	443	448	453	457	462
1600	369	488	494	499	504	510
1650	380	534	540	546	551	557
1700	392	579	586	592	598	605
1750	403	614	632	639	645	652

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
1800	415	632	678	685	692	700
1850	426	649	724	732	739	747
1900	438	667	770	778	786	795
1950	449	684	816	825	833	842
2000	461	702	848	871	880	890
2050	472	719	869	918	927	937
2100	484	737	891	964	974	985
2150	495	754	912	1011	1021	1032
2200	507	772	933	1042	1068	1080
2250	518	789	954	1066	1115	1127
2300	530	807	976	1090	1162	1175
2350	541	825	997	1113	1209	1222
2400	553	842	1018	1137	1251	1270
2450	565	860	1039	1161	1277	1317
2500	576	877	1060	1184	1303	1365
2550	588	895	1082	1208	1329	1412
2600	599	912	1103	1232	1355	1460
2650	611	930	1124	1255	1381	1501
2700	622	947	1145	1279	1407	1530
2750	634	965	1166	1303	1433	1558
2800	645	980	1184	1322	1455	1581
2850	657	995	1201	1342	1476	1604
2900	668	1010	1219	1361	1497	1628
2950	680	1026	1236	1381	1519	1651
3000	691	1041	1253	1400	1540	1674
3050	703	1056	1271	1420	1562	1697
3100	714	1071	1288	1439	1583	1721
3150	726	1086	1306	1458	1604	1744
3200	737	1103	1325	1479	1627	1769
3250	747	1120	1345	1502	1652	1796
3300	758	1137	1365	1524	1677	1823
3350	768	1154	1385	1547	1702	1850
3400	778	1171	1405	1569	1726	1876
3450	789	1188	1425	1592	1751	1903
3500	799	1205	1445	1614	1776	1930
3550	810	1222	1465	1637	1800	1957
3600	820	1238	1485	1659	1825	1983
3650	828	1251	1500	1676	1843	2003
3700	837	1264	1515	1692	1862	2023
3750	845	1276	1530	1709	1880	2044
3800	854	1289	1545	1726	1898	2064
3850	862	1302	1560	1743	1917	2084
3900	871	1314	1575	1759	1935	2104
3950	879	1327	1590	1776	1954	2124
4000	888	1340	1605	1793	1972	2144

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
4050	894	1349	1616	1805	1986	2159
4100	900	1357	1625	1815	1996	2170
4150	905	1364	1633	1824	2007	2181
4200	910	1372	1642	1834	2017	2193
4250	915	1379	1650	1843	2028	2204
4300	920	1387	1659	1853	2038	2215
4350	926	1394	1667	1862	2048	2227
4400	931	1402	1676	1872	2059	2238
4450	936	1409	1684	1881	2069	2249
4500	941	1414	1688	1886	2074	2255
4550	945	1420	1692	1890	2079	2260
4600	950	1425	1697	1895	2085	2266
4650	955	1431	1701	1900	2090	2272
4700	960	1436	1706	1905	2096	2278
4750	964	1441	1710	1910	2101	2284
4800	969	1447	1714	1915	2107	2290
4850	974	1452	1719	1920	2112	2296
4900	980	1461	1730	1933	2126	2311
4950	986	1473	1745	1949	2144	2330
5000	993	1484	1759	1965	2162	2350
5050	999	1495	1774	1982	2180	2370
5100	1006	1506	1789	1998	2198	2389
5150	1012	1517	1803	2014	2216	2409
5200	1019	1528	1818	2031	2234	2428
5250	1026	1539	1833	2047	2252	2448
5300	1032	1549	1845	2061	2267	2464
5350	1036	1553	1849	2065	2272	2469
5400	1040	1558	1853	2069	2276	2474
5450	1044	1562	1856	2073	2281	2479
5500	1048	1567	1860	2078	2285	2484
5550	1052	1571	1864	2082	2290	2489
5600	1056	1576	1867	2086	2294	2494
5650	1060	1581	1871	2090	2299	2499
5700	1064	1585	1875	2094	2304	2504
5750	1069	1592	1881	2101	2312	2513
5800	1074	1599	1889	2110	2321	2523
5850	1080	1606	1896	2118	2330	2532
5900	1085	1614	1903	2126	2339	2542
5950	1091	1621	1911	2134	2348	2552
6000	1097	1628	1918	2143	2357	2562
6050	1102	1636	1926	2151	2366	2572
6100	1108	1643	1933	2159	2375	2582
6150	1114	1651	1942	2169	2386	2594
6200	1122	1663	1955	2184	2402	2611
6250	1131	1675	1968	2198	2418	2628

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
6300	1139	1686	1981	2212	2434	2645
6350	1147	1698	1993	2227	2449	2662
6400	1155	1709	2006	2241	2465	2680
6450	1164	1721	2019	2255	2481	2697
6500	1172	1733	2032	2270	2497	2714
6550	1180	1744	2045	2284	2512	2731
6600	1188	1756	2058	2298	2528	2748
6650	1197	1767	2070	2313	2544	2765
6700	1205	1779	2083	2327	2560	2783
6750	1213	1791	2096	2341	2576	2800
6800	1220	1801	2109	2356	2591	2817
6850	1226	1811	2122	2370	2607	2834
6900	1232	1821	2135	2385	2623	2851
6950	1238	1831	2148	2399	2639	2869
7000	1244	1841	2161	2414	2655	2886
7050	1250	1851	2174	2428	2671	2903
7100	1256	1861	2187	2443	2687	2921
7150	1262	1871	2200	2457	2703	2938
7200	1268	1881	2213	2472	2719	2955
7250	1274	1891	2226	2486	2735	2972
7300	1281	1901	2239	2500	2750	2990
7350	1287	1911	2251	2515	2766	3007
7400	1293	1921	2264	2529	2782	3024
7450	1297	1928	2272	2538	2792	3035
7500	1302	1934	2279	2546	2801	3044
7550	1307	1941	2287	2554	2809	3054
7600	1312	1947	2294	2562	2818	3064
7650	1316	1954	2301	2570	2827	3073
7700	1321	1960	2308	2578	2836	3083
7750	1326	1967	2315	2586	2845	3092
7800	1330	1973	2322	2594	2854	3102
7850	1335	1980	2330	2602	2862	3111
7900	1340	1987	2337	2610	2871	3121
7950	1345	1993	2344	2618	2880	3131
8000	1349	2000	2351	2626	2889	3140
8050	1354	2006	2359	2635	2898	3150
8100	1360	2015	2367	2644	2908	3161
8150	1366	2023	2375	2653	2918	3172
8200	1372	2031	2384	2662	2929	3183
8250	1379	2039	2392	2672	2939	3194
8300	1385	2047	2400	2681	2949	3206
8350	1391	2055	2408	2690	2959	3217
8400	1397	2063	2417	2699	2969	3228
8450	1403	2071	2425	2709	2980	3239
8500	1409	2079	2433	2718	2990	3250

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
8550	1415	2087	2442	2727	3000	3261
8600	1421	2095	2450	2737	3010	3272
8650	1427	2103	2458	2746	3020	3283
8700	1433	2111	2466	2755	3031	3294
8750	1439	2119	2475	2764	3041	3305
8800	1445	2127	2483	2774	3051	3316
8850	1451	2135	2491	2783	3061	3327
8900	1457	2143	2499	2791	3070	3337
8950	1461	2147	2503	2796	3076	3343
9000	1465	2152	2508	2801	3082	3350
9050	1468	2157	2513	2807	3087	3356
9100	1472	2162	2517	2812	3093	3362
9150	1476	2167	2522	2817	3099	3368
9200	1480	2172	2526	2822	3104	3374
9250	1484	2177	2531	2827	3110	3381
9300	1488	2181	2536	2832	3116	3387
9350	1492	2186	2540	2838	3121	3393
9400	1495	2191	2545	2843	3127	3399
9450	1499	2196	2550	2848	3133	3405
9500	1503	2201	2554	2853	3138	3412
9550	1507	2206	2559	2858	3144	3418
9600	1511	2210	2564	2864	3150	3424
9650	1515	2215	2568	2869	3156	3430
9700	1519	2220	2573	2874	3161	3436
9750	1524	2227	2580	2882	3170	3446
9800	1531	2238	2593	2896	3186	3463
9850	1538	2248	2605	2910	3201	3479
9900	1545	2259	2618	2924	3216	3496
9950	1552	2269	2630	2938	3231	3513
10000	1559	2280	2642	2952	3247	3529
10050	1566	2290	2655	2966	3262	3546
10100	1573	2301	2667	2979	3277	3562
10150	1581	2312	2680	2993	3293	3579
10200	1588	2322	2692	3007	3308	3596
10250	1595	2333	2705	3021	3323	3612
10300	1602	2343	2717	3035	3339	3629
10350	1609	2354	2730	3049	3354	3646
10400	1616	2365	2742	3063	3369	3662
10450	1623	2375	2754	3077	3384	3679
10500	1631	2386	2767	3091	3400	3695
10550	1638	2396	2779	3105	3415	3712
10600	1645	2407	2792	3118	3430	3729
10650	1652	2417	2804	3132	3446	3745
10700	1659	2428	2817	3146	3461	3762
10750	1666	2439	2829	3160	3476	3779

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
10800	1673	2449	2842	3174	3491	3795
10850	1680	2460	2854	3188	3507	3812
10900	1688	2470	2867	3202	3522	3828
10950	1695	2481	2879	3216	3537	3845
11000	1702	2491	2891	3230	3553	3862
11050	1708	2499	2899	3239	3562	3872
11100	1713	2507	2907	3247	3572	3883
11150	1719	2514	2915	3256	3581	3893
11200	1725	2522	2922	3264	3591	3903
11250	1730	2529	2930	3273	3600	3913
11300	1736	2537	2938	3282	3610	3924
11350	1742	2544	2946	3290	3619	3934
11400	1747	2552	2953	3299	3629	3944
11450	1753	2559	2961	3307	3638	3955
11500	1759	2567	2969	3316	3648	3965
11550	1764	2574	2976	3325	3657	3975
11600	1770	2582	2984	3333	3667	3986
11650	1776	2589	2992	3342	3676	3996
11700	1782	2597	3000	3350	3686	4006
11750	1787	2604	3007	3359	3695	4016
11800	1793	2612	3015	3368	3704	4027
11850	1799	2619	3023	3376	3714	4037
11900	1804	2627	3030	3385	3723	4047
11950	1810	2634	3038	3394	3733	4058
12000	1816	2642	3046	3402	3742	4068
12050	1821	2649	3053	3411	3752	4078
12100	1827	2657	3061	3419	3761	4089
12150	1833	2664	3069	3428	3771	4099
12200	1838	2672	3077	3437	3780	4109
12250	1844	2679	3084	3445	3790	4119
12300	1850	2687	3092	3454	3799	4130
12350	1855	2695	3100	3462	3809	4140
12400	1861	2702	3107	3471	3818	4150
12450	1867	2710	3115	3480	3828	4161
12500	1873	2717	3123	3488	3837	4171
12550	1878	2725	3131	3497	3847	4181
12600	1884	2732	3138	3505	3856	4191
12650	1890	2740	3146	3514	3865	4202
12700	1895	2747	3154	3523	3875	4213
12750	1900	2756	3166	3536	3890	4228
12800	1905	2764	3177	3549	3904	4244
12850	1910	2773	3189	3562	3918	4259
12900	1915	2782	3200	3575	3932	4274
12950	1920	2790	3212	3588	3947	4290
13000	1925	2799	3224	3601	3961	4305

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
13050	1930	2807	3235	3614	3975	4321
13100	1935	2816	3247	3627	3989	4336
13150	1940	2825	3258	3640	4004	4352
13200	1945	2833	3270	3652	4018	4367
13250	1950	2842	3281	3665	4032	4383
13300	1955	2850	3293	3678	4046	4398
13350	1960	2859	3305	3691	4060	4414
13400	1965	2868	3316	3704	4075	4429
13450	1970	2876	3328	3717	4089	4445
13500	1975	2885	3339	3730	4103	4460
13550	1980	2893	3351	3743	4117	4476
13600	1985	2902	3363	3756	4132	4491
13650	1990	2910	3374	3769	4146	4506
13700	1995	2919	3386	3782	4160	4522
13750	2000	2928	3397	3795	4174	4537
13800	2005	2936	3409	3808	4188	4553
13850	2010	2945	3420	3821	4203	4568
13900	2015	2953	3432	3834	4217	4584
13950	2020	2962	3444	3847	4231	4599
14000	2025	2971	3455	3859	4245	4615
14050	2030	2979	3467	3872	4260	4630
14100	2035	2988	3478	3885	4274	4646
14150	2040	2996	3490	3898	4288	4661
14200	2045	3005	3502	3911	4302	4677
14250	2050	3014	3513	3924	4317	4692
14300	2055	3022	3525	3937	4331	4708
14350	2060	3031	3536	3950	4345	4723
14400	2065	3039	3548	3963	4359	4738
14450	2070	3048	3559	3976	4373	4754
14500	2075	3056	3571	3989	4388	4769
14550	2080	3065	3583	4002	4402	4785
14600	2085	3074	3594	4015	4416	4800
14650	2090	3082	3606	4028	4430	4816
14700	2095	3091	3617	4041	4445	4831
14750	2100	3099	3629	4053	4459	4847
14800	2105	3108	3640	4066	4473	4862
14850	2110	3117	3652	4079	4487	4878
14900	2115	3125	3664	4092	4502	4893
14950	2120	3134	3675	4105	4516	4909
15000	2125	3142	3687	4118	4530	4924
15050	2130	3151	3698	4131	4544	4940
15100	2135	3160	3710	4144	4558	4955
15150	2140	3168	3722	4157	4573	4970
15200	2145	3177	3733	4170	4587	4986
15250	2150	3185	3744	4182	4600	5000

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
15300	2155	3192	3752	4191	4610	5011
15350	2161	3200	3760	4200	4620	5022
15400	2166	3207	3769	4210	4631	5034
15450	2171	3215	3777	4219	4641	5045
15500	2176	3222	3786	4229	4651	5056
15550	2181	3229	3794	4238	4662	5067
15600	2186	3237	3802	4247	4672	5078
15650	2192	3244	3811	4257	4682	5090
15700	2197	3252	3819	4266	4693	5101
15750	2202	3259	3828	4275	4703	5112
15800	2207	3266	3836	4285	4713	5123
15850	2212	3274	3844	4294	4724	5135
15900	2218	3281	3853	4304	4734	5146
15950	2223	3289	3861	4313	4744	5157
16000	2228	3296	3870	4322	4754	5168
16050	2233	3304	3878	4332	4765	5179
16100	2238	3311	3886	4341	4775	5191
16150	2244	3318	3895	4350	4785	5202
16200	2249	3326	3903	4360	4796	5213
16250	2254	3333	3911	4369	4806	5224
16300	2259	3341	3920	4378	4816	5235
16350	2264	3348	3928	4388	4827	5247
16400	2269	3355	3937	4397	4837	5258
16450	2275	3363	3945	4407	4847	5269
16500	2280	3370	3953	4416	4858	5280
16550	2285	3378	3962	4425	4868	5291
16600	2290	3385	3970	4435	4878	5303
16650	2295	3393	3979	4444	4888	5314
16700	2301	3400	3987	4453	4899	5325
16750	2306	3407	3995	4463	4909	5336
16800	2311	3415	4004	4472	4919	5347
16850	2316	3422	4012	4482	4930	5359
16900	2321	3430	4021	4491	4940	5370
16950	2327	3437	4029	4500	4950	5381
17000	2332	3445	4037	4510	4961	5392
17050	2337	3452	4046	4519	4971	5403
17100	2342	3459	4054	4528	4981	5415
17150	2347	3467	4062	4538	4992	5426
17200	2352	3474	4071	4547	5002	5437
17250	2358	3482	4079	4557	5012	5448
17300	2363	3489	4088	4566	5023	5459
17350	2368	3496	4096	4575	5033	5471
17400	2373	3504	4104	4585	5043	5482
17450	2378	3511	4113	4594	5053	5493
17500	2384	3519	4121	4603	5064	5504

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
17550	2389	3526	4130	4613	5074	5515
17600	2394	3534	4138	4622	5084	5527
17650	2399	3541	4146	4632	5095	5538
17700	2404	3548	4155	4641	5105	5549
17750	2410	3556	4163	4650	5115	5560
17800	2415	3563	4172	4660	5126	5572
17850	2420	3571	4180	4669	5136	5583
17900	2425	3578	4188	4678	5146	5594
17950	2430	3585	4197	4688	5157	5605
18000	2435	3593	4205	4697	5167	5616
18050	2441	3600	4214	4706	5177	5628
18100	2446	3608	4222	4716	5187	5639
18150	2451	3615	4230	4725	5198	5650
18200	2456	3623	4239	4735	5208	5661
18250	2461	3630	4247	4744	5218	5672
18300	2467	3637	4255	4753	5229	5684
18350	2472	3645	4264	4763	5239	5695
18400	2477	3652	4272	4772	5249	5706
18450	2482	3660	4281	4781	5260	5717
18500	2487	3667	4289	4791	5270	5728
18550	2493	3674	4297	4800	5280	5740
18600	2498	3682	4306	4810	5291	5751
18650	2503	3689	4314	4819	5301	5762
18700	2508	3697	4323	4828	5311	5773
18750	2513	3704	4331	4838	5321	5784
18800	2519	3712	4339	4847	5332	5796
18850	2524	3719	4348	4856	5342	5807
18900	2529	3726	4356	4866	5352	5818
18950	2534	3734	4365	4875	5363	5829
19000	2539	3741	4373	4885	5373	5840
19050	2544	3749	4381	4894	5383	5852
19100	2550	3756	4390	4903	5394	5863
19150	2555	3763	4398	4913	5404	5874
19200	2560	3771	4406	4922	5414	5885
19250	2565	3778	4415	4931	5425	5896
19300	2570	3786	4423	4941	5435	5908
19350	2576	3793	4432	4950	5445	5919
19400	2581	3801	4440	4960	5455	5930
19450	2586	3808	4448	4969	5466	5941
19500	2591	3815	4457	4978	5476	5953
19550	2596	3823	4465	4988	5486	5964
19600	2602	3830	4474	4997	5497	5975
19650	2607	3838	4482	5006	5507	5986
19700	2612	3845	4490	5016	5517	5997
19750	2617	3852	4499	5025	5528	6009

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
19800	2622	3860	4507	5034	5538	6020
19850	2627	3867	4516	5044	5548	6031
19900	2633	3875	4524	5053	5559	6042
19950	2638	3882	4532	5063	5569	6053
20000	2643	3890	4541	5072	5579	6065
20050	2648	3897	4549	5081	5589	6076
20100	2653	3904	4557	5091	5600	6087
20150	2659	3912	4566	5100	5610	6098
20200	2664	3919	4574	5109	5620	6109
20250	2669	3927	4583	5119	5631	6121
20300	2674	3934	4591	5128	5641	6132
20350	2679	3941	4599	5138	5651	6143
20400	2685	3949	4608	5147	5662	6154
20450	2690	3956	4616	5156	5672	6165
20500	2695	3964	4625	5166	5682	6177
20550	2700	3971	4633	5175	5693	6188
20600	2705	3979	4641	5184	5703	6199
20650	2710	3986	4650	5194	5713	6210
20700	2716	3993	4658	5203	5723	6221
20750	2721	4001	4667	5213	5734	6233
20800	2726	4008	4675	5222	5744	6244
20850	2731	4016	4683	5231	5754	6255
20900	2736	4023	4692	5241	5765	6266
20950	2742	4030	4700	5250	5775	6277
21000	2747	4038	4709	5259	5785	6289
21050	2752	4045	4717	5269	5796	6300
21100	2757	4053	4725	5278	5806	6311
21150	2762	4060	4734	5288	5816	6322
21200	2768	4068	4742	5297	5827	6333
21250	2773	4075	4750	5306	5837	6345
21300	2778	4082	4759	5316	5847	6356
21350	2783	4090	4767	5325	5858	6367
21400	2788	4097	4776	5334	5868	6378
21450	2793	4105	4784	5344	5878	6390
21500	2799	4112	4792	5353	5888	6401
21550	2804	4119	4801	5362	5899	6412
21600	2809	4127	4809	5372	5909	6423
21650	2814	4134	4818	5381	5919	6434
21700	2819	4142	4826	5391	5930	6446
21750	2825	4149	4834	5400	5940	6457
21800	2830	4157	4843	5409	5950	6468
21850	2835	4164	4851	5419	5961	6479
21900	2840	4171	4860	5428	5971	6490
21950	2845	4173	4862	5430	5974	6493
22000	2850	4174	4862	5431	5974	6494

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
22050	2854	4174	4863	5432	5975	6495
22100	2859	4175	4863	5432	5976	6495
22150	2864	4175	4864	5433	5976	6496
22200	2869	4176	4864	5434	5977	6497
22250	2873	4176	4865	5434	5978	6498
22300	2878	4177	4866	5435	5978	6498
22350	2883	4177	4866	5435	5979	6499
22400	2888	4178	4867	5436	5980	6500
22450	2892	4178	4867	5437	5980	6501
22500	2897	4179	4868	5437	5981	6501
22550	2902	4179	4868	5438	5982	6502
22600	2907	4179	4869	5439	5982	6503
22650	2911	4180	4869	5439	5983	6504
22700	2916	4180	4870	5440	5984	6504
22750	2921	4181	4871	5440	5984	6505
22800	2926	4181	4871	5441	5985	6506
22850	2930	4182	4872	5442	5986	6507
22900	2935	4182	4872	5442	5986	6507
22950	2940	4183	4873	5443	5987	6508
23000	2945	4183	4873	5443	5988	6509
23050	2949	4184	4874	5444	5989	6510
23100	2954	4184	4874	5445	5989	6510
23150	2959	4185	4875	5445	5990	6511
23200	2963	4185	4876	5446	5991	6512
23250	2968	4186	4876	5447	5991	6513
23300	2973	4186	4877	5447	5992	6513
23350	2978	4187	4877	5448	5993	6514
23400	2982	4187	4878	5448	5993	6515
23450	2987	4188	4878	5449	5994	6515
23500	2992	4188	4879	5450	5995	6516
23550	2997	4189	4879	5450	5995	6517
23600	3001	4189	4880	5451	5996	6518
23650	3006	4189	4881	5452	5997	6518
23700	3011	4190	4881	5452	5997	6519
23750	3016	4190	4882	5453	5998	6520
23800	3020	4191	4882	5453	5999	6521
23850	3025	4191	4883	5454	5999	6521
23900	3030	4192	4883	5455	6000	6522
23950	3035	4192	4884	5455	6001	6523
24000	3039	4193	4884	5456	6002	6524
24050	3044	4193	4885	5457	6002	6524
24100	3049	4194	4886	5457	6003	6525
24150	3054	4194	4886	5458	6004	6526
24200	3058	4195	4887	5458	6004	6527
24250	3063	4195	4887	5459	6005	6527

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
24300	3068	4196	4888	5460	6006	6528
24350	3072	4196	4888	5460	6006	6529
24400	3077	4197	4889	5461	6007	6530
24450	3082	4197	4889	5462	6008	6530
24500	3087	4198	4890	5462	6008	6531
24550	3091	4198	4891	5463	6009	6532
24600	3096	4199	4891	5463	6010	6533
24650	3101	4199	4892	5464	6010	6533
24700	3106	4200	4892	5465	6011	6534
24750	3110	4200	4893	5465	6012	6535
24800	3115	4200	4893	5466	6012	6536
24850	3120	4201	4894	5466	6013	6536
24900	3125	4201	4894	5467	6014	6537
24950	3129	4202	4895	5468	6014	6538
25000	3134	4202	4896	5468	6015	6538
25050	3139	4203	4896	5469	6016	6539
25100	3144	4203	4897	5470	6017	6540
25150	3148	4204	4897	5470	6017	6541
25200	3153	4204	4898	5471	6018	6541
25250	3158	4205	4898	5471	6019	6542
25300	3162	4205	4899	5472	6019	6543
25350	3167	4206	4899	5473	6020	6544
25400	3172	4206	4900	5473	6021	6544
25450	3177	4207	4901	5474	6021	6545
25500	3181	4207	4901	5475	6022	6546
25550	3186	4208	4902	5475	6023	6547
25600	3191	4208	4902	5476	6023	6547
25650	3196	4209	4903	5476	6024	6548
25700	3200	4209	4903	5477	6025	6549
25750	3205	4210	4904	5478	6025	6550
25800	3210	4210	4904	5478	6026	6550
25850	3215	4210	4905	5479	6027	6551
25900	3219	4211	4906	5480	6027	6552
25950	3224	4211	4906	5480	6028	6553
26000	3229	4212	4907	5481	6029	6553
26050	3234	4212	4907	5481	6030	6554
26100	3238	4213	4908	5482	6030	6555
26150	3243	4213	4908	5483	6031	6556
26200	3248	4214	4909	5483	6032	6556
26250	3253	4214	4909	5484	6032	6557
26300	3257	4215	4910	5484	6033	6558
26350	3262	4215	4911	5485	6034	6559
26400	3267	4216	4911	5486	6034	6559
26450	3271	4216	4912	5486	6035	6560
26500	3276	4217	4912	5487	6036	6561

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
26550	3281	4217	4913	5488	6036	6562
26600	3286	4218	4913	5488	6037	6562
26650	3290	4218	4914	5489	6038	6563
26700	3295	4219	4914	5489	6038	6564
26750	3300	4219	4915	5490	6039	6564
26800	3305	4220	4916	5491	6040	6565
26850	3309	4220	4916	5491	6040	6566
26900	3314	4221	4917	5492	6041	6567
26950	3319	4221	4917	5493	6042	6567
27000	3324	4221	4918	5493	6042	6568
27050	3328	4222	4918	5494	6043	6569
27100	3333	4222	4919	5494	6044	6570
27150	3338	4223	4919	5495	6045	6570
27200	3343	4223	4920	5496	6045	6571
27250	3347	4224	4921	5496	6046	6572
27300	3352	4224	4921	5497	6047	6573
27350	3357	4225	4922	5498	6047	6573
27400	3362	4225	4922	5498	6048	6574
27450	3366	4226	4923	5499	6049	6575
27500	3371	4226	4923	5499	6049	6576
27550	3376	4227	4924	5500	6050	6576
27600	3380	4227	4924	5501	6051	6577
27650	3385	4228	4925	5501	6051	6578
27700	3390	4228	4926	5502	6052	6579
27750	3395	4229	4926	5502	6053	6579
27800	3399	4229	4927	5503	6053	6580
27850	3404	4230	4927	5504	6054	6581
27900	3409	4230	4928	5504	6055	6582
27950	3414	4231	4928	5505	6055	6582
28000	3418	4231	4929	5506	6056	6583
28050	3423	4231	4929	5506	6057	6584
28100	3428	4232	4930	5507	6058	6585
28150	3433	4232	4931	5507	6058	6585
28200	3437	4233	4931	5508	6059	6586
28250	3442	4233	4932	5509	6060	6587
28300	3447	4234	4932	5509	6060	6587
28350	3452	4234	4933	5510	6061	6588
28400	3456	4235	4933	5511	6062	6589
28450	3461	4235	4934	5511	6062	6590
28500	3466	4236	4934	5512	6063	6590
28550	3471	4236	4935	5512	6064	6591
28600	3475	4237	4936	5513	6064	6592
28650	3480	4237	4936	5514	6065	6593
28700	3485	4238	4937	5514	6066	6593
28750	3489	4238	4937	5515	6066	6594

<i>Basic Child Support Schedule</i>						
<i>Combined Adjusted Net Income</i>	<i>One Child</i>	<i>Two Children</i>	<i>Three Children</i>	<i>Four Children</i>	<i>Five Children</i>	<i>Six Children</i>
28800	3494	4239	4938	5516	6067	6595
28850	3499	4239	4938	5516	6068	6596
28900	3504	4240	4939	5517	6068	6596
28950	3508	4240	4939	5517	6069	6597
29000	3513	4241	4940	5518	6070	6598
29050	3518	4241	4941	5519	6070	6599
29100	3523	4242	4941	5519	6071	6599
29150	3527	4242	4942	5520	6072	6600
29200	3532	4242	4942	5520	6073	6601
29250	3537	4243	4943	5521	6073	6602
29300	3542	4243	4943	5522	6074	6602
29350	3546	4244	4944	5522	6075	6603
29400	3551	4244	4944	5523	6075	6604
29450	3556	4245	4945	5524	6076	6605
29500	3561	4245	4946	5524	6077	6605
29550	3565	4246	4946	5525	6077	6606
29600	3570	4246	4947	5525	6078	6607
29650	3575	4247	4947	5526	6079	6608
29700	3580	4247	4948	5527	6079	6608
29750	3584	4248	4948	5527	6080	6609
29800	3589	4248	4949	5528	6081	6610
29850	3594	4249	4949	5529	6081	6611
29900	3598	4249	4950	5529	6082	6611
29950	3603	4250	4951	5530	6083	6612
30000	3608	4250	4951	5530	6083	6613

* * * * *

Explanatory Comment—2013

The basic child support schedule has been amended to reflect updated economic data. It also reflects an increase in the Self-Support Reserve to \$931, the 2012 poverty level for one person, which has been incorporated into the schedule.

Explanatory Comment—2021

Previously, the Basic Child Support Schedule incorporated a 30% child custody presumption, which created approximately a 5% decrease in the basic child support obligation across all combined monthly net incomes regardless of the actual custody schedule. The new Basic Child Support Schedule reflects the actual expenses of an intact family living in a single household at the various combined monthly net incomes and the number of children with no shared custody adjustment.

To the extent the parties share physical custody with the obligor having 40% or more of the annual overnights as set forth in Pa.R.C.P. No. 1910.16-4(c), the formula in Pa.R.C.P. No. 1910.16-4(a)(1)(Part D) or (a)(2)(Part II) should be used to calculate the appropriate shared custody adjustment.

Rule 1910.16-3.1. Support Guidelines. High-Income Cases.

[(a) *Child Support Formula.* If the parties' combined monthly net income exceeds \$30,000, the following three-step process shall be applied to calculate the parties' respective child support obligations. The support amount calculated pursuant to this three-step process shall not be less than the support amount that would have been awarded if the parties' combined monthly net income was \$30,000. The calculated amount is the presumptive minimum support amount.

(1) The following formula shall be applied as a preliminary analysis in calculating the basic child support amount apportioned between the parties according to their respective monthly net incomes:

- One child:** \$2,839 + 8.6% of combined monthly net income above \$30,000.
- Two children:** \$3,902 + 11.8% of combined monthly net income above \$30,000.
- Three children:** \$4,365 + 12.9% of combined monthly net income above \$30,000.
- Four children:** \$4,824 + 14.6% of combined monthly net income above \$30,000.

Five children: \$5,306 + 16.1% of combined monthly net income above \$30,000.
 Six children: \$5,768 + 17.5% of combined monthly net income above \$30,000;

(2) The trier-of-fact shall apply the formulas in Pa.R.C.P. No. 1910.16-4(a)(1)(Part D) and (Part E) or (2)(Part II) and (Part III), adjusting for substantial or shared custody pursuant to Pa.R.C.P. No. 1910.16-4(c) and allocating additional expenses pursuant to Pa.R.C.P. No. 1910.16-6, as appropriate;

(3) The trier-of-fact shall consider the factors in Pa.R.C.P. No. 1910.16-5 in making a final child support award and shall make findings of fact on the record or in writing. After considering the factors in Pa.R.C.P. No. 1910.16-5, the trier-of-fact may adjust the amount calculated pursuant to subdivisions (1) and (2), subject to the presumptive minimum.]

(a) Child Support.

(1) Presumptive Minimum Basic Child Support Obligation.

(i) The presumptive minimum basic child support obligation is the support obligation that the trier-of-fact would have awarded if the parties' combined monthly net income was \$30,000.

(ii) When the parties' combined monthly net income exceeds \$30,000, the calculated support obligation shall not be less than the presumptive minimum basic child support obligation.

(2) High-Income Child Support Calculation. With the following three-step process, the trier-of-fact shall calculate the total child support obligation.

(i) Preliminary Analysis. Using the following formula, the trier-of-fact shall:

(A) calculate the basic child support obligation based on the parties' combined monthly net income; and

(B) apportion the basic child support obligation based on the parties' respective monthly net incomes.

One child: \$3,608 + 4.0% of combined monthly net income above \$30,000.

Two children: \$4,250 + 4.0% of combined monthly net income above \$30,000.

Three children: \$4,951 + 4.7% of combined monthly net income above \$30,000.

Four children: \$5,530 + 5.3% of combined monthly net income above \$30,000.

Five children: \$6,083 + 5.8% of combined monthly net income above \$30,000.

Six children: \$6,613 + 6.3% of combined monthly net income above \$30,000.

(ii) Substantial or Equally Shared Custody Adjustment. The trier-of-fact shall adjust the basic child support obligation calculated in subdivision (a)(2)(i) for substantial or equally shared custody as set forth in Pa.R.C.P. No. 1910.16-4(c).

(iii) Final Analysis—Reasonable Needs.

(A) In determining the total child support obligation, the trier-of-fact shall consider the child's reasonable needs based on:

(I) the deviation factors in Pa.R.C.P. No. 1910.16-5;

(II) the additional expenses set forth in Pa.R.C.P. No. 1910.16-6; and

(III) the parties' expense statements required by Pa.R.C.P. No. 1910.11(c)(2) and Pa.R.C.P. No. 1910.27(c)(2)(B).

(B) Subject to the presumptive minimum basic child support obligation, the trier-of-fact may upwardly or downwardly adjust the support obligation calculated in subdivisions (a)(2)(i) and (ii) based on the child's reasonable needs.

(3) Final Order. As part of the final order, the trier-of-fact shall state on the record or in writing:

(i) findings of fact; and

(ii) the reasons for awarding the total child support obligation, including:

(A) a discussion of the child's reasonable needs; and

(B) the adjustments or deviations made to the basic child support obligation.

(b) Spousal Support [and] or Alimony Pendente Lite. [In cases in which]

(1) Preliminary Analysis. When the parties' combined monthly net income exceeds \$30,000, the trier-of-fact shall apply the formula in either Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) or [(2)(Part IV) as a preliminary analysis] (a)(2)(Part IV) in calculating spousal support or alimony *pendente lite*. [In determining the final spousal support or alimony *pendente lite* amount and duration, the trier-of-fact shall consider the factors in Pa.R.C.P. No. 1910.16-5 and shall make findings of fact on the record or in writing.]

(2) Final Analysis. In determining the total spousal support or alimony *pendente lite* obligation, the trier-of-fact shall consider:

(i) the deviation factors in Pa.R.C.P. No. 1910.16-5;

(ii) the additional expenses set forth in Pa.R.C.P. No. 1910.16-6; and

(iii) the parties' expense statements required by Pa.R.C.P. No. 1910.11(c)(2) and Pa.R.C.P. No. 1910.27(c)(2)(B).

(3) Final Order. As part of the final order, the trier-of-fact shall state on the record or in writing:

(i) findings of fact; and

(ii) the reasons for awarding the final spousal support or alimony *pendente lite* obligation, including the adjustments or deviations made to the basic spousal support or alimony *pendente lite* obligation.

Explanatory Comment—2010

Pa.R.C.P. No. 1910.16-3.1 is intended to bring all child support cases under the guidelines and treat similarly situated parties similarly. Thus, high-income child support cases no longer will be decided pursuant to *Melzer v. Witsberger*, 480 A.2d 991 (Pa. 1984). Economic data support the basic child support schedule up to combined net incomes of \$30,000 per month. Above that amount, economic data are not readily available. Thus, for cases in which the parties' combined monthly net income is above \$30,000, the formula first applies a fixed percentage to calculate the support amount. The formula is an extrapolation of the available economic data to high-income

cases. Spousal support and alimony *pendente lite* awards in high-income cases are preliminarily calculated pursuant to the formulas in either Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) or (2)(Part IV). However, in both high-income child support and spousal support and high-income child support and alimony *pendente lite* cases, the trier-of-fact is required to consider the factors in Pa.R.C.P. No. 1910.16-5 before entering a final order and to make

findings of fact on the record or in writing. Pursuant to Pa.R.C.P. No. 1910.11(c)(2), in all high-income cases, the parties must submit an Income Statement and the Expense Statement at Pa.R.C.P. No. 1910.27(c)(2)(B) to enable the trier-of-fact to consider the factors in Pa.R.C.P. No. 1910.16-5.

* * * * *

Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation, Formula.

* * * * *

PART A. CALCULATION OF MONTHLY NET INCOME

	OBLIGOR	OBLIGEE
1. Total Gross Income per pay period (See Pa.R.C.P. No. 1910.16-2(a))	_____	_____
2. Deductions (See Pa.R.C.P. No. 1910.16-2(c))	(_____)	(_____)
3. Net Income (line 1 minus line 2)	_____	_____
4. Conversion to Monthly Net Income (if pay period is other than monthly)	_____	_____

PART B. SPOUSAL SUPPORT OR ALIMONY PENDENTE LITE

	<i>Without Dependent Children</i>	<i>With Dependent Children</i>
5. Obligor’s Monthly Net Income (line 4)	_____	_____
6. Obligor’s child support, spousal support, alimony <i>pendente lite</i> , or alimony obligations to children or former spouses who are not part of this action, if any. (See Pa.R.C.P. No. 1910.16-2(c)(2))	(_____)	(_____)
7. Obligor’s Net Income available for spousal support or alimony <i>pendente lite</i> (line 5 minus line 6)	_____	_____
8. Obligor’s Net Income percentage for spousal support or alimony <i>pendente lite</i>	× _____ 33%	× _____ 25%
9. Obligor’s proportionate share of spousal support or alimony <i>pendente lite</i> (line 7 multiplied by line 8)	_____	_____
10. Obligee’s Monthly Net Income (line 4)	_____	_____
11. Obligee’s Net Income percentage for spousal support or alimony <i>pendente lite</i>	× _____ 40%	× _____ 30%
12. Obligee’s proportionate share of spousal support or alimony <i>pendente lite</i> (line 10 multiplied by line 11)	_____	_____
13. Preliminary Monthly Spousal Support or Alimony <i>Pendente Lite</i> [amount] Obligation (line 9 minus line 12—if the result is less than zero, enter a zero on line 13)	_____	

- 14. Adjustments for Part E Additional Expenses
(See Pa.R.C.P. No. 1910.16-6) _____
- 15. Total Monthly Spousal Support
or Alimony *Pendente Lite* [**Amount**] **Obligation**
(line 13 plus or minus line 14, as
appropriate) _____

PART C—BASIC CHILD SUPPORT

- | | OBLIGOR | OBLIGEE |
|--|-----------|---------|
| 16. Monthly Net Income
(line 4 and add the child’s monthly
Social Security Disability or
Retirement Derivative benefit
amount, if any, to the Monthly Net
Income of the party receiving the
benefit pursuant to Pa.R.C.P. No.
1910.16-2(b)(2)(i) or (ii). | _____ | _____ |
| 17. Preliminary Monthly Spousal Support
or Alimony <i>Pendente Lite</i> [amount] Obligation ,
if any.
(line 13) | (_____) | + _____ |
| 18. Adjusted Monthly Net Income
(for obligor, line 16 minus line 17;
for obligee, line 16 plus line 17) | _____ | _____ |
| 19. Combined Monthly Net Income
(obligor’s line 18 plus obligee’s line 18) | _____ | _____ |
| 20. Basic Child Support Obligation
(determined from child support [schedules] schedule
in Pa.R.C.P. No. 1910.16-3 based on the
number of children and line 19) | _____ | _____ |
| 21. Net Income expressed as a
percentage of Combined
Monthly Net Income
(line 18 divided by line 19
and multiplied by 100) | _____ % | _____ % |
| 22. Preliminary Monthly Basic Child
Support Obligation
(line 20 multiplied by line 21) | _____ | _____ |
| 23. Child’s Social Security Derivative
Disability or Retirement Benefit.
(if the benefits are paid to the obligee,
enter the benefit amount on the line for
the party whose retirement or disability
created the child’s benefit pursuant to
Pa.R.C.P. No. 1910.16-2(b)) | _____ | _____ |
| 24. Adjusted Monthly Basic Child
Support Obligation
(line 22 minus line 23—if the result is
less than zero, enter a zero on line 24) | _____ | _____ |

PART D. SUBSTANTIAL OR SHARED PHYSICAL CUSTODY ADJUSTMENT, IF APPLICABLE (See subdivision (c))

- 25. a. Percentage of time obligor spends _____ %
with [**children**] **the child** (divide number of overnights
with the obligor by 365 and multiply by 100)
- b. Subtract 30% (_____ 30%)
- c. Difference _____ %
(line 25a minus line 25b)

- d. Obligor’s Adjusted Percentage Share _____ %
of the [**Basic Monthly**] Basic Child Support Obligation
(line 21 minus line 25c)
- e. Obligor’s Preliminary Adjusted _____
[**Basic Monthly**] Basic Child Support Obligation
(line 20 multiplied by line 25d)
- f. Further adjustment, if necessary under _____
subdivision (c)(2)
- g. Obligor’s Adjusted Basic Child _____
Support [**Amount**] Obligation

PART E. ADDITIONAL EXPENSES (See Pa.R.C.P. No. 1910.16-6)

- 26. a. Obligor’s Share of Child Care Expenses _____
- b. Obligor’s Share of Health Insurance _____
Premium (if the obligee is paying the premium)
- c. Obligee’s Share of the Health Insurance _____ (_____)
Premium (if the obligor is paying the premium)
- d. Obligor’s Share of Unreimbursed Medical _____
Expenses
- e. Other Additional Expenses _____
- f. Total Additional Expenses _____
(add lines 26a, b, d, and e, then subtract
line 26c)
- 27. Obligor’s Total Monthly Child Support _____
Obligation (line 24 or 25g plus
line 26f, if applicable)

(2) The formula in Parts I through IV is for a modification of an order entered before January 1, 2019 that includes spousal support or alimony *pendente lite*.

Official Note: See subdivision (1) for an order entered on or after January 1, 2019, or for a modification of an order entered before January 1, 2019 that includes spousal support or alimony *pendente lite* in which the amendments to the Internal Revenue Code made by Tax Cuts and Jobs Act of 2017 (Pub.L. No. 115-97) expressly apply to the modification.

PART I. BASIC CHILD SUPPORT

	OBLIGOR	OBLIGEE
1. Total Gross Income Per Pay Period _____ (See Pa.R.C.P. No. 1910.16-2(a))	_____	_____
2. Deductions _____ (See Pa.R.C.P. No. 1910.16-2(c))	(_____)	(_____)
3. Net Income _____ (line 1 minus line 2)	_____	_____
4. Conversion to Monthly [Amount] <u>Net Income</u> _____ (if pay period is other than monthly) Include the child’s monthly Social Security derivative benefit amount, if any, in the monthly net income of the party receiving the benefit pursuant to Pa.R.C.P. No. 1910.16-2(b)(2)(i) or (ii).	_____	_____
5. Combined [Total] Monthly Net Income _____ (obligor’s line 4 plus obligee’s line 4)	_____	_____

- 6. Basic Child Support Obligation
(determined from schedule at Pa.R.C.P. No. 1910.16-3 based on number of children and line 5) _____
- 7. Net Income Expressed as a Percentage
[Share of Income] of Combined Monthly Net Income (divide line 4 by line 5 and multiply by 100) _____ % _____ %
- 8. **[Each Party's Preliminary Monthly Share of the] Preliminary** Basic Child Support Obligation
(multiply line 6 and 7) _____
- 9. Child's Social Security Derivative Disability or Retirement Benefit
(if the benefits are paid to the obligee, enter the benefit amount on the line for the party whose retirement or disability created the child's benefit) _____
- 10. **[Each Party's Adjusted Monthly Share of the] Adjusted** Basic Child Support Obligation
(line 8 minus line 9—if the result is less than zero, enter a zero on line 10) _____

PART II. SUBSTANTIAL OR SHARED PHYSICAL CUSTODY ADJUSTMENT, IF APPLICABLE (See subdivision (c))

- 11. a. Percentage of Time Obligor Spends with Children (divide number of overnights with the obligor by 365 and multiply by 100) _____ %
- b. Subtract 30% (_____ %)
- c. Obligor's Adjusted Percentage Share of the **[Basic Monthly] Basic Child** Support Obligation
(subtract result of calculation in line 11b from line 7) _____ %
- d. Obligor's Preliminary Adjusted **[Share of the Basic Monthly] Basic Child** Support Obligation
(multiply line 11c and line 6) _____
- e. Further adjustment, if necessary under subdivision (c)(2) _____
- f. Obligor's Adjusted **[Share of the] Basic Child Support [Amount] Obligation**
(Total of line 11d and line 11e) _____

PART III. ADDITIONAL EXPENSES (See Pa.R.C.P. No. 1910.16-6)

- 12. a. Obligor's Share of Child Care Expenses _____
- b. Obligor's Share of Health Insurance Premium (if the obligee is paying the premium) _____
- c. Obligee's Share of the Health Insurance Premium (if the obligor is paying the premium) (_____)

d. Obligor’s Share of Unreimbursed Medical Expenses	_____
e. Other Additional Expenses	_____
f. Total Additional Expenses (add lines 12a, b, d, and e, then subtract line 12c)	_____
13. Obligor’s Total Monthly Support Obligation (add line 10 or 11f and line 12f, if applicable)	_____
<i>PART IV. SPOUSAL SUPPORT OR APL with dependent children</i>	
14. Obligor’s Monthly Net Income (line 4)	_____
15. Obligor’s Support, Alimony <i>Pendente Lite</i> , or Alimony Obligations, to Children or Former Spouses who are not part of this action, if any (See Pa.R.C.P. No. 1910.16-2(c)(2))	(_____)
16. Obligees’s Monthly Net Income (line 4)	(_____)
17. Difference (line 14 minus lines 15 and 16)	_____
18. Obligor’s Total Monthly Child Support Obligation without Part II Substantial or Shared Custody Adjustment, if any (Obligor’s line 10 plus line 12f)	(_____)
19. Difference (line 17 minus line 18)	_____
20. Multiply by 30%	× _____ 30%
21. Monthly Spousal Support or [APL Amount] <u>Alimony Pendente Lite Obligation</u> (line 19 multiplied by line 20)	_____
<i>Without Dependent Children</i>	
22. Obligor’s Monthly Net Income (line 4)	_____
23. Obligor’s Child and Spousal Support, Alimony <i>Pendente Lite</i> or Alimony Obligations to Children or Former Spouses who are not part of this action, if any (Pa.R.C.P. No. 1910.16-2(c)(2))	(_____)
24. Obligees’s Monthly Net Income (line 4)	(_____)
25. Difference (line 22 minus lines 23 and 24)	_____
26. Multiply by 40%	× _____ 40%
27. Preliminary Monthly Spousal Support or [APL amount] <u>Alimony Pendente Lite Obligation</u> (line 25 multiplied by line 26)	_____
28. Adjustments for Other Expenses (See Pa.R.C.P. No. 1910.16-6) (line 12f)	_____
29. Total Monthly Spousal Support or [APL amount] <u>Alimony Pendente Lite Obligation</u> (line 27 plus or minus line 28, as appropriate)	_____

[(b) *Order For More Than Six Children.* When there are more than six children who are the subject of a single order, the child support obligation shall be calculated as follows. First, determine the appropriate amount of support for six children under the guidelines. Using the same income figures, subtract the support amount for five children from the amount for six children. Multiply the difference by the number of children in excess of six and add the resulting amount to the guideline amount for six children.]

(b) *Order For More Than Six Children.* When there are more than six children who are the subject of a single support order, the trier-of-fact shall:

(1) calculate the basic child support obligations for six children and five children;

(2) subtract the basic child support obligation for five children from the basic child support obligation for six children;

(3) multiply the difference from subdivision (b)(2) by the number of children in excess of six; and

(4) add the amount from subdivision (b)(3) to the basic child support obligation for six children as determined in subdivision (b)(1).

(c) *Substantial or Equally Shared Physical Custody.*

(1) *Substantial Physical Custody.* When [the children spend 40% or more of their time during the year] a child spends 40% or more of the annual overnights with the obligor, a rebuttable presumption arises that the obligor is entitled to a reduction in the basic child support obligation to reflect [this time] the obligor's increased direct spending on the child during the obligor's custodial time.

(i) This rebuttable presumption also applies in high income cases decided pursuant to [Rule] Pa.R.C.P. No. 1910.16-3.1.

(ii) Except as provided in [subsection (2) below, the reduction shall be calculated] subdivision (c)(2), the trier-of-fact shall calculate the adjustment pursuant to the formula set forth in [Part II of subdivision (a) of this rule. For purposes of this provision, the time spent with the children shall be determined by the number of overnights they spend during the year with the obligor] subdivision (a)(1)(Part D) or (a)(2)(Part II).

[*Example.* If the obligor and the obligee have monthly net incomes of \$5,000 and \$2,300, respectively, their combined child support obligation is \$1,701 for two children. Using the income shares formula in Part I, the obligor's share of this obligation is 68%, or \$1,157. If the children spend 40% of their time with the obligor, the formula in Part II applies to reduce his or her percentage share of the combined support obligation to 58%, or \$987. If the children spend 45% of their time with the obligor, his or her percentage share of the combined obligation is reduced to 53%, or \$902. If the children spend equal time with both parents, the obligor's percentage share is reduced to 48%, or \$816.

(2) Without regard to which parent initiated the support action, when the children spend equal time with their parents, the Part II formula cannot be

applied unless the obligor is the parent with the higher income. An order shall not be entered requiring the parent with the lower income to pay basic child support to the parent with the higher income. However, this subdivision shall not preclude the entry of an order requiring the parent with less income to contribute to additional expenses pursuant to Pa.R.C.P. No. 1910.16-6. Based upon the evidence presented, the trier of fact may enter an order against either party without regard to which party initiated the action. If the parties share custody equally and the support calculation results in the obligee receiving a larger share of the parties' combined income, then the court shall adjust the support obligation so that the combined monthly net income is allocated equally between the two households. In those cases, spousal support or alimony *pendente lite* shall not be awarded.]

(2) *Equally Shared Physical Custody.* Without regard to which party initiated the support action, when a child spends an equal number of annual overnights with the parties:

(i) The formula in subdivision (a)(1)(Part D) or (a)(2)(Part II) cannot be applied unless the obligor is the party with the higher monthly net income.

(ii) The trier-of-fact shall not require the party with the lower monthly net income to pay basic child support to the party with the higher monthly net income. However, this subdivision shall not preclude the entry of an order requiring the party with less monthly net income to contribute to additional expenses pursuant to Pa.R.C.P. No. 1910.16-6.

(iii) Based upon the evidence presented, the trier-of-fact may enter a support order against either party.

(iv) If the support calculation results in the obligee receiving a larger share of the parties' combined monthly net income, the trier-of-fact:

(A) shall adjust the obligor's basic child support obligation so that the combined monthly net income is allocated equally between the two parties; and

(B) shall not award spousal support or alimony *pendente lite*.

Example 1. If the obligor and the obligee have monthly net incomes of \$5,000 and \$2,300, respectively, the basic child support obligation is \$1,901 for two children. Using the income shares formula in Part I, the obligor's basic child support obligation is 68%, or \$1,293. If the children spend 40% of the annual overnights with the obligor, the formula in Part D or Part II applies to reduce the obligor's basic child support obligation to 58%, or \$1,103. If the children spend 45% of the annual overnights with the obligor, the obligor's basic child support obligation is reduced to 53%, or \$1,008. If the children spend an equal number of the annual overnights with the obligor and obligee, the obligor's basic child support obligation is reduced to 48%, or \$912.

[*Example 1*] *Example 2.* Mother and Father have monthly net incomes of \$3,000 and \$2,700, respectively. Mother has filed for support for the parties' two children with whom the parties share time equally. As the parties have equal custody and Mother has the higher monthly

net income, Mother cannot be the obligee. Although Mother initiated the support action, she would be the obligor. Pursuant to the [**basic child support schedule**] **Basic Child Support Schedule** in Pa.R.C.P. No. 1910.16-3, the [**support amount**] **basic child support obligation** for two children at the parties' combined monthly net income [**level is \$1,487**] **is \$1,585** per month. Mother's share is 53% [**of that amount**], or [**\$788**] **\$840**. [**Father's share is 47%, or \$699.**] Application [**of lines 11a and 11b**] of the Part II **or Part D** formula results in a 20% reduction in support when the obligor has 50% custody of the children. Mother's adjusted percentage share of the basic support [**amount**] **obligation** is 33% (53% - 20% = 33%) [**. Her**] **and the preliminary** adjusted [**share of the**] **basic child support** [**amount is \$491**] **obligation is \$523** (33% of [**\$1,487**] **\$1,585**). However, as this amount would result in Father having a greater share of the parties' combined monthly net income ([**\$3,191 vs. \$2,509**] **\$3,223 vs. \$2,477**), Mother's **basic child support** obligation would be adjusted to \$150 per month to allocate the parties' combined monthly net income equally between the two [**households**] **parties** and would be the presumptive [**amount of basic support**] **basic child support obligation** payable to Father under these circumstances.

[**Example 2**] **Example 3**. If the obligor and the obligee have monthly net incomes of \$3,000 and \$2,500, respectively, [**then their combined**] **the basic** child support obligation for two children is [**\$1,463**] **\$1,567**. The obligor's share [**of this obligation**] is 55%, or [**\$805**] **\$862** ([**\$1,463**] **\$1,567** × 55%). If the children spend equal time with the [**parents**] **parties**, the formula in Part II **or Part D** results in a **basic child support** obligation of [**\$512**] **\$548** ([**\$1,463**] **\$1,567** × 35%) payable to the obligee. Since this amount results in the obligee having monthly net income of [**\$3,012**] **\$3,048** and the obligor having monthly net income of [**\$2,488**] **\$2,452**, the obligor's **basic child support** obligation would be adjusted to \$250 to equalize the combined monthly net income between the [**parties' households**] **parties** and would be the presumptive [**amount of basic support**] **basic child support obligation** payable to the obligee under these circumstances.

(d) *Divided or Split Physical Custody. When Each Party Owes Child Support to the Other Party. Varied Partial or Shared Custodial Schedules.*

(1) *Divided or Split Physical Custody. When Each Party Owes Child Support to the Other Party.* When calculating a **basic** child support obligation and each party owes child support to the other party as a result of the custodial arrangement, the [**court**] **trier-of-fact** shall offset the parties' respective **basic** child support obligations and award the net difference to the obligee as child support.

Example 1. If the parties have three children, one child resides with Mother and two children reside with Father, and [**their**] **the parties'** monthly net incomes are \$4,000 and \$2,000 respectively, Mother's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for two children at the parties' combined monthly net income of \$6,000. The [**amount**

of] **basic child support** [**to be apportioned between the parties is \$1,523**] **obligation is \$1,628**. As Mother's income is 67% of the parties' combined monthly net income, Mother's **basic child** support obligation for the two children living with Father is [**\$1,020**] **\$1,091**. Father's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined monthly net income of \$6,000. The [**amount of**] **basic child support** [**to be apportioned between the parties is \$1,071**] **obligation is \$1,097**. Father's **basic child** support obligation for the child living with Mother is [**\$353**] **\$362**. Subtracting [**\$353**] **\$362** from [**\$1,020**] **\$1,091** produces a [**net basic support amount of \$667**] **basic child support obligation of \$729** payable to Father as child support.

Example 2. If the parties have two children, one child resides with Mother and the parties **equally** share custody (50% - 50%) of the other child, and the parties' monthly net incomes are as set forth in Example 1. The **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for the one child primarily residing with Mother at the parties' combined monthly net income of \$6,000, the [**amount of**] **basic child support** [**to be apportioned between the parties is \$1,071**] **obligation is \$1,097**. Father's income is 33% of the parties' combined monthly net income, and the **basic child** support obligation for the child living with Mother is [**\$353**] **\$362**. For Mother's obligation for the child with the [**50% - 50%**] **equally** shared custody arrangement, using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined monthly net income of \$6,000, the [**amount of**] **basic child support** [**to be apportioned between the parties is \$1,071**] **obligation is \$1,097**. Mother's proportionate share of the combined monthly net incomes is 67%, but it is reduced to 47% after applying the shared parenting time adjustment for 50% custody under subdivision (c). Mother's **basic** child support obligation for the shared custody child is [**\$503**] **\$1,071**] **\$516** (**\$1,097** × 47%). As Mother's obligation is greater than Father's obligation, Father is the obligee and receives the net of the two obligations by subtracting [**\$353**] **\$362** from [**\$503**] **\$516**, or [**\$150**] **\$154**.

[(2) *Varied Partial or Shared Custodial Schedules.* When the parties have more than one child and each child spends either (a) different amounts of partial or shared custodial time with the party with the higher income or (b) different amounts of partial custodial time with the party with the lower income, the trier of fact shall add the percentage of time each child spends with that party and divide by the number of children to determine the party's percentage of custodial time. If the average percentage of custodial time the children spend with the party is 40% or more, the provisions of subdivision (c) apply.]

(2) *Varied Partial or Shared Physical Custodial Schedule.*

(i) The trier-of-fact may reduce a party's basic child support obligation when the parties have more than one child and each child spends either different amounts of:

(A) partial or equally shared custodial time with the higher monthly net income party; or

(B) partial custodial time with the lower monthly net income party.

(ii) In determining whether a party is entitled to a reduction as provided in subdivision (d)(2)(i):

(A) the trier-of-fact shall:

(I) add the percentage of annual overnights each child spends with that party; and

(II) divide by the number of children to determine the party's average percentage of custodial time.

(B) If the average percentage of custodial time is 40% or more:

(I) subdivision (c) applies; and

(II) the trier-of-fact shall reduce the party's basic child support obligation accordingly.

Example 1. The parties have two children and one child spends 50% of the [time] **annual overnights** with Mother, who has the higher **monthly net** income, and the other child spends 20% of the [time] **annual overnights** with Mother. Add those percentages together and divide by the number of children (50% plus 20% = 70% divided by 2 children = 35% average time with Mother). [Pursuant to subdivision (c)] Pursuant to **subdivision (d)(2)(ii)(B)**, Mother [**does not receive**] **is not entitled to** a reduction in the support order for substantial parenting time.

Example 2. The parties have three children. Two children spend 50% of the [time] **annual overnights** with Mother, who has the higher **monthly net** income, and the third child spends 30% of the [time] **annual overnights** with Mother. Add the percentages of custodial time for all three children together and divide by the number of children (50% plus 50% plus 30% = 130% divided by three children = 43.33% average percentage of time with Mother). [Pursuant to subdivision (c)] Pursuant to **subdivision (d)(2)(ii)(B)**, Mother [**receives**] **is entitled to** a reduction in the support order for substantial parenting time.

Example 3. The parties have three children, Mother has primary custody (60% - 40%) of one child, Father has primary custody (60% - 40%) of one child, and the parties share custody (50% - 50%) of the third child. The parties' monthly net incomes are \$2,500 (Mother) and \$2,000 (Father). As a result of the custodial arrangement, Father owes support for the child in the primary custody of Mother and Mother owes support for the child in the primary custody of Father and for the child shared equally between the parties. Father's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for one child at the parties' combined monthly net income of \$4,500. The [amount of] basic child support [**to be apportioned between the parties is \$940**] **obligation is \$941**. Father's proportionate share of the combined monthly net incomes is 44%, but is reduced to 34% after applying the shared parenting time adjustment for 40% custody under subdivision (c). Father's **basic** child support obligation for this child is \$320 ([**\$940**] **\$941** × 34%). Mother's **basic** child support obligation is calculated using the schedule in Pa.R.C.P. No. 1910.16-3 for two children at the parties' combined monthly net income of \$4,500. The [amount of] basic child support [**to be apportioned between the parties**

is **\$1,349**] **obligation is \$1,414**. Mother has varying partial or shared custody of the two children (40% and 50%). Under subdivision (d)(2), the custodial time is averaged or in this case 45%. Mother's proportionate share of the combined monthly net incomes is 56%, but it is reduced to 41% after applying the shared parenting time adjustment for 45% custody under subdivision (c). Mother's **basic** child support obligation for these children is [**\$553** (**\$1,349**] **\$580** (**\$1,414** × 41%). Offsetting the support [**amounts**] **obligations** consistent with subdivision (d)(1), Mother's obligation is greater than Father's obligation, and Father is the obligee receiving the net of the two obligations by subtracting \$320 from [**\$553, or \$233**] **\$580, or \$260**.

Official Note: In cases with more than one child and varied partial or shared custodial schedules, it is not appropriate to perform a separate calculation for each child and offset support amounts as that method does not consider the incremental increases in support for more than one child built into the schedule of basic child support.

[(3) When calculating a combined child support and spousal or alimony *pendente lite* obligation and one or more children reside with each party, the court shall offset the obligor's spousal and child support obligation with the obligee's child support obligation and award the net difference to the obligee as spousal and child support. If one or more of the children resides with each party then, in calculating the spousal support or alimony *pendente lite* obligation, the court shall deduct from the obligor's income both the support owed for the child or children residing with the obligee, as well as the direct support the obligor provides to the child or children living with the obligor, calculated in accordance with the guidelines as if the child or children were not living with the obligor.]

(3) Combined Child Support and Spousal Support or Alimony Pendente Lite. When Each Party Owes Child Support to the Other Party.

(i) When one or more children reside with each party, the trier-of-fact shall offset the obligor's combined spousal support or alimony *pendente lite* and basic child support obligations with the obligee's basic child support obligation.

(ii) The trier-of-fact shall award the net difference to the obligee as spousal support or alimony *pendente lite* and basic child support.

(e) *Support Obligations When Custodial Parent Owes Spousal Support.* If [children are] a child is residing with the spouse (custodial parent) obligated to pay spousal support or alimony *pendente lite* and the other spouse (non-custodial parent) has a legal obligation to support the [children] child, the guideline spousal support or alimony *pendente lite* [amount] **obligation** is determined by offsetting the non-custodial parent's **basic** child support [amount] **obligation** and the custodial parent's spousal support or alimony *pendente lite* [amount] **obligation**, and awarding the net difference either to the non-custodial parent as spousal [support/or] **support or** alimony *pendente lite* or to the custodial parent as child support as the circumstances warrant. The calculation is a five-step process:

(1) Calculate the custodial parent's spousal support or alimony *pendente lite* obligation to the non-custodial

parent based on the parties' monthly net incomes using the "without dependent children" formula in either Pa.R.C.P. No. 1910.16-4(a)(1)(Part B) or [(2)(Part IV)] (a)(2)(Part IV), as appropriate.

(2) Recalculate the parties' monthly net incomes by adjusting for the spousal support or alimony *pendente lite* payment paid or received in [(1)] subdivision (e)(1).

(3) Using the recomputed monthly net incomes from [(2)] subdivision (e)(2), calculate the non-custodial parent's basic child support obligation to the custodial parent.

(4) The final support amount is the difference calculated in [(1) and (3)] subdivision (e)(1) and (e)(3).

(i) If the amount in [(1)] subdivision (e)(1) is greater than the amount in [(3)] subdivision (e)(3), the final amount is spousal support or alimony *pendente lite* payable to the non-custodial parent.

(ii) If the amount in [(1)] subdivision (e)(1) is less than the amount in [(3)] subdivision (e)(3), the final amount is basic child support payable to the custodial parent.

(5) If the proceeding is a modification of an order entered before January 1, 2019 that has federal tax consequences associated with spousal support or alimony *pendente lite* payments and the final order is spousal support or alimony *pendente lite* as in [(4)(i)] subdivision (e)(4)(i), the offset spousal support or alimony *pendente lite* amount is federally taxable, and the trier-of-fact may deviate the final order due to the tax effect, as appropriate.

Official Note: See Pa.R.C.P. No. [1910.16-4] 1910.19(h).

* * * * *

Rule 1910.16-5. Support Guidelines. Deviation.

(a) *Deviation.* [**If the amount of support deviates from the amount of support determined by the guidelines, the trier of fact shall specify, in writing or on the record, the guideline amount of support, and the reasons for, and findings of fact justifying, the amount of the deviation.**]

(1) The trier-of-fact may deviate from the basic child support, spousal support, or alimony *pendente lite* obligation.

(2) If the trier-of-fact determines a deviation is appropriate based on the factors in subdivision (b), the trier-of-fact shall specify on the record or in writing:

(i) the calculated basic child support, spousal support, or alimony *pendente lite* obligation;

(ii) the reason for the deviation;

(iii) the findings of fact justifying the deviation;

(iv) the deviation amount; and

(v) in a spousal support or an alimony *pendente lite* action, the obligation's duration.

Official Note: The deviation applies to [**the amount of**] the support obligation amount or duration, and not to [**the amount of**] the party's monthly net income.

(b) *Factors.* In deciding whether to deviate from [**the amount of support determined by the guidelines**] the basic child support, spousal support, or alimony *pendente lite* obligation, the [**trier of fact**] trier-of-fact shall consider:

(1) unusual needs and unusual fixed obligations;

(2) a party's other support obligations [**of the parties**];

(3) other household income [**in the household**];

(4) [**ages of the children**] the child's age;

(5) the parties' relative assets and liabilities [**of the parties**];

(6) medical expenses not covered by insurance;

(7) the parties' and the child's standard of living [**of the parties and their children**];

(8) in a spousal support or alimony *pendente lite* case, the duration of the marriage from the date of marriage to the date of final separation; and

(9) other relevant and appropriate factors, including the child's best [**interests of the child or children**] interest.

* * * * *

Rule 1910.16-6. Support Guidelines. Basic Support Obligation Adjustments. Additional Expenses Allocation.

The trier-of-fact may allocate between the parties the additional expenses in subdivisions (a)—(e). [**If**] Even when a basic support order is inappropriate under the facts of the case, the trier-of-fact may allocate between the parties the additional expenses.

Except for the subdivisions (b)(4) and (e) expenses, the trier-of-fact shall calculate the parties' proportionate share of the additional expenses after adjusting the parties' monthly net income by the [**monthly**] spousal support or alimony *pendente lite* [**amount**] obligation received or paid, and [**then**] dividing each party's adjusted monthly net income by the parties' combined monthly net income. However, the trier-of-fact shall not adjust the parties' monthly net incomes when apportioning the expenses in child support only cases.

(a) *Child care expenses.*

(1) The trier-of-fact:

(i) shall allocate reasonable child care expenses paid by the parties, if necessary to maintain employment or appropriate education in pursuit of income.

(ii) may allocate reasonable child care expenses paid by the parties when the trier-of-fact imputes an earning capacity to a party as provided in Pa.R.C.P. No. 1910.16-2(d)(4)(i)(D).

(2) The trier-of-fact may [**order**] require that the obligor's share [**is**] be added to [**his or her**] the basic child support obligation, paid directly to the service provider, or paid directly to the obligee.

(3) When a party is receiving a child care subsidy through the Department of Human Services, the expense allocated between the parties is the amount actually paid by the party receiving the subsidy.

[*Example.* Mother has primary custody of the parties' two children and Father has partial custody. Mother's monthly net income is \$2,000 and Father's is \$3,500. At their combined income level of \$5,500, the basic monthly child support from the schedule in Pa.R.C.P. No. 1910.16-3 is \$1,463 for two children. As Father's income is 64% of the parties' combined monthly net income, his share is \$936. Mother incurs child care expenses of \$400 per month and Father incurs \$100 of such expenses per month. The total child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As Father is already paying \$100 for child care while the children are in his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of \$1,156 (\$936 + \$220 = \$1,156).

(1) Documentation of the child care expenses shall be provided to the other party within a reasonable period of time after receipt unless the service provider invoices the parties separately for their proportionate share of the expense. Allocation of expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.]

(4) The party seeking allocation of child care expenses shall provide to the other party the expense's documentation, such as a receipt or an invoice, promptly after receipt unless the service provider invoices the parties separately for the party's proportionate share of the expense.

(5) The trier-of-fact shall have the discretion to not allocate expenses if documentation is not timely provided to the other party.

[(2)] (6) Except as provided in subdivision [(3)] (a)(7), the total child care expenses shall be reduced to reflect [the amount of] the federal child care tax credit available to the eligible party, **regardless of** whether [or not] the credit is actually claimed by that party, up to the maximum annual cost allowable under the Internal Revenue Code.

[(3) The] (7) If the eligible party is not qualified to receive the credit, the federal child care tax credit shall not be used to reduce the child care expenses subject to allocation between the parties [if the eligible party is not qualified to receive the credit] .

Example. Mother has primary custody of the parties' two children and Father has partial custody. The parties' respective monthly net incomes are \$2,000 and \$3,500. At the combined monthly net income of \$5,500 for two children, the basic child support obligation is \$1,567. As Father's income represents 64% of the parties' combined monthly net income, Father's basic child support obligation is \$1,003. Mother incurs monthly child care expenses of \$400, and Father incurs \$100 per month. The total child care expenses, \$500, will be apportioned between the parties, with Father paying 64%, or \$320. As Father is paying \$100 for the children's child care during in his partial custody, he would pay the remaining \$220 to Mother for a total child support obligation of \$1,223 (\$1,003 + \$220).

(b) *Health Insurance [Premiums] Premium.*

(1) The trier-of-fact shall allocate the health insurance [premiums] **premium** paid by the parties, including the premium attributable to the party paying the premium, provided that a statutory duty of support is owed to the party or child covered by the health insurance.

(i) If the party paying the health insurance premium is the obligor, the obligee's share is deducted from the obligor's basic support [amount] **obligation**.

(ii) If the obligee is paying the health insurance premium, the obligor's share is added to [his or her] **the obligor's** basic support [amount] **obligation**.

(iii) [An allocation of] A health insurance [premiums] **premium allocated** between the parties shall also include health insurance that is provided and paid by a third-party resident of [either] a party's household (e.g., step-parent) for a child who is the subject of the support order.

(2) The trier-of-fact shall not allocate **an** employer-paid [premiums or premiums] **premium or a premium** paid for a party, person, or child to whom no statutory duty of support is owed.

(i) If the parties present evidence of the excluded premium's actual amount—the amount attributed to a party, person, or child not owed a statutory duty of support—the trier-of-fact shall deduct the actual amount excluded from the total premium before allocating the health insurance premium between the parties.

(ii) If the parties do not present evidence of the excluded premium's actual amount, the trier-of-fact shall calculate the excluded amount as follows:

(A) determine the premium's cost per person by dividing the total premium by the number of persons covered under the policy;

(B) multiply the cost per person by the number of persons who are not owed a statutory duty of support, or are not parties to, or the subject of, the support action; and

(C) the resulting amount is excluded from allocation.

Example 1. If the parties are separated, but not divorced, and Husband pays \$200 [per month toward the cost of a health insurance policy provided through his employer which covers] **monthly for employer-provided health insurance** for himself, Wife, the parties' child, and two additional children from a previous marriage, the [portion of the] premium attributable to the additional two children, if not otherwise verifiable or known with reasonable ease and certainty, is calculated by dividing \$200 by five persons and then multiplying the resulting amount of \$40 per person by the two additional children, for a total of \$80 to be excluded from allocation. Deduct this amount from the total [cost of the] premium to arrive at [the portion of] the premium to be allocated between the parties—\$120. Since Husband is paying the premium, and spouses have a statutory duty to support one another pursuant to 23 Pa.C.S. § 4321, Wife's percentage share of the \$120 is deducted from Husband's support obligation. If Wife had been providing the coverage, [then] Husband's percentage share would be added to his basic support obligation.

Example 2. If the parties are divorced and Father pays \$200 [per month toward the cost of a health insur-

ance policy provided through his employer which covers] monthly for employer-provided health insurance for himself, the parties' child, and two additional children from a previous marriage, the [portion of the] premium attributable to Father and the two additional children will not be allocated between the parties. Thus, using the same calculations in Example 1, the [amount of the] premium attributable to Father and the two other children is \$150 (\$200 premium divided among four covered persons equals \$50 per person multiplied by three) and that amount is deducted from the total [cost of the] premium, leaving \$50 (\$200 - \$150 = \$50) to be allocated between the parties.

Example 3. The parties are divorced, and Mother is the obligee of a child support order. Father, the obligor, pays \$200 [per month toward the cost of a health insurance policy provided by his employer that covers] monthly for employer-provided health insurance for himself and the parties' child. Mother pays \$400 per month for her [employer-sponsored] employer-provided health insurance that covers only herself. The [amount of the] premium Father pays to cover the parties' child, \$100 (\$200 premium divided between two covered persons, Father and the child), will be allocated between the parties in proportion to their respective monthly net incomes. The [portion of the] premium that covers Father will not be allocated because the parties are no longer married, and he is not owed a duty of support by Mother. The premium Mother pays to provide her own coverage will not be allocated because the parties are no longer married and she is not owed a duty of support by Father.

(3) Pursuant to 23 Pa.C.S. § 4326(a), in every support proceeding, the [court must] trier-of-fact shall ascertain [each] a parent's ability to provide medical support for the parties' [children] child and the support "order shall include a requirement for medical support to be provided by either or both parents, provided that such medical support is accessible to the children."

(i) The obligor bears the initial responsibility of providing the child's health care coverage [for the children] if it is available at a reasonable cost.

(A) "Reasonable cost" to an obligor shall be defined as an amount that does not exceed 5% of the obligor's [net] monthly net income and, when added to the [amount of] basic child support obligation plus additional expenses the obligor is ordered to pay, does not exceed 50% of the obligor's [net] monthly net income.

(B) If the obligee is providing the coverage, the [reasonable amount] "reasonable cost" of the obligor's share shall be defined as an amount that does not exceed 5% of the obligor's [net] monthly net income and, when added to the [amount of] basic child support obligation plus additional expenses the obligor is ordered to pay, does not exceed 50% of the obligor's [net] monthly net income.

(ii) Unless the child's health care coverage [for the parties' children] is provided by the obligee or a third party, the court shall issue the National Medical Support Notice required by 23 Pa.C.S. § 4326(d.1) to the obligor's employer in response to notification that the obligor is employed.

(A) The notice shall direct the employer to enroll the [children of the obligor who are] obligor's child who is the subject of the support proceeding if the coverage is available at a reasonable cost to the obligor.

(B) However, the notice shall direct that enrollment shall not occur earlier than 25 days from the date of the National Medical Support Notice to allow the obligor time to object.

(C) Concurrent with the issuance of the National Medical Support Notice, the court shall provide notice to the obligor setting forth the process to object to the enrollment based upon unreasonable cost, mistake of fact, or availability of alternative health care coverage for the [children] child.

(D) If there is more than one employer-provided health care coverage option, the obligor shall select the [plan] coverage, subject to the obligee's right to seek a court order designating a different option.

(iii) Absent the availability of health care coverage to the obligor for the parties' [children] child at a reasonable cost, the court shall order the obligee to provide health care coverage for the [children] child if it is available at a reasonable cost. "Reasonable cost" to the obligee shall be defined as an amount not to exceed 5% of the obligee's [net] monthly net income.

(iv) If health care coverage is not available to [either party] the parties at a reasonable cost, the court may order the [custodial parent] the party having primary custody to apply for government-sponsored coverage, such as the Children's Health Insurance Program ("CHIP"), with any co-premium or other cost apportioned between the parties in proportion to [their] the parties' respective [net] monthly net incomes.

(v) Within [thirty] 30 days after the entry of the support order, the party ordered to provide health care coverage shall provide written proof to the other party that medical insurance has been obtained, including insurance cards and all other materials set forth in the form order in [Rule] Pa.R.C.P. No. 1910.27(e). There shall be a continuing obligation to provide the other party and the [court] domestic relations section with proof of any changes in coverage.

(vi) The [court] trier-of-fact shall give preference to health care coverage that is readily accessible to the child, as defined by geographic coverage area, access to local treatment providers, or other relevant factors.

Official Note: The maximum amount of any attachment for child and medical support is set forth by the federal Consumer Credit Protection Act ([Public Law 90-321, Section 303(b); 15 U.S.C. § 1601 et seq.] 15 U.S.C. §§ 1601 et seq.).

(4) [In cases in which] If the obligor is paying [the cost of health insurance coverage and] for the health insurance, the obligee has no income or minimal income [such that], and the obligor will bear 90% or more [of the proportional share of the cost] of the health insurance [premiums,] premium:

(i) the [trier of fact] trier-of-fact may, as fairness requires, deduct part or all of the [cost of the premiums] premium actually paid by the obligor to provide

coverage for the other party or the [**children**] **child** from the obligor's gross income to determine **monthly** net income for support purposes.

(ii) If such a deduction is taken from the obligor's gross income, [**then**] the **premium** allocation [**of premium costs**] as set forth in **subdivision** (b)(1) [**above**] shall not be applied.

Official Note: Subdivision (b) [**of this rule**] does not apply to Medical Assistance. See 23 Pa.C.S. § 4326(1). [**The 2005 amendments to Rule 1910.16-6(b)(1) and (2) clarify that the portion of the insurance premium covering the party carrying the insurance cannot be allocated between the parties if there is no statutory duty of support owed to that party by the other party. See *Maier v. Maier*, 575 Pa. 181, 835 A.2d 1281 (2003) and 23 Pa.C.S. § 4321.**]

(c) **Unreimbursed Medical Expenses.** The trier-of-fact shall allocate the obligee's or [**children's**] **child's** unreimbursed medical expenses. However, the trier-of-fact shall not allocate unreimbursed medical expenses incurred by a party who is not owed a statutory duty of support by the other party. The trier-of-fact may [**order**] **require** that the obligor's expense share [**is added to his or her**] **be included in the** basic support obligation, paid directly to the health care provider, or paid directly to the obligee.

(1) **Medical Expenses.**

(i) For purposes of this subdivision, medical expenses are annual unreimbursed medical expenses in excess of \$250 per person.

(ii) Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including but not limited to surgical, dental and optical services, and orthodontia.

(iii) Medical expenses do not include cosmetic, chiropractic, psychiatric, psychological, or other services unless specifically directed in the order of court.

Official Note: While cosmetic, chiropractic, psychiatric, psychological, or other expenses are not required to be apportioned between the parties, the [**court**] **trier-of-fact** may apportion such expenses that it determines to be reasonable and appropriate under the circumstances.

(2) [**An annual limitation may be imposed**] **The trier-of-fact may impose an annual limitation** when the burden on the obligor would otherwise be excessive.

(3) Annual expenses [**pursuant to this subdivision (c),**] shall be calculated on a calendar year basis.

(i) In the year in which the initial support order is entered, or in any period in which support is being paid that is less than a full year, the \$250 threshold shall be pro-rated.

[**Documentation of unreimbursed medical expenses that either party seeks to have allocated between the parties shall be provided to the other party not later than March 31 of the year following the calendar year in which the final bill was received by the party seeking allocation.**] (ii) **The party seeking allocation for an unreimbursed medical expense shall provide to the other party the expense's documentation, such as a receipt or an invoice, promptly upon receipt, but not later than**

March 31st of the year following the calendar year in which the final bill was received by the party seeking allocation.

(iii) For purposes of subsequent enforcement, unreimbursed medical bills need not be submitted to the domestic relations section prior to March 31st.

[**Allocation of unreimbursed medical expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.**] (iv) **The trier-of-fact shall have the discretion to not allocate an expense if documentation is not timely provided to the other party.**

(4) If the [**trier of fact**] **trier-of-fact** determines that out-of-network medical expenses were not obtained due to medical emergency or other compelling factors, the [**court**] **trier-of-fact** may decline to assess [**any of such**] **the** expenses against the other party.

Official Note: If the [**trier of fact**] **trier-of-fact** determines that the obligee acted reasonably in obtaining services [**which**] **that** were not specifically set forth in the order of support, payment for such services may be ordered retroactively.

[**(d) Private School Tuition. Summer Camp. Other Needs.** Expenditures for needs outside the scope of typical child-rearing expenses, e.g., private school tuition, summer camps, have not been factored into the Basic Child Support Schedule.

(1) **If a party incurs an expense for a need not factored into the Basic Child Support Schedule and the trier-of-fact determines the need and expense are reasonable, the trier-of-fact shall allocate the expense. The trier-of-fact may order that the obligor's expense share is added to his or her basic support obligation, paid directly to the service provider, or paid directly to the obligee.**

(2) **Documentation of the expenses allocated under (d)(1) shall be provided to the other party not later than March 31 of the year following the calendar year in which the invoice was received unless the service provider invoices the parties separately for their proportionate share of the expense. For purposes of subsequent enforcement, these expenses need not be submitted to the domestic relations section prior to March 31. Allocation of expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.**]

(d) Private School Tuition or Summer Camp. Other Additional Expenses. **Expenses outside the scope of typical child-rearing expenses, such as private school tuition, summer camp fees, and other additional expenses as set forth in subdivision (d)(2), have not been factored into the Basic Child Support Schedule.**

(1) **Private School Tuition or Summer Camp.** **If the trier-of-fact determines that private school or summer camp is reasonable under the parties' circumstances, the trier-of-fact shall apportion the expense to the parties.**

(2) **Other Additional Expenses.** **The trier-of-fact shall apportion an additional expense to the parties, if the trier-of-fact determines that the expense:**

(i) **is related to the child's educational, extra-curricular, or developmental activities; and**

(ii) is reasonable under the parties' circumstances.

(3) The trier-of-fact may require that a party's proportionate share of a subdivision (d)(1) or (d)(2) expense is:

(i) included in or excluded from the basic child support obligation;

(ii) paid directly to the service provider; or

(iii) paid directly to the other party.

(4) Documentation.

(i) The party seeking allocation of an expense shall provide the other party with the expense's documentation, such as a receipt or an invoice, promptly upon receipt, but not later than March 31st of the year following the calendar year in which the party incurred the expense, unless the service provider invoices the parties separately.

(ii) For subsequent enforcement purposes, a party does not need to submit the expense's documentation to the domestic relations section before March 31.

(iii) The trier-of-fact shall have the discretion to not allocate an expense if documentation is not timely provided to the other party.

(e) *Mortgage Payment.* The **support** guidelines assume that the spouse occupying the marital residence will be solely responsible for the mortgage payment, real estate taxes, and homeowners' insurance. Similarly, the trier-of-fact [**will**] **shall** assume that the party occupying the marital residence will be paying the items listed unless the recommendation specifically provides otherwise.

(1) If the obligee is living in the marital residence and the mortgage payment exceeds 25% of the obligee's monthly net income (including amounts of spousal support, alimony *pendente lite*, and child support), the trier-of-fact may [**direct**] **require** the obligor to assume up to 50% of the excess amount [**as part of the total support amount**] **in the obligor's support obligation.**

(2) If the obligor is occupying the marital residence and the mortgage payment exceeds 25% of the obligor's monthly net income (less any amount of spousal support, alimony *pendente lite*, and child support the obligor is paying), the trier-of-fact may downwardly adjust the obligor's support [**amount**] **obligation.**

(3) This rule shall not be [**applied**] **applicable** after a final resolution of the outstanding economic claims in the parties' divorce action.

(4) For purposes of this subdivision, [**the term**] "mortgage" shall include a first [**mortgages**] **mortgage**, real estate taxes, and homeowners' insurance and may include a subsequent [**mortgages,**] **mortgage, a** home equity [**loans**], and other marital obligations secured by the marital residence.

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Rule 1910.16-7. Support Guidelines. [**Awards of Child Support When There are Multiple Families**] **Multiple Family Child Support Obligations.**

(a) When [**the total of the**] **an** obligor's basic child support obligations [**equals**] **total** 50% or less of [**his**

or her] **the obligor's** monthly net income, there will be no deviation from the [**guideline amount of support**] **basic support obligation** on the ground of the existence of a new family.

Example: If the obligor requests a reduction of support for one child of the first marriage on the basis that there is a new child of the second intact marriage, and the relevant monthly net incomes are \$2,500 for the obligor, \$500 for the former spouse, and \$1,300 for the current spouse, [**then**] the request for a reduction will be denied because the [**total support obligation of \$1,153 (\$584 for the first child and \$569 for the second child) is**] **obligor's basic support obligations total \$1,138 (\$576 for the first child and \$562 for the second child) and are** less than half of the obligor's monthly net income.

(b) When the total of the obligor's basic support obligations exceeds 50% of [**his or her**] **the obligor's** monthly net income, the [**court may consider a proportional reduction of these**] **trier-of-fact may proportionately reduce the basic support** obligations. [**Since, however, the**]

(1) **The** goal of the guidelines is to treat each child equitably, **and** a first or later family shall not receive preference[**, and**].

[**the court**] (2) **The trier-of-fact** shall not divide the [**guideline amount**] **basic child support obligations** for all of the obligor's children among the households in which those children live.

Example 1. The obligor is sued for support of an [**out of wedlock**] **out-of-wedlock** child. The obligor is already paying support for two children of the first marriage, and has an intact second marriage with one child. The relevant monthly net incomes are \$3,800 for the obligor, \$1,100 for the former spouse, \$0 for the current spouse, and \$1,500 for the parent of the new child. The obligor's basic **child** support obligations to each family are [**\$1,097**] **\$1,140** for the two children of the first marriage, [**\$862**] **\$854** for the one child of the second marriage, and [**\$727**] **\$743** for the one child out of wedlock for a total [**support obligation of \$2,686**] **of \$2,737.** Since the total of these obligations exceeds 50% of the obligor's monthly net income of \$3,800 [**per month**], the [**court**] **trier-of-fact** may consider a proportional reduction [**of all**] of the orders.

Example 2. The obligor is sued for support of three children of a second marriage. There is already an order in effect for two children of the first marriage. The relevant monthly net incomes are \$2,500 for the obligor, \$0 for the first spouse, and \$500 for the second spouse. The obligor's basic **child** support [**obligations to each family are \$849**] **obligation to each family is \$877** for the two children of the first marriage and [**\$987**] **\$1,040** for the three children of the second marriage for a total support obligation of [**\$1,836**] **\$1,917.** Since [**this**] **the** total obligation leaves the obligor with only [**\$664**] **\$583** on which to live, the orders are too high as the obligor must be left with a Self-Support Reserve of [**\$981**] **\$1,063.** However, reducing the order for three children while leaving the existing order intact would

give preference to the first family, contrary to the rule. Therefore, both orders [**must**] **shall** be reduced proportionally.

Example 3. The obligor is sued by three obligees to establish orders for three children. The monthly net income for the obligor and for each obligee is \$1,500. The [**court**] **trier-of-fact** would determine that the obligor's basic **child** support obligation for each child is [**\$352**] **\$346** for a total [**obligation of \$1,056**] of **\$1,038** for three children. It would be incorrect to determine the [**guideline amount**] **basic child support obligation** for three children, in this case [**\$1,189**] **\$1,253**, and [**then**] divide that amount among the three children. [**Due to the total support amount exceeding**] **As the obligations exceed** 50% of the obligor's monthly net income, the support orders should be reduced proportionately consistent with subdivision (b) and ensure the obligor retains the Self-Support Reserve of [**\$981**] **\$1,063** consistent with Pa.R.C.P. No. 1910.16-2(e).

(c) **Presumptive Basic Support Obligation.**

(1) For purposes of this rule, the **obligor's** presumptive [**amount of the obligor's**] basic support obligation:

(i) is calculated using only [**the basic guideline amounts of support, as determined from**] the formula in Pa.R.C.P. No. 1910.16-4[,]; and

(ii) does not include any additional expenses that may be added [**to these amounts**] pursuant to Pa.R.C.P. No. 1910.16-6.

(2) In calculating the **obligor's** presumptive [**amount of the obligor's**] basic support obligation, the [**court should**] **trier-of-fact shall** ensure that the obligor retains at least [**\$981**] **\$1,063** per month consistent with Pa.R.C.P. No. 1910.16-2(e).

Example 1. Assume that the obligor is paying [**\$566**] **\$553** per month support for one child of the first marriage, plus an additional \$200 per month for child care expenses. The obligor requests a reduction in this support obligation on the basis that there is one new child of the second intact marriage. The relevant incomes are \$2,400 for the obligor and \$0 for [**both**] the former and current spouses. The obligor's request for a reduction [**should**] **shall** be denied because the total of the basic [**guideline**] **support** obligations for both children is only [**\$1,132 (\$566)**] **\$1,106 (\$553)** for each child and does not exceed 50% of the obligor's monthly net income. A reduction [**should**] **shall** not be given on the basis that the obligor's contribution to child care expenses for the first child results in an [**overall**] **total basic** support **child** obligation of [**\$1,332**] **\$1,306**, which exceeds 50% of the obligor's monthly net income. [**Thus, the**] **The** presumptive [**amount of**] basic **child** support **obligations** for the two children [**is still \$1,132 (\$566)**] **still total \$1,106 (\$553)** for each child. The [**court must then**] **trier-of-fact shall** consider the deviation factors under Pa.R.C.P. No. 1910.16-5 and the parties' respective contributions to additional expenses under Pa.R.C.P. No. 1910.16-6 in arriving at an appropriate [**amount of**] total **child** support **obligation** for each child.

Example 2. Assume that the obligor is paying [**\$360**] **\$346** per month support for one child of the first marriage. The obligor has one new child of the second intact marriage. The relevant incomes are \$1,500 for the obligor and \$0 for the former and current spouses. A reduction [**should**] **shall** not be given on the basis of the obligor's new child because the [**total of the basic guideline obligations for both children is only \$720 (\$360)**] **presumptive basic child support obligations total \$692 (\$346)** for each child) and this amount does not exceed 50% of the obligor's monthly net income. Since, however, this amount leaves the obligor with only [**\$780**] **\$808** per month, the [**court should**] **trier-of-fact shall** proportionally reduce the **basic child** support obligations so that the obligor retains [**\$981**] **\$1,063** per month. [**Thus, the**] **The** presumptive [**amount of basic support for the two children is \$519 (\$259.50)**] **basic child support obligations total \$437 (\$218.50)** for each child. The [**court must then**] **trier-of-fact shall** consider the deviation factors under Pa.R.C.P. No. 1910.16-5 and the parties' respective contributions to additional expenses under Pa.R.C.P. No. 1910.16-6 in arriving at an appropriate [**amount of**] total **child** support **obligation** for each child.

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[Pa.B. Doc. No. 21-1453. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 4]

Proposed New Pa.R.Crim.P. 490.2 and 790.2; Proposed Amendment of Pa.R.Crim.P. 490, 790 and 791

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the adoption of new Rules 490.2 and 790.2 and the amendment of Rules 490, 790, and 791 governing expungement procedures for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Joshua M. Yohe, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

All communications in reference to the proposal should be received by no later than Monday, October 4, 2021.

E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

BETH A. LAZZARA,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 4. PROCEDURES IN SUMMARY CASES

PART H. Summary Case Expungement Procedures

Rule 490. Procedure for Obtaining Expungement in Summary Cases; Expungement Order.

(A) PETITION FOR EXPUNGEMENT

(1) Except as provided in Rule 320 (**Expungement Upon Successful Completion of ARD Program**) and **Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order)**, an individual who satisfies the requirements of 18 Pa.C.S. § 9122 and 18 Pa.C.S. § 9123(a) for expungement of a summary case may request expungement by filing a petition with the clerk of the courts of the judicial district in which the charges were disposed.

(2) The petition shall set forth:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;

(i) the reason(s) for expungement; and

(j) a verification by the petitioner that facts set forth in the petition are true and correct to the best of the petitioner's personal knowledge or information and belief. The verification may be by a sworn affidavit or by an unsworn written statement that the facts are verified subject to the penalties for unsworn falsification to authorities under the Crimes Code § 4904, 18 Pa.C.S. § 4904.

Additional information shall not be required by local rule or practice.

(3) Unless the attorney for the Commonwealth agrees to waive this requirement, a current copy of the petitioner's Pennsylvania State Police criminal history report shall be attached to the petition. The copy shall be obtained from the Pennsylvania State Police within 60 days before filing the petition. Absent a waiver by the

attorney for the Commonwealth, the judge shall not rule upon the petition until the Pennsylvania State Police criminal history report is filed.

(4) A copy of the petition shall be served on the attorney for the Commonwealth concurrently with filing.

(B) OBJECTIONS; HEARING

(1) Within 30 days after service of the petition, the attorney for the Commonwealth shall file a consent or objection to the petition or take no action. The attorney for the Commonwealth's consent or objection shall be filed with the clerk of courts, and copies shall be served on the petitioner's attorney, or the petitioner if unrepresented.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 30-day period in paragraph (B)(1), the judge shall grant or deny the petition or shall schedule a hearing.

(3) At the hearing, if any, the parties shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the petition.

(4) If the judge grants the petition for expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the petition for expungement, the judge shall enter an order denying the petition and stating the reasons for the denial.

(C) ORDER

(1) Every order for expungement shall include:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;

(i) the reason(s) for expungement; and

(j) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the [**Order**] **order** to each criminal justice agency identi-

fied in the court's [**Order**] **order and to all other entities required to be notified by statute.**

Comment

This rule, adopted in 2010, provides the procedures for requesting and ordering expungement in summary cases. Any case in which a summary offense is filed with a misdemeanor, felony, or murder of the first, second, or third degree is a court case (see Rule 103). The petition for expungement of the summary offense in such a case would proceed under Rule 790.

This rule was amended in 2019 to clarify that the procedures under this rule are to be used for summary convictions for offenses committed when the defendant is under 18 years of age. This would include any summary conviction that also has been certified to juvenile court pursuant to Pa.R.J.C.P. 200(3) and 42 Pa.C.S. § 6304.1. In such cases, two expungement petitions would need to be filed: one would be filed pursuant to Pa.R.J.C.P. 170 to expunge the record of the juvenile proceeding and the second would be filed pursuant to Pa.R.Crim.P. 490 to expunge the underlying summary conviction.

See also Rule 320 [for the procedures for expungement following the successful completion of an ARD program in a summary case and Rule 790 for court case expungement procedures] (Expungement Upon Successful Completion of ARD Program); Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order); Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, see Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order) and Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).

This rule sets forth the only information that is to be included in every expungement petition and order.

Paragraph (A)(3) requires the petitioner to attach a copy of his or her criminal history report to the petition. The attorney for the Commonwealth may waive the requirement that the criminal history report be attached to the petition. The Commonwealth's agreement to the waiver may be made orally or in writing, or averred in the petition.

A form petition and form order of expungement has been created by the Administrative Office of Pennsylvania Courts, in consultation with the Committee, and is available at the following website: <http://www.pacourts.us/forms/for-the-public>.

"Petition," as used in this rule, is a "motion" for purposes of Rules 575, 576, and 577.

The "reason for expungement" in paragraph (A)(2)(i) and (C)(1)(i) means, for example, acquittal, arrest or prosecution free for five years following the conviction for that summary offense, or age.

For the procedures for filing and service of petitions, see Rule 576.

For the procedures for filing and service of orders, see Rule 114.

For purposes of this rule, "criminal justice agency" includes police departments, county detectives, and other law enforcement agencies. *See also* 18 Pa.C.S. § 9102.

Subdivision (C)(2) requires the clerk of courts to serve each criminal justice agency identified in the court's order as well as all other entities required to be notified by statute. See e.g., 18 Pa.C.S. § 9122(a)(3) (requiring the expungement of all administrative records of the Department of Transportation relating to a conviction pursuant to 18 Pa.C.S. § 6308 when that conviction is ordered to be expunged).

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

Official Note: Adopted September 22, 2010 effective in 90 days; amended November 1, 2016, effective November 14, 2016 amended March 1, 2019, effective July 1, 2019, **amended** , **2021, effective** , **2021.**

Committee Explanatory Reports:

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Final Report explaining the March 1, 2019 amendment regarding expungement of summary offenses when the defendant is under 18 years of age published with the Court's Order at 49 Pa.B. 1121 (March 16, 2019).

Report explaining proposed amendment regarding procedures for expungement in summary case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

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

Rule 490.2. Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order.

(A) NOTICE OF ACQUITTAL

(1) In any summary case in which the defendant has been acquitted of all charges as provided in 18 Pa.C.S. § 9122(a)(4), the issuing authority promptly shall notify either the clerk of courts of the judicial district in which the charges were disposed or, if the charges were disposed of in the Philadelphia Municipal Court, the clerk of Municipal Court.

(2) Within 10 days of receipt of the notification from the issuing authority, the clerk of courts or the clerk of Municipal Court, whichever applies, shall notify the defendant, defense counsel, if any, and the attorney for the Commonwealth that the case shall be ordered expunged, unless an objection is filed by the attorney for the Commonwealth.

(3) Thereafter, the case shall proceed as provided in paragraphs (B) and (C) of this rule.

(4) The notice issued by the clerk of courts or by the clerk of Municipal Court under paragraph (A)(2) shall set forth:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number, if applicable;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged; and

(h) that all the charges resulted in a not guilty finding.

Additional information shall not be required by local rule or practice.

(B) OBJECTIONS; HEARING

(1) Within 60 days after service of the notice, the attorney for the Commonwealth shall file a consent or objection to the expungement or take no action. The attorney for the Commonwealth's consent or objection shall be filed in the court of common pleas or the Philadelphia Municipal Court, whichever applies, and copies shall be served on the defendant and defense counsel, if any.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 60-day period in paragraph (B)(1), the court of common pleas or the Philadelphia Municipal Court, whichever applies, shall grant the expungement or shall schedule a hearing.

(3) At the hearing, if any, the defendant and the attorney for the Commonwealth shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the expungement.

(4) If the judge grants the expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the expungement, the judge shall enter an order denying the expungement and stating the reasons for the denial.

(6) The judge shall issue the order granting or denying the expungement in writing, with copies to the defendant, defense counsel, if any, and the attorney for the Commonwealth, and shall make the order a part of the docket.

(C) ORDER

(1) Every order for expungement shall include:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the issuing authority who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the magisterial district court number, if applicable;

(e) the docket number;

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) that all the charges resulted in a not guilty finding; and

(i) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the order to each criminal justice agency identified in the court's order and to all other entities required to be notified by statute.

Comment

This rule was adopted in 2021 to provide procedures for the expungement of summary cases that resulted in acquittals as provided in 18 Pa.C.S. § 9122(a)(4).

See also Rule 320 (Expungement Upon Successful Completion of ARD Program); Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order); Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order); Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in court cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, *see* Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).

Official Note: Adopted _____, 2021 effective _____, 2021

Committee Explanatory Reports

Report explaining proposed new Rule 490.2 regarding procedures for expungement in summary case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES

PART C. Court Case Expungement Procedures

Rule 790. Procedure for Obtaining Expungement in Court Cases; Expungement Order.

(A) PETITION FOR EXPUNGEMENT

(1) Except as provided in Rule 320 (**Expungement Upon Successful Completion of ARD Program**), **Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order)**, and 35 P.S. § 780-119, an individual who satisfies the requirements for expungement may request expungement by filing a petition with the clerk of the courts of the judicial district in which the charges were disposed.

(2) The petition shall set forth:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint, if available;

(d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;

- (e) the offense tracking number (OTN);
- (f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;
- (g) the specific charges, as they appear on the charging document, to be expunged;
- (h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;
- (i) the reason(s) for expungement; and
- (j) a verification by the petitioner that facts set forth in the petition are true and correct to the best of the petitioner's personal knowledge or information and belief. The verification may be by a sworn affidavit or by an unsworn written statement that the facts are verified subject to the penalties for unsworn falsification to authorities under the Crimes Code § 4904, 18 Pa.C.S. § 4904.

Additional information shall not be required by local rule or practice.

(3) Unless the attorney for the Commonwealth agrees to waive this requirement, a current copy of the petitioner's Pennsylvania State Police criminal history report shall be attached to the petition. The copy shall be obtained from the Pennsylvania State Police within 60 days before filing the petition. Absent a waiver by the attorney for the Commonwealth, the judge shall not rule upon the petition until the Pennsylvania State Police criminal history report is filed.

(4) A copy of the petition shall be served on the attorney for the Commonwealth concurrently with filing.

(B) OBJECTIONS; HEARING

(1) Within 60 days after service of the petition, the attorney for the Commonwealth shall file a consent or objection to the petition or take no action. The attorney for the Commonwealth's consent or objection shall be filed with the clerk of courts, and copies shall be served on the petitioner's attorney, or the petitioner if unrepresented.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 60-day period in paragraph (B)(1), the judge shall grant or deny the petition or shall schedule a hearing.

(3) At the hearing, if any, the parties shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the petition.

(4) If the judge grants the petition for expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the petition for expungement, the judge shall enter an order denying the petition and stating the reasons for the denial.

(C) ORDER

(1) Every order for expungement shall include:

- (a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;
- (b) the name and address of the judge of the court of common pleas who accepted the guilty plea or heard the case;
- (c) the name and mailing address of the affiant as shown on the complaint, if available;
- (d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;
- (e) the offense tracking number (OTN);
- (f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;
- (g) the specific charges, as they appear on the charging document, to be expunged;
- (h) the disposition and, if the sentence includes a fine, costs, or restitution, whether the amount due has been paid;
- (i) the reason(s) for expungement; and
- (j) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the [**Order**] order to each criminal justice agency identified in the court's [**Order**] order and to all other entities required to be notified by statute.

Comment

This rule, adopted in 2010, provides the procedures for requesting and ordering expungement in court cases. Any case in which a summary offense is filed with a misdemeanor, felony, or murder of the first, second, or third degree is a court case (see Rule 103). The petition for expungement of the summary offense in such a case would proceed under this rule.

See also Rule 320 [**for the procedures for expungement following the successful completion of an ARD program in a court case, Rule 490 for summary case expungement procedures, and**] (**Expungement Upon Successful Completion of ARD Program**); **Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order)**; **Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access)**; 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; **and for expungement procedures in cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, see Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order) and Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).**

This rule sets forth the only information that must be included in every expungement petition and order.

Paragraph (A)(3) requires the petitioner to attach a copy of his or her criminal history report to the petition. The attorney for the Commonwealth may waive the

requirement that the criminal history report be attached to the petition. The Commonwealth's agreement to the waiver may be made orally or in writing, or averred in the petition.

An order for expungement under the Controlled Substance, Drug, Device, and Cosmetic Act, 35 P.S. § 780-119, also must include the information in paragraph (C).

A form petition and form order of expungement has been created by the Administrative Office of Pennsylvania Courts, in consultation with the Committee, and is available at the following website: <http://www.pacourts.us/forms/for-the-public>.

"Petition" as used in this rule is a "motion" for purposes of Rules 575, 576, and 577.

The "reason for expungement" in paragraph (A)(2)(i) and (C)(1)(i) means, for example, acquittal or age.

For the procedures for filing and service of petitions, see Rule 576.

For the procedures for filing and service of orders, see Rule 114.

When a summons instead of an arrest warrant is issued pursuant to Rule 519, the date of the summons constitutes the "date of arrest" for purposes of paragraph (A)(2)(f).

For purposes of this rule, "criminal justice agency" includes police departments, county detectives, and other law enforcement agencies. *See also* 18 Pa.C.S. § 9102.

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

Official Note: Adopted September 22, 2010 effective in 90 days; amended November 1, 2016, effective November 14, 2016; **amended** , **2021, effective** , **2021.**

Committee Explanatory Reports

* * * * *

Final Report explaining the November 1, 2016 amendment regarding the stay of expungement when the Commonwealth has consented and petition and order forms published with the Court's Order at 46 Pa.B. 7442 (November 26, 2016).

Report explaining proposed amendment regarding procedures for expungement in court case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

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

Rule 790.2. Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order.

(A) NOTICE OF ACQUITTAL

(1) In any court case in which the defendant has been acquitted of all charges as provided in 18 Pa.C.S. § 9122(a)(4), within 10 days of the entry of the acquittal, the clerk of courts of the judicial district in which the charges were disposed or, if the charges were disposed of in the Philadelphia Municipal Court, the clerk of Municipal Court shall notify the defendant, defense counsel, if any, and the attorney for the Commonwealth that the case shall be ordered expunged, unless an objection is filed by the attorney for the Commonwealth.

(2) Thereafter, the case shall proceed as provided in paragraphs (B) and (C) of this rule.

(3) The notice issued by the clerk of courts or by the clerk of Municipal Court under paragraph (A)(1) shall set forth:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas or of the Philadelphia Municipal Court, whichever applies, who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged; and

(h) that all the charges resulted in a not guilty finding.

Additional information shall not be required by local rule or practice.

(B) OBJECTIONS; HEARING

(1) Within 60 days after service of the notice, the attorney for the Commonwealth shall file a consent or objection to the expungement or take no action. The attorney for the Commonwealth's consent or objection shall be filed in the court of common pleas or the Philadelphia Municipal Court, whichever applies, and copies shall be served on the defendant and defense counsel, if any.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 60-day period in paragraph (B)(1), the court of common pleas or the Philadelphia Municipal Court, whichever applies, shall grant the expungement or shall schedule a hearing.

(3) At the hearing, if any, the defendant and the attorney for the Commonwealth shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the expungement.

(4) If the judge grants the expungement, the judge shall enter an order directing expungement.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the expungement order is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the expungement, the judge shall enter an order denying the expungement and stating the reasons for the denial.

(6) The judge shall issue the order granting or denying the expungement in writing, with copies to the defendant, defense counsel, if any, and the attorney for the Commonwealth, and shall make the order a part of the docket.

(C) ORDER

(1) Every order for expungement shall include:

(a) the defendant's name and any aliases that the defendant has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas or of the Philadelphia Municipal Court, whichever applies, who heard the case;

(c) the name and mailing address of the affiant as shown on the complaint or citation, if available;

(d) the Philadelphia Municipal Court docket number or the court of common pleas docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the citation or complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be expunged;

(h) that all the charges resulted in a not guilty finding; and

(i) the criminal justice agencies upon which certified copies of the order shall be served. Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the order to each criminal justice agency identified in the court's order and to all other entities required to be notified by statute.

Comment

This rule was adopted in 2021 to provide procedures for the expungement of court cases that resulted in acquittals as provided in 18 Pa.C.S. § 9122(a)(4).

See also Rule 320 (Expungement Upon Successful Completion of ARD Program); Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order); Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order); Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in summary cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, *see* Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order).

Official Note: Adopted _____, 2021 effective _____, 2021
Committee Explanatory Reports

Report explaining proposed new Rule 790.2 regarding procedures for expungement in court case acquittals published for comment at 51 Pa.B. 5595 (September 4, 2021).

Rule 791. Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access.

(A) PETITION FOR ORDER FOR LIMITED ACCESS

(1) Pursuant to 18 Pa.C.S. § 9122.1, an individual who satisfies the statutory requirements for obtaining an order for limited access may request an order that limits the dissemination of his or her criminal history record

information by filing a petition with the clerk of the courts of the judicial district in which the charges were disposed.

(2) The petition shall set forth:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas, magisterial district judge, or Philadelphia Municipal Court judge who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint, if available;

(d) the court of common pleas docket number, magisterial district court docket number, or the Philadelphia Municipal Court docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be subject to limited access;

(h) the disposition, **whether the fee previously authorized to carry out the limited access and clean slate limited access provisions has been paid**, and, if the sentence includes [**a fine, costs, or**] restitution, whether the amount due **for restitution** has been paid;

(i) the reason(s) for the order for limited access;

(j) a statement that the case qualifies for a limited access order and none of the exceptions under 18 Pa.C.S. § 9122.1(b) are applicable; and

(k) a verification by the petitioner that facts set forth in the petition are true and correct to the best of the petitioner's personal knowledge or information and belief. The verification may be by a sworn affidavit or by an unsworn written statement that the facts are verified subject to the penalties for unsworn falsification to authorities under the Crimes Code § 4904, 18 Pa.C.S. § 4904.

Additional information shall not be required by local rule or practice.

(3) Unless the attorney for the Commonwealth agrees to waive this requirement, a current copy of the petitioner's Pennsylvania State Police criminal history report shall be attached to the petition. The copy shall be obtained from the Pennsylvania State Police within 60 days before filing the petition. Absent a waiver by the attorney for the Commonwealth, the court shall not rule upon the petition until the Pennsylvania State Police criminal history report is filed.

(4) A copy of the petition shall be served on the attorney for the Commonwealth concurrently with filing.

(B) OBJECTIONS; HEARING

(1) Within 30 days after service of the petition, the attorney for the Commonwealth shall file a consent or objection to the petition or take no action. The attorney for the Commonwealth's consent or objection shall be filed with the clerk of courts, and copies shall be served on the petitioner's attorney, or the petitioner if unrepresented.

(2) Upon receipt of the attorney for the Commonwealth's response, or no later than 14 days after the expiration of the 30-day period in paragraph (B)(1), the judge of the court of common pleas shall grant or deny the petition or shall schedule a hearing.

(3) At the hearing, if any, the parties shall be afforded an opportunity to be heard. Following the hearing, the judge promptly shall enter an order granting or denying the petition.

(4) If the judge grants the petition for limited access, the judge shall enter an order directing that the petitioner's criminal record history information that is subject to the limited access order shall not be disseminated to an individual, a noncriminal justice agency, or an internet website and that dissemination of the petitioner's criminal record history be limited only to a criminal justice agency or government agency as provided in 18 Pa.C.S. § 9122.1.

(a) The order shall contain the information required in paragraph (C).

(b) Except when the attorney for the Commonwealth has filed a consent to the petition pursuant to paragraph (B)(1), the order shall be stayed for 30 days pending an appeal. If a timely notice of appeal is filed, the order for limited access is stayed pending the disposition of the appeal and further order of court.

(5) If the judge denies the petition for an order of limited access, the judge shall enter an order denying the petition and stating the reasons for the denial.

(6) If the judge grants the petition for an order of limited access, the petition and order are subject to limited access.

(C) ORDER

(1) Every order for limited access shall include:

(a) the petitioner's name and any aliases that the petitioner has used, address, date of birth, and social security number;

(b) the name and address of the judge of the court of common pleas, magisterial district judge, or Philadelphia Municipal Court judge who accepted the guilty plea or heard the case;

(c) the name and mailing address of the affiant as shown on the complaint, if available;

(d) the court of common pleas docket number, magisterial district court docket number, or the Philadelphia Municipal Court docket number, whichever applies;

(e) the offense tracking number (OTN);

(f) the date on the complaint, or the date of arrest, and, if available, the criminal justice agency that made the arrest;

(g) the specific charges, as they appear on the charging document, to be subject to limited access;

(h) the disposition, **whether the fee previously authorized to carry out the limited access and clean slate limited access provisions has been paid**, and, if the sentence includes **[a fine, costs, or]** restitution, whether the amount due **for restitution** has been paid;

(i) the reason(s) for the order for limited access;

(j) a statement that the case qualifies for a limited access order and none of the exceptions under 18 Pa.C.S. § 9122.1(b) are applicable; and

(k) the criminal justice agencies upon which certified copies of the order shall be served.

Additional information shall not be required by local rule or practice.

(2) The clerk of courts shall serve a certified copy of the **[Order] order** to each criminal justice agency identified in the court's **[Order] order and to all other entities required to be notified by statute**.

Comment

Section 9122.1 of the Criminal Code provides for an order limiting dissemination of a record of a criminal conviction for a misdemeanor of the second degree, a misdemeanor of the third degree, or an ungraded misdemeanor which carries a maximum penalty of no more than two years only to a criminal justice agency or government agency. This rule, adopted in 2016, provides the procedures for requesting and ordering an order for limited access as provided in the statute.

This rule sets forth the only information that must be included in every petition and order for limited access.

The petition must be filed with the clerk of courts of the judicial district in which the charges that are the subject of the petition were disposed. The petition must be decided by a judge of the court of common pleas, even if the charges that are the subject of the petition were disposed by a magisterial district judge or Philadelphia Municipal Court judge.

Paragraph (A)(3) requires the petitioner to attach a copy of his or her criminal history report to the petition. The attorney for the Commonwealth may waive the requirement that the criminal history report be attached to the petition. The Commonwealth's agreement to the waiver may be made orally or in writing, or averred in the petition.

A form petition and form order for limited access has been created by the Administrative Office of Pennsylvania Courts, in consultation with the Committee, and is available at the following website: <http://www.pacourts.us/forms/for-the-public>.

"Petition" as used in this rule is a "motion" for purposes of Rules 575, 576, and 577.

The "reason for the order for limited access" in paragraph (A)(2)(i) and (C)(1)(i) means, for example, the defendant's freedom from arrest or prosecution for 10 years.

For the procedures for filing and service of petitions, see Rule 576.

For the procedures for filing and service of orders, see Rule 114.

When a summons instead of an arrest warrant is issued pursuant to Rule 519, the date of the summons constitutes the "date of arrest" for purposes of paragraph (A)(2)(f).

For purposes of this rule, "criminal justice agency" includes police departments, county detectives, and other law enforcement agencies. See also 18 Pa.C.S. § 9102. For the definition of "government agency," see 18 Pa.C.S. § 9121(b.1) and (b.2).

Nothing in this rule is intended to alter procedures regarding expungement. See Rule 320 **[for the procedures for expungement following the successful completion of an ARD program in a court case, Rule 490 for summary case expungement procedures, Rule 790 for court case expungement, and] (Expungement Upon Successful Completion of ARD Program); Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order); Rule 790 (Procedure for Obtaining Expunge-**

ment in Court Cases; Expungement Order); 35 P.S. § 780-119 for expungement procedures under the Controlled Substance, Drug, Device, and Cosmetic Act; and for expungement procedures in cases satisfying the requirements of 18 Pa.C.S. § 9122(a)(4) regarding complete acquittals, see Rule 490.2 (Procedure for Obtaining Expungement of Acquittals in Summary Cases; Expungement Order) and Rule 790.2 (Procedure for Obtaining Expungement of Acquittals in Court Cases; Expungement Order).

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

Official Note: Adopted November 1, 2016, effective November 14, 2016; **amended** _____, **2021, effective** _____, **2021.**

Committee Explanatory Reports:

Final Report explaining new Rule 791 providing the procedures for orders for limited access in court cases published with the Court's Order at 46 Pa.B. 7442 (November 26, 2016).

Report explaining proposed amendment regarding satisfaction of fees published for comment at 51 Pa.B. 5595 (September 4, 2021).

PUBLICATION REPORT

*Proposed New Pa.R.Crim.P. 490.2 and 790.2
Proposed Amendment of Pa.R.Crim.P. 490, 790, and 791*

Expungements Resulting From Acquittal and Petition for Limited Access Fee and Restitution Requirement

The Committee is proposing adopting Rules 490.2 and 790.2 as well as amending Pa.R.Crim.P. 490, 790, and 791 in response to the Act of Oct. 29, 2020, P.L. 718, No. 83 (hereinafter "Act 83"). Act 83 amended 18 Pa.C.S. § 9122 to provide for the "automatic" expungement of criminal history record information when a judicial determination has been made that a person has been acquitted of an offense. Act 83 requires a court to notify the parties that the case will be automatically expunged. After being notified, the Commonwealth has 60 days to object to the automatic expungement. Such objection is limited to whether a full acquittal occurred in the case. If an objection is raised, a hearing must be held.

In addition to amending 18 Pa.C.S. § 9122, Act 83 also amended 18 Pa.C.S. § 9122.1, providing that an individual seeking a limited access order must pay both restitution and a previously authorized fee before a court is permitted to grant the petition for limited access. The amendment of § 9122.1 also removed the requirement that a petitioner must meet all financial obligations of a sentence prior to a court granting the petition.

Preliminarily, "automatic" and "automatically" as used in 18 Pa.C.S. § 9122 indicate that, where the requirements of the statute are met, the expungement occurs without the need for a petition from the person acquitted. Automatic expungement does not, however, apply to a partial acquittal, but rather requires the person to have been "acquitted of all charges based on the same conduct or arising from the same criminal episode following a trial and a verdict of not guilty." 18 Pa.C.S. § 9122(a)(4).

To implement Act 83, the Committee proposes amendments to Pa.R.Crim.P. 490, 790, and 791 and the adoption of Rules 490.2 and 790.2. Proposed new Rule 490.2 has been drafted to provide for expungement of a summary

charge after acquittal, while proposed new Rule 790.2 has been drafted to provide for expungement after a complete acquittal in a court case. Together, Rules 490.2 and 790.2 provide the necessary procedures for expungement when "a judicial determination has been made that a person is acquitted of an offense." 18 Pa.C.S. § 9122(a)(4).

For a rule providing for the automatic expungement of an acquittal in a summary case, the Committee examined whether the expungement should be ordered by the magisterial district judge who decided the matter or by a common pleas judge. As Act 83 is silent on the question, the Committee reviewed prior policy in this area and noted that (1) there is no rule-governed motions practice in Chapter 4 (Procedures in Summary Cases) of the Rules of Criminal Procedure; and (2) the magisterial district courts are not courts of record. Additionally, common pleas judges have greater familiarity and experience with processing expungements—currently, all but truancy expungements are handled at the court of common pleas. Act 83 also requires that the Commonwealth be given an opportunity to object and that the court, upon the filing of an objection, conduct a hearing. See 18 Pa.C.S. § 9122(a)(4)(ii)-(iii). The closer proximity of district attorneys, courts of common pleas, and clerks of courts would increase the efficiency of this process. Consequently, the Committee concluded that expungements of summary acquittals should be entrusted to judges of the courts of common pleas. One exception, as currently proposed, would be expungements of summary offenses in Philadelphia Municipal Court. Where an individual is acquitted of a summary offense in Municipal Court, the subsequent expungement would be processed by the Municipal Court as provided for by the new rule.

To implement the above, subdivision (A)(1) of proposed new Rule 490.2 would require the issuing authority to promptly "notify either the clerk of courts of the judicial district in which the charges were disposed or, if the charges were disposed of in the Philadelphia Municipal Court, the clerk of Municipal Court" of the acquittal. The clerk of courts or the clerk of Municipal Court would then have 10 days to provide notice to the defendant, defense counsel, if any, and the attorney for the Commonwealth pursuant to subdivision (A)(2). The required contents of that notice are enumerated in subdivision (A)(4). Subdivision (B)(1) of the new rule then provides the Commonwealth with 60 days to file an objection in the court of common pleas or in Philadelphia Municipal Court, whichever applies. Upon receipt of the Commonwealth's response, or no later than fourteen days after the 60 days has expired, the court shall either grant the expungement or schedule a hearing pursuant to subdivision (B)(2). If the Commonwealth does not object, the court must grant the expungement, and the order for expungement must contain the information enumerated in subdivision (C)(1). If the judge denies the expungement, subdivision (B)(5) requires the judge to enter an order stating the reasons for the denial. In either case, the judge shall issue the order granting or denying expungement in writing pursuant to subdivision (B)(6). Subdivision (C)(2) then directs the clerk of courts to serve a copy of the order on "each criminal justice agency identified in the court's order and to all other entities required to be notified by statute."

Proposed new Rule 790.2 closely mirrors Rule 490.2 and implements procedures for the automatic expungement of criminal history record information when an individual is acquitted in a court case¹. However, unlike

¹ See Pa.R.Crim.P. 103 (Definitions), ("Court Case is a case in which one or more of the offenses charged is a misdemeanor, felony, or murder of the first, second, or third degree.")

Rule 490.2, the judge who presided over the acquittal is not required to provide notice to the clerk of courts of the acquittal as the clerk enters the acquittal on the docket as a matter of course, making notification unnecessary. Like Rule 490.2, if the acquittal occurs in Philadelphia Municipal Court, the expungement would be processed by the Municipal Court. In all other respects, Rule 790.2 complements Rule 490.2.

The addition to the Rules of Criminal Procedure of proposed new Rules 490.2 and 790.2 will require correlative changes to Rules 490 and 790. Rule 490 (Procedure for Obtaining Expungement in Summary Cases; Expungement Order) and Rule 790 (Procedure for Obtaining Expungement in Court Cases; Expungement Order) provide for the filing of a petition for expungement. The procedures outlined in those rules are not applicable where there has been a complete acquittal. Thus, the Committee has proposed amending paragraph (A)(1) of each rule to except from those rules all expungements that fall within the ambit of either Rule 490.2 or Rule 790.2, respectively. Additionally, the Committee is proposing amending subdivision (C)(2) of both Rule 490 and Rule 790 to require the clerk of courts to serve a copy of the order “to all other entities required to be notified by statute.” A proposed amendment to the Comment to Rule 490 explains:

Subdivision (C)(2) requires the clerk of courts to serve each criminal justice agency identified in the court’s order as well as all other entities required to be notified by statute. *See e.g.*, 18 Pa.C.S. § 9122(a)(3) (requiring the expungement of all administrative records of the Department of Transportation relating to a conviction pursuant to 18 Pa.C.S. § 6308 when that conviction is ordered to be expunged).

The Committee is also proposing amending the Comment to both Rule 490 and Rule 790 to provide references to all other expungement rules.

Finally, in light of the amendment of 18 Pa.C.S. § 9122.1, the Committee is proposing amendment of Rule 791 (Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access) to reflect the change in financial obligations that must be satisfied prior to a limited access order being granted by the court. As amended, § 9122.1 prohibits a court from entering an order “unless the person who filed the petition, upon payment of all court-ordered restitution, also paid the fee previously authorized to carry out the limited access and clean slate limited access provisions.” 18 Pa.C.S. § 9122.1(a). Deleted from § 9122.1(a) is the prior requirement that a defendant complete “each court-ordered financial obligation of the sentence.” Thus, a defendant needs to pay restitution and the fee imposed to cover the costs of the limited access and clean slate provisions—but not any other court-ordered financial obligations of the sentence, such as a fine or court costs—prior to any petition for limited access being granted. These changes are reflected in the proposed amendments to subdivisions (A)(2)(h) and (C)(1)(h) of Rule 791.

The Committee also proposes that subdivision (C)(2) of Rule 791 be amended to require the clerk to serve a copy of the order “to all other entities required to be notified by statute,” creating uniformity among the expungement rules.

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 21-1454. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 300]

Proposed Amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and Proposed Adoption of Pa.R.C.P.M.D.J. No. 350

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and the adoption of Pa.R.C.P.M.D.J. No. 350. This proposal provides procedural rules for appeals under 75 Pa.C.S. § 3369(j)(4), relating to violations issued via automated work zone speed enforcement systems for the reasons set forth in the accompanying Publication Report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel
Minor Court Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9546
minorrules@pacourts.us

All communications in reference to the proposal should be received by September 27, 2021. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Minor Court Rules Committee

HONORABLE MARGARET A. HUNSICKER,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

Rule 301. Definition; Scope.

A. As used in this chapter,^[1] “**action**” means a **civil action brought before a magisterial district judge**.

B. Civil action includes any action within the jurisdiction of a magisterial district judge except an action by a landlord against a tenant for the recovery of the possession of real property.

C. As used in this chapter, “complaint” or [**Civil Action**] **civil action** shall include, where applicable, the attached and completed Civil Action Hearing Notice form.

[¹ Rules in 300 series.]

Official Note: Civil action includes actions formerly denominated “assumpsit” or “trespass” (**commonly called contract and tort cases, respectively**) and civil claims for fines and penalties. *See* [**Section 1515(a)(3) of the Judicial Code,**] 42 Pa.C.S. § 1515(a)(3) prescribing the jurisdiction of magisterial district judges.

The rules in this chapter [**will**] apply to all civil actions before magisterial district judges except an action by a landlord against a tenant for the recovery of possession of real property, which [**are**] **is** governed by Chapter 500 of these rules.

Except as otherwise provided in Rule 350, the rules in this chapter apply to de novo appeals filed pursuant to 75 Pa.C.S. § 3369(j)(4), relating to automated work zone speed enforcement violations.

Statutes authorizing a civil fine or penalty include [**the following: (1) Section 10.1 of the Act of April 27, 1927, P.L. 465, No. 299, added by section 2 of the Act of December 21, 1988, P.L. 1315, No. 168, 35 P.S. § 1230.1 relating to clean indoor air; and Sections 617.1 and 817-A of the Act of July 31, 1968, P.L. 805, No. 247, as added by sections 62 and 77 of the Act of December 21, 1988, P.L. 1329, No. 170,**] 53 P.S. §§ 10617.1[,] **and** 10817-A relating to violations of zoning and joint municipal zoning ordinances.

Rule 302. Venue.

* * * * *

Official Note: This rule [**replaces the temporary venue provisions of § 14 of the Schedule to Article V, Pennsylvania Constitution, 1968. It**] combines, with some minor changes, the Pennsylvania Rules of Civil Procedure relating to venue. *See*:

- (1) Individuals: Pa.R.C.P. No. 1006(a).
- (2) Partnerships: Pa.R.C.P. No. 2130(a).
- (3) Corporations: Pa.R.C.P. No. 2179(a).
- (4) Insurance Policies: Pa.R.C.P. No. 2179(b).
- (5) Unincorporated Associations: Pa.R.C.P. No. 2156(a).
- (6) Political Subdivisions: Pa.R.C.P. No. 2103(b).

This rule is not intended to repeal special statutory venue provisions [**not included therein (see Rule 382(3))**], such as the: (1) venue provisions [**of the Goods and Services Installment Sales Act, Act of October 28, 1966, P.L. 7, Art. XII, § 1205, 69 P.S. § 2205, nor is it intended to contravene the special**] **for actions involving installment sales of goods and services, 12 Pa.C.S. § 6307; (2) venue provisions [of § 811] of the Fair Debt Collection Practices Act, [15 U.S.C. 1692i] 15 U.S.C. § 1692i, pertaining to actions brought by debt collectors against consumers; and (3) venue provisions for appeals from automated work zone speed enforcement violations, 75 Pa.C.S. § 3369(j)(4). See Pa.R.C.P.M.D.J. No. 382(1).**

For a definition of “transaction or occurrence,” *see* *Craig v. W.J. Thiele & Sons, Inc.*, [**395 Pa. 129,**] 149 A.2d 35 (**Pa.** 1959).

Subdivision G is intended to take care of indistinct, “center line” or other confusing boundaries in the respects mentioned. When a complaint is transferred under subdivision H, it is treated as if originally filed in the transferee court on the date first filed in a court. If service of the complaint has already been made, no new service may be necessary, but the transferee court must set a new date, time and place for the new hearing and notify the parties thereof. It is the intent of this rule that cases may be transferred to any Pennsylvania court with appropriate jurisdiction and venue, including the Philadelphia Municipal Court. Likewise, nothing in this rule prohibits a court other than a magisterial district court from transferring a case to a magisterial district court with proper jurisdiction and venue, in accordance with the procedural rules of the transferring court. The jurisdictional limits of the magisterial district courts and the Philadelphia Municipal Court are governed by [**Sections 1515 and 1123 of the Judicial Code, respectively.**] 42 Pa.C.S. §§ 1515 and 1123, **respectively.**

There are no costs for transfer of the complaint and no additional filing costs when a case is transferred from one magisterial district court to another magisterial district court. There are no additional filing costs when a case is transferred from the Philadelphia Municipal Court to a magisterial district court.

There may be additional service costs when a case is transferred.

Rule 321. Hearings and Evidence.

The magisterial district judge shall be bound by the rules of evidence, except that a bill, estimate, receipt, or statement of account [**which**] **that** appears to have been made in the regular course of business may be introduced in evidence by any party without affidavit or other evidence of its truth, accuracy, or authenticity.

Official Note: The exception to the rules of evidence provided by this rule was inserted because the Pennsylvania statutes making certain business entries admissible in evidence [**(see the Judicial Code, § 6108, 42 Pa.C.S. § 6108)**] apparently do not apply to bills, receipts, and the like [**which**] **that** are made in the regular course of business but are not made as “records.” **See 42 Pa.C.S. § 6108.** The fact that this exception permits the introduction of these items of evidence without affidavit or other evidence of their truth, accuracy, or authenticity does not, of course, preclude the introduction of evidence contradicting them. The exception was deemed necessary because the items of evidence made admissible thereby are probably the proofs most commonly used in minor judiciary proceedings. **See Rule 350D(2) for additional exceptions applicable to appeals from automated work zone speed enforcement violations.**

SATISFACTION OF MONEY JUDGMENTS

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

Rule 350. Automated Work Zone Speed Enforcement Violation Appeals.

A. As used in this rule:

(1) “Appellant” means the owner of a vehicle who has requested the appeal of a determination by a hearing officer pursuant to 75 Pa.C.S. § 3369(j)(4).

(2) “Appellee” means the Pennsylvania Department of Transportation, the Pennsylvania Turnpike Commission,

or the system administrator designated by those agencies pursuant to 75 Pa.C.S. § 3369(h)(3)(i).

B. *Venue*. An appeal filed pursuant to this rule shall only be filed in the magisterial district court in the magisterial district where the violation of 75 Pa.C.S. § 3369(c) occurred.

C. *Notice of Appeal*.

(1) An appellant may appeal a determination of a hearing officer pursuant to 75 Pa.C.S. § 3369(j)(4) by filing a notice of appeal on a form prescribed by the State Court Administrator together with a copy of the hearing officer's determination.

(2) The appellant shall pay all costs for filing and service of the notice of appeal at the time of filing, or if without the financial resources to pay the costs of litigation, the appellant shall file a petition to proceed *in forma pauperis* pursuant to Rule 206E.

(3) After setting the hearing date pursuant to Rule 305, the magisterial district judge shall serve the notice of appeal on the appellee by mailing a copy to the appellee at the address listed on the hearing officer's determination by certified mail or comparable delivery method resulting in a return receipt in paper or electronic form. The return receipt shall show that the notice of appeal was received by the appellee.

D. *Hearing; Evidence*.

(1) The proceeding shall be conducted *de novo* in accordance with these rules as if the action was initially commenced in a magisterial district court with the appellee having the burden of proof.

(2) The hearing is subject to the standards of evidence set forth in Rule 321, except that photographs, videos, vehicle titles, police reports, and records of the Pennsylvania Department of Transportation may also be entered as evidence by any party without affidavit or other evidence of their truth, accuracy, or authenticity.

Official Note: 75 Pa.C.S. § 3369 established a program to provide for automated speed enforcement systems in active work zones on certain highways under the jurisdiction of the Pennsylvania Department of Transportation and the Pennsylvania Turnpike Commission. This rule was adopted to address the provisions of the statute that permits a *de novo* appeal to a magisterial district court from a determination of a hearing officer following an administrative hearing to contest an alleged violation of 75 Pa.C.S. § 3369(c). Because these actions are *de novo* appeals, they shall proceed as any other civil action commenced in a magisterial district court except as provided by this rule.

Insofar as other procedures under these rules may be applicable, the appellant shall be deemed the "defendant" and the appellee shall be deemed the "plaintiff."

The initiating document in an appeal filed pursuant to Rule 350 is the notice of appeal, which shall be used in lieu of a complaint.

Photographs, videos, vehicle titles, police reports, and records of the Pennsylvania Department of Transportation were added to the existing business record exceptions in Rule 321 because they are the proofs most likely to be used to support the permitted defenses to 75 Pa.C.S. § 3369(c).

The appellant shall pay civil fines incurred pursuant to 75 Pa.C.S. § 3369(e) to the appellee and not to the magisterial district court. See Pa.R.C.P.M.D.J. No. 323. If the magisterial district judge enters judgment in favor of

the appellant, *i.e.*, the vehicle owner, the appellant is entitled to recover taxable costs from the appellee. See Pa.R.C.P.M.D.J. No. 206B ("the prevailing party in magisterial district court proceedings shall be entitled to recover taxable costs from the unsuccessful party. Such costs shall consist of all filing, personal service, witness, and execution costs authorized by Act of Assembly or general rule and paid by the prevailing party"). Procedures for enforcement of judgments, including judgments in favor of the appellant for taxable costs from the appellee, are set forth in Rules 401 *et seq.*

See Rules 1001 *et seq.* for procedures to appeal a judgment rendered by a magisterial district judge or to file a *praecipe* for a writ of *certiorari* in civil actions, including actions brought pursuant to this rule.

PUBLICATION REPORT

Proposed Amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and Proposed Pa.R.C.P.M.D.J. No. 350

The Minor Court Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P.M.D.J. No. 301, 302, and 321 and the adoption of Pa.R.C.P.M.D.J. No. 350. This proposal would establish procedural rules for appeals under 75 Pa.C.S. § 3369(j)(4), relating to violations issued via automated work zone speed enforcement systems ("AWZSES").

Background

Act 86 of 2018 ("Act") authorized the use of AWZSES in active work zones along the Pennsylvania Turnpike and "[f]ederal aid highways only under the jurisdiction of the Pennsylvania Department of Transportation." See 75 Pa.C.S. § 3369(a). It also established civil penalties for a speeding offense in a highway work zone recorded by an AWZSES. If the AWZSES records a speeding violation in an active work zone, a system administrator (*i.e.*, agency vendor) will prepare and send a violation notice to the registered vehicle owner identified by the system. See *id.* § 3369(d). The vehicle owner may request a hearing before a hearing officer to contest the alleged violation. See *id.* § 3369(j)(1). The Act permits a vehicle owner to appeal the hearing officer's decision before a magisterial district judge:

If the owner requests in writing that the decision of the hearing officer be appealed, the system administrator shall file the notice of violation and supporting documents with the office of the magisterial district judge for the magisterial district where the violation occurred, and the magisterial district judge shall hear and decide the matter *de novo*.

See *id.* § 3369(j)(4). The Pennsylvania Department of Transportation and the Pennsylvania Turnpike Commission implemented AWZSES and it is operational. In anticipation of appeals from hearing officer determinations filed pursuant to 75 Pa.C.S. § 3369(j)(4), the Committee is considering proposing to the Supreme Court of Pennsylvania changes to the Rules of Civil Procedure before Magisterial District Judges to (1) clarify that Pa.R.C.P.M.D.J. No. 301—382 apply to AWZSES violation appeals; and (2) provide certain exceptions for these actions due to their unique nature as *de novo* appeals from hearing officer determinations. The Committee previously published a proposal relating to AWZSES appeals for public comment at 50 Pa.B. 3104 (June 27, 2020) and accepted comments through August 4, 2020. The Committee has made revisions to the proposal based on feedback received.

Proposal

In Rule 301, the Committee proposes adding a paragraph to the Note advising the Rules apply to AWZSES appeals, except as otherwise provided by new Rule 350. Next, the Committee proposes amending the Note to Rule 302 to include AWZSES appeals to the list of actions with special venue provisions, as well as other amendments to enhance readability. In the Note to Rule 321, the Committee adds a cross-reference to proposed new Rule 350D(2), providing exceptions to evidentiary requirements for AWZSES appeals. These proposed amendments are virtually identical to the rule amendments published in 2020.

The Committee proposes new Rule 350, containing a special venue rule and evidentiary exceptions, and clarifying the nature of the parties and proceeding in an AWZSES violation appeal. Proposed Rule 350 requires a vehicle owner appealing from a hearing officer determination to file a notice of appeal along with a copy of the hearing officer determination with the magisterial district court. The notice of appeal takes the place of a complaint as the initiating document in the civil action. The vehicle owner is the appellant in the action and the agency or its designee is the appellee. To the extent other procedural rules are applicable to these appeals, the parties may also be deemed the defendant and plaintiff, respectively. The vehicle owner is responsible for remitting the filing fee with the notice of appeal unless they concurrently file a petition to proceed *in forma pauperis* pursuant to Rule 206E. Notably, the Act does not address the payment of court costs and fees for appeal to the magisterial district court from the determination of the hearing officer. In a civil matter, the costs for filing and service of the complaint are paid at the time the complaint is filed. See Pa.R.C.P.M.D.J. No. 206A. Filing fees and court costs are established by statute. See, e.g., 42 Pa.C.S. §§ 1725.1(a)(1), 3733, and 3733.1. Currently, filing fees and courts costs in these actions would be about \$96.00, not including service.

Finally, proposed Rule 350 provides that if the vehicle owner is successful on appeal, then they are entitled to recover taxable costs. While it unusual for a state agency or its designee to be a party in a civil matter in magisterial district court, the Legislature has designated the AWZSES appeals as civil rather than criminal actions. There are no provisions in the Act exempting the parties from filing fee requirements pursuant to 42 Pa.C.S. § 1725.1(a) or from the awarding of costs to a successful appellant pursuant to 42 Pa.C.S. § 1726. See also Pa.R.C.P.M.D.J. No. 206B. Procedures for a prevailing litigant to enforce a judgment are set forth at Rules 401 *et seq.*

The courts of common pleas have jurisdiction of appeals from the magisterial district courts. “Except as otherwise prescribed by any general rule adopted pursuant to section 503 (relating to reassignment of matters), each court of common pleas shall have exclusive jurisdiction of appeals from final orders of the minor judiciary established within the judicial district.” See 42 Pa.C.S. § 932. An appeal from a judgment rendered by a magisterial district court should be made to the court of common pleas for the judicial district. See Pa.R.C.P.M.D.J. No. 1001 *et seq.*

The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 21-1455. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES**DAUPHIN COUNTY****Promulgation of Local Rules; No. 1793 S 1989****Order**

And Now, this 4th day of August, 2021, Dauphin County Local Rule of Criminal Procedure 576.1 is amended as follows:

Rule 576.1. Electronic Filing in Criminal Dockets.

A. The Dauphin County Clerk of Courts Office and the Administrative Office of Pennsylvania Courts (AOPC) agreed upon an implementation plan for PACFile in Dauphin County for certain criminal filings. Legal papers [**may**] **shall** be filed electronically using the PACFile electronic filing system pursuant to Pa.R.Crim.P. 576.1. Electronic filing is [**permissive and not**] mandatory.

B. *Legal Papers Defined.* “legal papers” shall include all written motions, written answers and any notices or documents for which filing is required or permitted, including orders, exhibits and attachments, except for the following:

- (1) Applications for search warrants;
- (2) Applications for arrest warrants;
- (3) Grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;
- (4) Submissions filed *ex parte* as authorized by law, and
- (5) Submissions filed or authorized to be filed under seal.

(6) Notice of Appeals.

(7) Any matter requiring the assignment of a Miscellaneous Docket (MD) number including but not limited to expungements filed pursuant to Pa.R.Crim.P. 490 or petitions for modification of bail in matters still pending in the Magisterial District Judge Court.

(8) Initial filings for Summary Appeals (SA).

C. Attorneys or self-represented parties who file legal papers electronically must establish a PACFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2), the establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed using PACFile.

D. Applicable filing fees for the electronically filed legal papers shall be paid electronically to the Clerk of Courts simultaneously with the filing.

E. A party who was granted *In Forma Pauperis* status shall not pay filing fees to the Clerk of Courts.

F. All filings shall comply with the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

G. The Clerk of Courts Office shall convert legal papers in paper format to an electronic PDF or PDF-A version except for those listed in Rule 576.1(B). Once converted to PDF or PDF-A, the PDF or PDF-A version shall be deemed to be the original legal paper and shall be used as such for all purposes. The Clerk of Courts or the Court is not required to maintain a hard copy of any legal paper filed electronically.

H. *Service of Legal Papers.*

(a) Attorneys or self-represented parties who are unable [**or unwilling**] to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format.

(b) Service of legal papers on any attorney or party who has not established an account as provided in subsection (C) of this rule shall be made in accordance with Pa.R.Crim.P. 576. Specifically, the following offices must be served in accordance with Rule 576: Sheriff, Probation Services, Court Reporter, and Court Administration. This applies to the service of court orders and notices. Distribution to those parties not automatically served via PACFile with a court order or notice must be filed with the Clerk of Courts office with a complete distribution legend listing the names and addresses of all parties required to be served with a paper copy.

The previously listed amendments shall be published in the *Pennsylvania Bulletin* and will become effective thirty (30) days from the date of publication.

By the Court

JOHN F. CHERRY,
President Judge

[Pa.B. Doc. No. 21-1456. Filed for public inspection September 3, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

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

SUZANNE E. PRICE,
Attorney Registrar

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

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

Bank Code B.

558 Bancorp Bank (The)
485 Bank of America, NA
662 Bank of Bird in Hand
415 Bank of Landisburg (The)
664 BankUnited, NA
642 BB & T Company

501 BELCO Community Credit Union
652 Berkshire Bank
663 BHCU
5 BNY Mellon, NA
392 Brentwood Bank
495 Brown Brothers Harriman Trust Co., NA
161 Bryn Mawr Trust Company (The)

Bank Code C.

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

Bank Code D.

339 Dime Bank (The)
27 Dollar Bank, FSB

Bank Code E.

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

Bank Code F.

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

408 First United National Bank
 151 Firsttrust Savings Bank
 416 Fleetwood Bank
 175 FNCB Bank
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
 58 Fulton Bank, NA

Bank Code G.

499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

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

Bank Code I.

669 Industrial Bank
 365 InFirst Bank
 557 Investment Savings Bank
 526 Iron Workers Savings Bank
 668 Inspire FCU
 670 Investors Bank

Bank Code J.

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

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

554 Landmark Community Bank
 542 Linkbank
 78 Luzerne Bank

Bank Code M.

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

Bank Code N.

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

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

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

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

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

Bank Code S.

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

Bank Code T.

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

Bank Code U.

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

Bank Code V.

611 Victory Bank (The)

Bank Code W.

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

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

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

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

*New**Name Change*

577—York Traditions Bank—Change to 577 Traditions Bank

*Platinum Leader Change**Correction**Removal*

[Pa.B. Doc. No. 21-1457. Filed for public inspection September 3, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated July 21, 2021, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective August 20, 2021 for Compliance Group 3.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been administratively suspended by said Order, was published in the appropriate county legal journal.

Anthony, David Benjamin
 Wilmington, DE

Barnett, Lisa Mebane
 Laurel, MD

Boczar, Mark William
 Sewell, NJ

Booth, Ian Patrick
 Wilmington, DE

Cicccone, Andrea Lynn
 Punta Gorda, FL

Cornwell, Michael Christian
 Collingswood, NJ

Duren, Camille Denise
 Mantua, NJ

Fiol, Richard C.
 Federal Way, WA

Hucks, Carol Ann
 Columbus, OH

Kanoff, Daniel Ryan
 Princeton Junction, NJ

McPherson, Shevelle
 Cherry Hill, NJ

Mills, Richard Scott
 New York, NY

Pierce, Alyze Lowen
 Woodland Hills, CA

Richards III, Alvin Eugene
 Short Hills, NJ

SUZANNE E. PRICE,
Attorney Registrar

[Pa.B. Doc. No. 21-1458. Filed for public inspection September 3, 2021, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CHS. 131 AND 141]

Preliminary Provisions; Hunting and Trapping; General

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its July 24, 2021, meeting amends §§ 131.2 and 141.1 (relating to definitions; and special regulations areas) to define and authorize the use firearms that utilize straight-walled cartridges within most areas designated as special regulations areas and also reorganize § 141.1 to provide a clearer and more seamless construction within the section itself and with related arms and ammunition provisions.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 51 Pa.B. 2949 (May 22, 2021).

1. Purpose and Authority

Section 141.1 provided a general restriction prohibiting the use of single-projectile firearms and possession of single-projectile ammunition while hunting game or wildlife within areas designated as special regulations areas. The section thereafter provided a multitude of exceptions for various firearms and their associated ammunition. These firearm and ammunition restrictions are intended to address safety related concerns in the predominantly urban and developed areas of this Commonwealth comprising the special regulation areas. This general firearm restriction served as an effective ban on the use of firearms that utilize straight-walled cartridges. The Commission has determined that these firearms afford no greater risk of safety in the special regulation areas than currently exempted shotguns and muzzleloading firearms. The Commission has also determined that a reorganization of § 141.1 was necessary to address its unwieldy and confusing structure. The Commission amends §§ 131.2 and 141.1 to define and authorize the use firearms that utilize straight-walled cartridges within most areas designated as special regulations areas and also reorganize § 141.1 to provide a clearer and more seamless construction within the section itself and with related arms and ammunition provisions.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to §§ 131.2 and 141.1 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends §§ 131.2 and 141.1 to define and authorize the use firearms that utilize straight-walled cartridges within most areas designated as special regulations areas and also reorganize § 141.1 to provide a clearer and more seamless construction within the section itself and with related arms and ammunition provisions.

3. Persons Affected

Persons wishing to hunt wildlife within the special regulations areas will be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission 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), 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) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 131 and 141, are amended by amending §§ 131.2 and 141.1 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

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

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-471 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.2. Definitions.

In addition to the definitions contained in section 102 of the act (relating to definitions), the following words and terms, when used in this part or in the act, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Beekeeper's agent—A person who accepts the responsibility of bees, hives and related equipment in the absence of the owner, and who is willing and able to reset disrupted hives, maintain fencing where present and report damage done by bears to the nearest available Commission officer as soon as practical, but, in any event, within 10 days of the damage. The agent shall be domiciled within 300 yards of the beehives.

Bottle-necked cartridge—A cartridge having a main diameter and a distinct angular shoulder stepping down to a smaller diameter at the neck position of the case. This term does not include straight-walled cartridges.

Bow—In addition to the definition in section 102 of the act, a device for launching an arrow, which derives its propulsive energy solely from the bending and recovery of two limbs. The energy used to propel the arrow may not be derived from another source. These limitations may not exclude the mechanical leverage advantage provided by eccentric wheels or cams so long as the available energy stored in the bent limbs of the bow is the sole result of a single, continuous and direct pulling effort by the shooter. The bowstring shall be drawn, held and released as a direct and conscious action of the shooter. Release shall be accomplished by either relaxing the tension of the fingers or triggering the release action of a manually held release aid.

* * * * *

Special firearms deer season—Any firearms deer season, except muzzleloader season, that precedes the regular firearms deer season.

Straight-walled cartridge—A cartridge having straight or slightly tapered walls down to the projectile. This term does not include bottle-necked cartridges.

Sustained yield—As used in section 546(b)(2) of the act (relating to limitation on expenditures for deterrent fencing), continuous and planned forest production through accepted forestry management practices.

Venison—For the purpose of section 2312 of the act (relating to buying and selling game), any meat derived from a white-tailed deer.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.1. Special regulations areas.

(a) *Name*. The areas shall be known and referred to as special regulations areas.

(b) *Descriptions*.

(1) *Southwest area*. Includes the County of Allegheny.

(2) *Southeast area*. Includes the Counties of Bucks, Montgomery, Chester, Delaware and Philadelphia and also includes Tyler and Ridley Creek State Parks and other publicly-owned lands therein.

(c) *Prohibitions*.

(1) *Restricted devices*. Notwithstanding the authorizations of §§ 141.22, 141.43—141.45, 141.47 and 141.67, it is unlawful to:

(A) Hunt, take, kill or to attempt, aid, abet, assist or conspire to hunt, take or kill any game or wildlife through the use of a firearm that discharges bottle-necked centerfire cartridges or to possess bottle-necked centerfire cartridges or any firearm that is designed to discharge bottle-necked centerfire cartridges while hunting any game or wildlife within any special regulations area.

(B) Hunt, take, kill or to attempt, aid, abet, assist or conspire to hunt, take or kill any game or wildlife through the use of a centerfire or muzzleloading firearm or to possess centerfire cartridges or muzzleloading ammunition or any firearm that is designed to discharge centerfire cartridges or muzzleloading ammunition while hunting any game or wildlife within the following parts of the southeast special regulations area: Philadelphia County, Ridley Creek State Park, Delaware County and Tyler State Park, Bucks County.

(2) (Reserved).

(3) *Restricted feeding*. It is unlawful to, except for normal or accepted farming, habitat management practices, oil and gas drilling, mining, forest management activities, or other legitimate commercial or industrial practices, intentionally lay or place food, fruit, hay, grain, chemical, salt or other minerals anywhere in the southeast special regulations area for the purpose of feeding white-tailed deer, or to intentionally lay or place food, fruit, hay, grain, chemical, salt or other minerals that may cause white-tailed deer to congregate or habituate an area. If otherwise lawful feeding is attracting white-tailed deer, the Commission may provide written notice prohibiting this activity.

(d) *Permitted acts*. It is lawful to:

(1) (Reserved).

(2) (Reserved).

(3) (Reserved).

(i) (Reserved).

(ii) (Reserved).

(4) (Reserved).

(i) (Reserved).

(ii) (Reserved).

(5) (Reserved).

(6) Hunt or take deer during any deer season through the use of or by taking advantage of bait on private property currently operating under a valid deer control permit where approval for limited baiting activities has previously been obtained under § 147.552 (relating to application). This limited authorization is valid only to the extent that persons comply with the standards and conditions in § 147.556 (relating to lawful devices and methods).

(7) Hunt or take deer in the southeast special regulations area during regular open hunting seasons for white-tailed deer through the use of or by taking advantage of bait on private, township or municipal property only as set forth in this paragraph.

* * * * *

[Pa.B. Doc. No. 21-1459. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 58—RECREATION

**GAME COMMISSION
[58 PA. CODE CH. 141]**

Hunting and Trapping; Furbearers

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its July 24, 2021, meeting amends § 141.62 (relating to beaver and otter trapping) to eliminate the restriction on the number of traps that beaver trappers can set during the 5-day period after the closure of otter trapping seasons.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 51 Pa.B. 2951 (May 22, 2021).

1. Purpose and Authority

Beaver and otter trappers are limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any Wildlife Management Unit during an open otter trapping season. This regulation was originally developed to minimize the chance of a trapper exceeding the season bag limit of one otter in a day. The limitation on the number of beaver traps was also extended for 5 additional consecutive days after the close of the otter season. The 5-day extension was established to allow for an otter trapping season extension if warranted. However, no otter trapping seasons have ever been extended since the first season was established in 2015. In the future, the Commission will use longer trapping seasons, rather than year-specific season extensions, to manage otters in those areas where higher numbers can be trapped sustainably. The Commission amends § 141.62 to eliminate the restriction on the number of traps that beaver trappers can set during the 5-day period after the closure of otter trapping seasons.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to § 141.62 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 141.62 to eliminate the restriction on the number of traps that beaver trappers can set during the 5-day period after the closure of otter trapping seasons.

3. Persons Affected

Persons wishing to trap beavers during the 5-day period after the closure of otter tapping seasons will be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission 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), 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) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.62 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

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

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-470 remains valid for the adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§ 141.62. Beaver and otter trapping.

* * * * *

(b) *Unlawful acts.* It is unlawful to:

* * * * *

(4) Set, tend or operate any number of traps or snares for beaver trapping in excess of the limits established by this paragraph.

(i) Beaver trappers are generally limited to a combined Statewide total of 20 traps or snares, no more than 10 of which may be traps. No more than 2 of the 10 traps may be body-gripping traps, except:

(A) In Wildlife Management Units where beaver bag limits are 40 per season, all 10 traps may be body-gripping traps.

(B) In Wildlife Management Units where beaver bag limits are 60 per season, all 20 traps or snares may be body-gripping traps.

(ii) Beaver trappers are limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any Wildlife Management Unit with an open otter trapping season. This limitation is inclusive of any otter traps or snares set under paragraph (7). This limitation is applicable during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season.

* * * * *

[Pa.B. Doc. No. 21-1460. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION [58 PA. CODE CH. 147]

Special Permits; Mentored Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its July 24, 2021, meeting amends § 147.804 (relating to general) to expand species eligibility for the mentored hunting program to include participation in waterfowl, bear and expanded spring (special) turkey seasons.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 51 Pa.B. 2952 (May 22, 2021).

1. Purpose and Authority

Since the mentored hunting program's initial inception in 2006, the program has gradually grown and expanded to allow the hunting of many additional species of game and wildlife. With each progressive expansion of species eligibility, the mentored hunting program has come into closer alignment to the Commission's traditional hunting license structures. The Commission amends § 147.804 to expand species eligibility for the mentored hunting program to include participation in waterfowl, bear and expanded spring (special) turkey seasons. Existing regulatory structures will authorize mentored youth 7 years of age or older at the time of application and mentored adults to make application for bear licenses and special wild turkey licenses as a direct applicant. Mentored youth under 7 years of age at the time of application will be authorized to receive the harvest tags from bear and special wild turkey licenses by transfer from a mentor in similar fashion to other big game harvest tags.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." The amendments to § 147.804 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 147.804 to expand species eligibility for the mentored hunting program to include participation in waterfowl, bear and expanded spring (special) turkey seasons.

3. Persons Affected

Persons wishing to participate in the Mentored Hunting Program will be affected by this final-form rulemaking.

4. Comment and Response Summary

The Commission received only one official comment regarding this final-form rulemaking. This single comment supported the rulemaking's expansion to include access to hunting waterfowl.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission 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), 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) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending § 147.804 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

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

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-472 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter X. MENTORED HUNTING PROGRAM PERMIT

§ 147.804. General.

(a) *License required.* A mentor shall possess a valid Pennsylvania hunting license or qualify for license and

fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) prior to engaging in any mentored hunting activities.

(b) *Permit required.* A mentored youth or mentored adult shall possess a valid applicable mentored hunting permit prior to engaging in any mentored hunting activities. Purchase of a hunting license by an eligible mentored youth or mentored adult shall automatically invalidate any mentored permit and associated harvest tags held by same.

(c) *Species limitation.* A mentored youth's or mentored adult's hunting eligibility is restricted to the following species: rabbit, hare, ruffed grouse, mourning dove, bob-white quail, pheasant, crow, squirrel, porcupine, woodchuck, coyote, deer, waterfowl, bear and wild turkey.

* * * * *

(k) *Transfer of a spring turkey harvest tag or special wild turkey harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer spring turkey harvest tags or special wild turkey harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The spring turkey harvest tag or special wild turkey harvest tag shall be valid and in the possession of the mentor at all times while hunting spring turkey. The transfer of the spring turkey harvest tag or special wild turkey harvest tag may not occur until after the mentored youth has harvested the spring turkey, but before tagging the carcass. A mentored youth may not receive by transfer more than one spring turkey harvest tag or special wild turkey harvest tag each license year. This provision shall not be construed to authorize the transfer of a spring turkey harvest tag or special wild turkey harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(l) *Application for and issuance of big game harvest tags.* Except as provided as follows, mentored youth and mentored adult hunting permits will be issued with an antlered deer, fall turkey and spring turkey harvest tag. No harvest tags will be issued with a mentored youth permit where the applicant is under 7 years of age at the time of application. Mentored youth over 7 years of age at the time of application and mentored adults are additionally eligible to make application for a bear license, a special wild turkey license, and one antlerless deer license and as many DMAP harvest permits that are within the eligibility standards and limitations of these programs.

(m) *Application for and issuance of add-on licenses and permits.* Mentored youth and mentored adults are exempt from requirements to obtain archery and muzzleloader add-on licenses or stamps applicable to hunting archery or muzzleloader seasons for any species listed in subsection (c). Unless otherwise exempted by existing program standards, all mentored youth and mentored adults are required to obtain migratory bird licenses and pheasant permits to participate in hunting during applicable seasons for any associated species listed in subsection (c).

(n) *Transfer of a bear harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer bear harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The bear harvest tag shall be valid and in the possession of the mentor at all times while hunting bear. The transfer of the bear harvest tag may not occur until after the mentored youth

has harvested the bear, but before tagging the carcass. A mentored youth may not receive by transfer more than one bear harvest tag each license year. This provision shall not be construed to authorize the transfer of a bear harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

[Pa.B. Doc. No. 21-1461. Filed for public inspection September 3, 2021, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 617b, 623b, 627b, 629b, 631b, 633b, 635b, 639b, 641b, 643b, 645b, 647b, 649b, 653b, 655b, 657b, 659b, 670b, 685b, 687b AND 688b]

Roulette Side Wagers and Variations; Craps and Mini-Craps Side Wagers and Variations; Minibaccarat Side Wagers and Variations; Midibaccarat Side Wagers and Variations; Baccarat Side Wagers and Variations; Blackjack Side Wagers and Variations; Spanish 21 Side Wagers and Variations; Caribbean Stud Poker Side Wagers and Variations; Four Card Poker Side Wagers and Variations; Let It Ride Poker Side Wagers and Variations; Pai Gow Poker Side Wagers and Variations; Texas Hold 'Em Bonus Poker Side Wagers and Variations; Three Card Poker Side Wagers and Variations; Ultimate Texas Hold 'Em Poker Side Wagers and Variations; Mississippi Stud Side Wagers and Variations; Crazy 4 Poker Side Wagers and Variations; Fortune Asia Poker Side Wagers and Variations; Six-Card Fortune Pai Gow Poker Side Wagers and Variations; Down Under Blackjack Side Wagers and Variations; DJ Wild Stud Poker Side Wagers and Variations; Face Up Pai Gow Poker Side Wagers and Variations; Temporary Regulations

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 13A03 (relating to regulatory authority; and temporary table game regulations), adopts the temporary regulations in Chapters 617b, 623b, 627b, 629b, 631b, 633b, 635b, 639b, 641b, 643b, 645b, 647b, 649b, 653b, 655b, 657b, 659b, 670b, 685b, 687b and 688b to read as set forth in Annex A. The Board's temporary regulations will be added to Part VII (relating to Gaming Control Board) as part of Subpart K (relating to table games).

Purpose of this Temporary Rulemaking

This temporary rulemaking adds a number of new side wagers and variations to existing games available for play in this Commonwealth. The majority of these side wagers and variations had previously been adopted by the Board as Statements of Policy, making the side wagers and variations available for play at casinos. Included is a new form of bonus available to player's on certain progressive side wagers.

Explanation

The side wagers and variations included in this temporary rulemaking package are numerous. The majority of the side wagers and variations in this temporary regulation package have been previously reviewed and adopted by the Board as Statements of Policy, and several have been made available for play by licensed facilities in this Commonwealth. The goal of this rulemaking is to take these existing Statements of Policy and enact them as temporary regulations, and then ultimately incorporate the side wagers and variations into the Board's existing body of regulations through the formal regulatory process.

In addition to promulgating previously adopted and approved side wagers and variations as temporary regulations, the Board is adding the Must-Hit-By Mystery Bonus to 15 currently existing games that feature progressive wagers. This Must-Hit-By Mystery Bonus uses a random number generator (RNG) built into the progressive wagering system to set a random Must-Hit-By amount, an amount unknown to patrons. A small percentage of each progressive wager placed by a player goes into the Must-Hit-By Mystery Bonus pot, and when a player's contribution brings the pot over the randomly set amount, the player who made the contribution wins the Mystery Bonus amount.

For example, if the licensed facility picks Paytable A with a \$5 progressive wager amount, 1% of each player's wager would be a contribution to the Must-Hit-By Mystery Bonus pot. If the RNG sets the Must-Hit-By amount at \$225, when a player's contribution causes the pot to exceed that amount, that player would win the \$225 Must-Hit-By Mystery Bonus.

This Must-Hit-By Mystery Bonus has been included in Chapters 631b, 633b, 639b, 641b, 643b, 645b, 647b, 649b, 653b, 655b, 657b, 659b, 670b, 687b and 688b.

Chapter 617b (relating to Roulette side wagers and variations—temporary regulations) includes the B2B Roulette wager and the Blazing 7's wager. The B2B Roulette wager wins if after the player places the wager, the Roulette ball lands in the same space as the previous spin. The Blazing 7's wager wins if the Roulette ball lands in the 7, 17 or 27 space on the Roulette wheel. A bonus round spin is triggered, and the amount of the win is based upon the result of the spin in the bonus round.

Chapter 623b (relating to Craps and Mini-Craps side wagers and variations—temporary regulations) includes Hot Roller Craps, Lucky Shooter Craps and a variation for Bonus Craps. The Hot Roller craps wager wins if the roller of the dice completes certain number combinations during a round prior to rolling a seven. The Lucky Shooter wager may be placed on a fully automated electronic gaming table and wins if a player rolls at least 2 or 3 other point numbers after a point is set on a come out roll, or if a 7 or 11 is rolled on the come out roll. The Bonus Craps variation allows a new payable for casinos to offer, as well as changes the verbiage of an existing side wager.

Chapter 627b (relating to Minibaccarat side wagers and variations—temporary regulations) includes the Perfect Pairs wager, Commission free Minibaccarat and the Royal 9 Progressive wager. The Perfect Pairs wager wins if the dealer's hand or the player's hand contain a colored pair, mixed pair or perfect pair. Commission free Minibaccarat allows a player to play a version of Minibaccarat where no commission is paid on a winning wager placed on the dealer's hand. This version of Minibaccarat includes

several side wagers. The Royal 9 Progressive wager wins if the dealer's hand, player's hand or both hands have a point total of 9.

Chapter 629b (relating to Midibaccarat side wagers and variations—temporary regulations) includes the Perfect Pairs wager, Commission free Midibaccarat, the Royal 9 Progressive wager and an alternative card reveal procedure. The Perfect Pairs wager wins if the dealer's hand or the player's hand contain a colored pair, mixed pair or perfect pair. Commission free Midibaccarat allows a player to play a version of Midibaccarat where no commission is paid on a winning wager placed on the dealer's hand. This version of Midibaccarat includes several side wagers. The Royal 9 Progressive wager wins if the dealer's hand, player's hand or both hands have a point total of 9. The alternative card reveal procedure allows the player who placed the highest wager on the player's hand to be dealt the two cards for the player's hand and reveal them by placing them face up on the table.

Chapter 631b (relating to Baccarat side wagers and variations—temporary regulations) contains the Perfect Pairs wager, the Heavenly 9 Progressive Baccarat wager, 5 Treasures Baccarat wagers, Lucky Nines, Commission free Baccarat and the Must-Hit-By Mystery Bonus. The Perfect Pairs wager wins if the dealer's hand or the player's hand contain a colored pair, mixed pair or perfect pair. The Heavenly 9 Progressive Baccarat wager wins if the dealer's hand and player's hand tie with three cards each, or when the player's hand or dealer's hand have a three-card point total of 9. 5 Treasures Baccarat features five separate side wagers: Fortune 7 (wins if the banker's hand has a three-card point total of 7), Golden 8 (wins if the player's hand has a three-card point total of 8), Heavenly 9 (wins if the banker's hand, player's hand or both has a three-card total of 9), Blazing 7's (wins if the banker's or player's hand have a point total of 7) and Cover All (wins if one of the any other four side wagers wins). The Lucky Nines wager wins if any of the initial four cards dealt to the banker or the player contain a 9. Commission free Baccarat allows a player to play a version of Baccarat where no commission is paid on a winning wager placed on the dealer's hand. This version of Baccarat also includes several side wagers.

Chapter 633b (relating to Blackjack side wagers and variations—temporary regulations) includes the Perfect Pairs wager, Jackpot Party Progressive wager, Match the Dealer Progressive Blackjack wager, Switch Hands and Blackjack Premium, Blackjack played on a hybrid gaming table, Super 4 Progressive Blackjack wager, Top 3 wager, Lucky Aces wager, Blazing 7's Progressive wager, Blackjack Match Progressive, TriLux Deluxe wager, AxMan wager, Buster Blackjack wager and the Must-Hit-By Mystery Bonus.

The Perfect Pairs wager wins if the player's hand contains a colored pair, mixed pair or perfect pair. The Jackpot Party Progressive wager wins if the dealer's initial two cards and the player's initial two cards form a certain combination, with the dealer having a Blackjack. The Match the Dealer progressive wager wins if one or both of the player's card matches the dealer's upcard. Switch Hands allows a player to place an extra ante wager in addition to the Blackjack wager, and if the player chooses, switch his two cards that were dealt face up with two cards that were dealt face down. Blackjack premium makes the Switch Hand ante optional. Section 633b.5 (relating to blackjack played on a hybrid gaming table) sets the standards for a casino to offer Blackjack as a table game on a hybrid or gaming table.

The Super 4 Progressive Blackjack wager wins if the dealer's initial two cards and the player's initial two cards forming a certain combination, ranging from all cards being the same color to a royal flush. The Top 3 wager wins if the player's initial two cards and the dealer's upcard contain a three-of-a-kind or a straight flush. The Lucky Aces wager wins if any of the player's initial two cards or the dealer's initial two cards are an ace. The Blazing 7's Progressive wager wins if one or both of the player's initial two cards is a seven, with additional higher payouts if the player receives a third card which is also a seven.

The Blackjack Match Progressive wager wins when the player's initial two cards match the dealer's initial two cards in certain combinations or if the player has a Blackjack. The TriLux Deluxe wager wins if the player's initial two cards and the dealer's upcard form a flush, straight three-of-a-kind, or straight flush. A player with a winning TriLux Deluxe wager may choose to use the paid winnings from that wager and cap the initial Blackjack wager. The AxMan wager uses the cards in the dealer's hand, including a bust card if applicable, to form a poker hand. The AxMan wager wins if the dealer's hand forms a jack or better pair or higher. The Buster Blackjack wager wins if the dealer busts his hand, and the payout increases based on the number of cards in the dealer's hand when the bust occurs.

Chapter 635b (relating to Spanish 21 side wagers and variations—temporary regulations) includes the Match the Dealer Progressive Spanish 21 side wager, which shall win if the player's initial two cards and the dealer's upcard match in certain combinations.

Chapter 645b (relating to Pai Gow Poker side wagers and variations—temporary regulations) includes Commission free Pai Gow Poker and the Player activated Pai Gow Poker and wager based on the outcome of the dice. Commission free Pai Gow Poker allows patrons to play a version of Pai Gow Poker where no commission is paid on winning hands. The other variation involves an option for the player to activate the shaker of dice to determine the starting position of the dealing of the cards. Additional side wagers are permitted if this option is selected.

Chapter 685b (relating to Down Under Blackjack side wagers and variations—temporary regulations) includes the Match the Dealer Progressive Down Under Blackjack wager, which shall win if the player's initial two cards and the dealer's upcard match in certain combinations.

Fiscal Impact

Commonwealth. The Board does not expect that this temporary 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 temporary rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This temporary rulemaking will provide certificate holders with an additional table game option. If a certificate holder decides to offer any of the side wagers or variations, or both—temporary regulations 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 temporary rulemaking will not have a fiscal impact on the general public.

Paperwork Requirements

If a certificate holder seeks to offer any of the side wagers or variations contained in these temporary regulations the certificate holder will be required to submit a Rules Submission form reflecting the choices in how the game will be offered and with the selected side wagers and variations—temporary regulations identified. These forms are available on the Board's public web site and submitted to Board staff electronically.

Effective Date

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin* and will expire 3 years from the date of publication.

Public Comments

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how this temporary rulemaking may be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Chad W. Zimmermann, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation # 125-238.

Contact Person

The contact person for questions about this temporary rulemaking is Chad W. Zimmermann, Assistant Chief Counsel, at (717) 346-8300.

Regulatory Review

Under 4 Pa.C.S. § 1303A, the Board is authorized to adopt temporary regulations which are not subject to the provisions of sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1208), known as the Commonwealth Documents Law (CDL); the Regulatory Review Act (71 P.S. §§ 745.1—745.12); and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P.S. §§ 732-204(b) and 732-301(10)). These temporary regulations expire 3 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13A03(a), the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the CDL and sections 204(b) and 301(10) of the Commonwealth Attorneys Act.

(2) The adoption of the temporary regulations 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 Chapters 617b, 623b, 627b, 629b, 631b, 633b, 635b, 639b, 641b, 643b, 645b, 647b, 649b, 653b, 655b, 657b, 659b, 670b, 685b, 687b, 688b are amended by adding §§ 617b.1, 617b.2, 623b.1—623b.3, 627b.1—627b.3, 629b.1—629b.4, 631b.1—631b.6, 633b.1—633b.14, 635b.1, 639b.1, 641b.1, 643b.1, 645b.1—645b.3, 647b.1, 649b.1, 653b.1, 655b.1, 657b.1, 659b.1, 670b.1, 685b.1, 687b.1 and 688b.1 to read as set forth in Annex A.

(2) The temporary regulations are effective September 4, 2021.

(3) The temporary regulations will be posted on the Board's web site and published in the *Pennsylvania Bulletin*.

(4) The temporary regulations shall be subject to amendment as deemed necessary by the Board.

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

DAVID M. BARASCH,
Chairperson

Fiscal Note: 125-238. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 617b. ROULETTE SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

617b.1. B2B Roulette wager.

617b.2. Blazing 7's wager.

§ 617b.1. B2B Roulette wager.

(a) 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 Roulette wager in accordance with § 617a.3 (relating to placement of wagers), the option of placing a B2B Roulette wager. If the certificate holder is offering the B2B Roulette wager, Roulette may be played on a double zero Roulette wheel or a single zero Roulette wheel as described in § 617a.1(d) (relating to Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as a single zero Roulette wheel).

(b) The layout for a Roulette table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the B2B Roulette wager, in addition to the requirements in § 617a.1, the layout shall contain a separate area designated for the placement of the B2B Roulette wager. The certificate holder shall also have in place a Board approved Roulette reader board that contains a random number generator to determine the payout of the B2B Roulette wager.

(c) A player may place a B2B Roulette wager before each Roulette spin at any time before the croupier calls, "No more bets." A B2B Roulette wager may be made for any amount within the table limits.

(d) After placing a B2B Roulette wager, if the Roulette ball comes to rest on the same number as the previous spin, the B2B Roulette wager will win. The B2B Roulette wager shall lose in all other scenarios.

(e) If a B2B Roulette wager wins, the payout shall be determined by a random number generator, which shall then be displayed on the Roulette reader board. The possible payouts, all of which shall be included in the certificate holder's Rules Submission form filed in accordance with § 601a.2, are as follows:

(i) 1000 to 1.

(ii) 500 to 1.

(iii) 250 to 1.

(iv) 100 to 1.

(v) 50 to 1.

(vi) 25 to 1.

(vii) 10 to 1.

§ 617b.2. Blazing 7's wager.

(a) 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 Roulette wager in accordance with § 617a.3 (relating to placement of wagers), the option of placing a Blazing 7's wager which shall win and trigger a Blazing 7's Bonus Round if the Roulette ball comes to rest in the compartment of the number 7, 17 or 27.

(b) The layout for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Blazing 7's wager, in addition to the requirements in § 617a.1 (relating to Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as single zero Roulette wheel), the layout shall contain a separate area designated for the placement of the Blazing 7's wager as well as an electro-mechanical release device approved by the Bureau of Gaming Operations and Office of Gaming Laboratory.

(c) After placing a Roulette wager, as required in § 617a.3, a player may place a Blazing 7's wager before each round of Roulette at any time before the croupier calls, "No more bets."

(d) The croupier shall rotate the Roulette ball and complete the round of play in accordance with § 617a.5(a)—(e) (relating to rotation of wheel and ball), settling all winning and losing Roulette wagers.

(e) If a player has placed a Blazing 7's wager and the Roulette ball comes to rest in the compartment of the number 7, 17 or 27, the player's Blazing 7's wager shall win and trigger the Blazing 7's bonus round spin to determine the payout of the wager.

(f) The Blazing 7's bonus round shall begin with the croupier loading three Roulette balls into the approved electro-mechanical release device.

(g) The croupier shall activate the Roulette wheel and press the release button on the electro-mechanical release device, releasing the three Roulette balls on the Roulette wheel simultaneously. The certificate holder may offer a wireless button to a player who has placed a winning Blazing 7's wager that would release the three Roulette balls onto the activated Roulette wheel.

(h) If two or more Roulette balls come to rest in the same compartment on the Roulette wheel, the croupier shall leave one ball in the compartment, remove the others and relaunch the removed Roulette balls.

(i) If two Roulette balls come to rest in the same compartment on the Roulette wheel, the croupier shall not remove the ball that did not come to rest in the same compartment while the other ball is relaunched.

(j) Based upon the compartments that the three Roulette balls comes to rest in during the Blazing 7's bonus round, the certificate holder may use one of the four paytables as follows, which shall be specified in its Rules Submission under § 601a.2:

<i>Outcome</i>	<i>Paytable 1</i>	<i>Paytable 2</i>
7-17-27 (all three)	1,000 to 1	299 to 1
7-17-27 (two of three)	100 to 1	100 to 1
7-17-27 (one of three)	17 to 1	17 to 1
Other	7 to 1	7 to 1

<i>Outcome</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
7-17-27 (all three)	1,000 to 1	299 to 1
7-17-27 (two of three)	100 to 1	100 to 1
7-17-27 (one of three)	17 to 1	17 to 1
3 balls in one color	11 to 1	11 to 1
Other	6 to 1	6 to 1

CHAPTER 623b. CRAPS AND MINI-CRAPS SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

- Sec.
 623b.1. Hot Roller Craps.
 623b.2. Lucky Shooter wager.
 623b.2. Bonus Craps alternate paytable options; change in wager verbiage.

§ 623b.1. Hot Roller Craps.

(a) The layout for a Craps table shall be submitted to Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment). The layout shall:

(1) Comply with the requirements in § 623a.2 (relating to Craps and Mini-Craps tables; physical characteristics).

(2) If the certificate holder offers Hot Roller Craps:

(i) No more than 16 areas designated for the placement of Hot Roller wagers. The Hot Roller wager areas must be located around the perimeter of the layout, corresponding to player positions at the table, and sequentially numbered in a clockwise direction with the area numbered 1 being located immediately to the left of the boxperson.

(ii) A designated area of the layout for the relocation and identification of all Hot Roller wagers placed by players. The designated area must be located in front of the boxperson and contain numbered areas which correspond to the location of the numbered areas described in subparagraph (i).

(iii) A designated area of the layout for the placement of marker buttons with the following:

(A) A number 4 showing a 1 and 3 dice and a 2 and 2 dice.

(B) A number 5 showing a 1 and 4 dice and a 2 and 3 dice.

(C) A number 6 showing a 1 and 5 dice, a 2 and 4 dice, and a 3 and 3 dice.

(D) A number 8 showing a 2 and 6 dice, a 3 and 5 dice, and a 4 and 4 dice.

(E) A number 9 showing a 3 and 6 dice and a 4 and 5 dice.

(F) A number 10 showing a 4 and 6 dice and a 5 and 5 dice.

(iv) The payout odds for the Hot Roller wager.

(b) A Hot Roller wager may be made only prior to the come out roll and may not be reduced, increased or removed until resolved in accordance with subsection (g). A Hot Roller wager shall be made by placing value chips

or plaques on the appropriate area of the layout. Verbal Hot Roller wagers may not be accepted. The Hot Roller wager shall have no bearing on any other wagers made by a player.

(c) After placing a Hot Roller wager, the dealer shall place each player's wager in the corresponding designated area in front of the boxperson where the wagers shall remain until they are either collected or paid.

(d) With each throw of the dice, the dealer shall place a marker button in the area of the table layout containing the corresponding depiction of the dice which were just thrown. For example, if a shooter throws a 1 and 3, the dealer shall place the marker button in the box on the table layout that contains a 1 and 3 dice located below the number 4.

(e) Marker buttons shall be maintained by the boxperson or dealers at the Craps table and must be visually distinguishable from and have a diameter different than any authorized value chip utilized in the licensed facility.

(f) Once all dice combinations for a specific number on the layout are thrown, the dealer shall place a marker button on the corresponding number combination. For example, if a shooter throws a 1 and 3 then throws a 2 and 2, the dealer shall place a marker button on the number 4.

(g) All Hot Roller wagers shall be settled when a shooter throws a 7. A Hot Roller wager shall win if at least two different number combinations are thrown by the shooter before a 7 is thrown and shall lose if the shooter throws a 7 on the come out roll or if fewer than two different number combinations are thrown by the shooter before a 7 is thrown. For example, if a shooter throws the two ways to make a 4 (marker buttons have been placed on the 1 and 3 and the 2 and 2), the two ways to make a 5 (marker buttons have been placed on the 2 and 3 and the 4 and 1) and both ways to make a 9 (marker buttons have been placed on the 2 and 6 and the 4 and 5) and then throws a 7, all players who placed a Hot Roller wager shall be paid out for an Any 3 Number Combination.

(h) Winning Hot Roller wagers shall be paid at the payout odds contained 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>Outcome</i>	<i>Paytable A</i>	<i>Paytable B</i>
All 6 Number Combinations	200 to 1	300 to 1
Any 5 Number Combinations	50 to 1	50 to 1
Any 4 Number Combinations	20 to 1	20 to 1
Any 3 Number Combinations	10 to 1	10 to 1
Any 2 Number Combinations	5 to 1	5 to 1

§ 623b.2. Lucky Shooter wager.

(a) If the certificate holder offers Craps on a fully automated electronic gaming table, the certificate holder may offer players the option to place a Lucky Shooter wager.

(b) The layout for a Craps table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Lucky Shooter wager, in addition to the requirements in § 623a.2 (relating to Craps and Mini-

Craps tables; physical characteristics) the electronic layout shall contain a separate area designated for the electronic placement of the Lucky Shooter wager for each player.

(c) A player may place a Lucky Shooter wager by electronically placing a value chip on the designated area of the table layout prior to the shooter throwing the dice on the come out roll to establish a point.

(d) If on the come out roll the shooter throws:

(1) A 2, 3 or 12, the Lucky Shooter wager shall be lost and collected.

(2) A 7 or 11, the Lucky Shooter wager shall be paid out for the 7 or 11 as provided in subsection (e) and remain working for the next come out roll.

(3) A 4, 5, 6, 8, 9 or 10, the point shall be established for purposes of the Lucky Shooter wager. If the player rolls at least two or three of the other 5 numbers, depending on the payout table selected by the certificate

holder, in any order during the next 5 rolls, the player's winning Lucky Shooter wagers shall be paid in accordance with subsection (e). If any number other than one of the remaining, not already rolled numbers is rolled, the Lucky Shooter wager shall then be settled. For example:

(i) If a 9 is rolled, then a 10, 4, 6 and another 10, the player shall be paid out for 3 of the other 5 points as provided in subsection (e).

(ii) If a 9 is rolled, then a 10, 4, 6, 8, 5 then another 9 on the sixth roll, the player shall be paid out for rolling 5 of the 5 points and the established point as provided in subsection (e).

(iii) If a 6 is rolled, then a 9 then another 6, the losing Lucky Shooter wager shall be collected.

(e) The certificate holder shall pay out winning Lucky Shooter wagers at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
5 of 5 other points and established point	1000 for 1	500 for 1	1000 for 1	500 for 1
5 of 5 other points	150 for 1	100 for 1	150 for 1	100 for 1
4 of 5 other points	15 for 1	10 for 1	20 for 1	10 for 1
3 of 5 other points	5 for 1	4 for 1	5 for 1	5 for 1
2 of 5 other points	N/A	2 for 1	N/A	2 for 1
1st roll of 7 or 11	1 for 1	1 for 1	1 for 1	1 for 1

§ 623b.3. Bonus Craps alternate payable option; change in wager verbiage.

(a) If the certificate holder offers Craps as described in Chapter 623a (relating to Craps and Mini-Craps), specifically the Bonus Craps side wager as described in § 623a.3(a)(43) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer players an alternate payable to the payable outlined in § 623a.5(h) (relating to payout odds), and shall change the verbiage of one of the Bonus Craps wagers.

(b) The Bonus Craps wager previously named "All or Nothing at All wager" shall be renamed to "Make 'em All wager," and the certificate holder shall update its layout and submit it to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), if necessary.

(c) If a Bonus Craps side wager wins, the certificate holder may use one of the two following paytables, which shall be specified in its Rules Submission under § 601a.2:

<i>Wager</i>	<i>Paytable 1</i>	<i>Paytable 2</i>
All Small	34 to 1	30 to 1
All Tall	34 to 1	30 to 1
Make 'em All	175 to 1	150 to 1

(d) Notwithstanding the provisions in this section, the remaining rules and procedures for Bonus Craps as described in § 623a.12 (relating to additional procedures and rules for Bonus Craps) shall remain in effect.

CHAPTER 627b. MINIBACCARAT SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

- Sec. 627b.1. Perfect Pairs wager.
- 627b.2. Commission free Minibaccarat.
- 627b.3. Royal 9 Progressive wager.

§ 627b.1. Perfect Pairs wager.

(a) For purposes of the Perfect Pairs wager, the following words and terms have the following meanings:

(1) *Colored Pair*—The initial two cards dealt to the player or banker that are of the same rank and the same color but different suits.

(2) *Mixed Pair*—The initial two cards dealt to the player or banker that are of the same rank but different colors.

(3) *Perfect Pair*—The initial two cards dealt to the player or banker that are of the same rank, the same color and the same suit.

(b) The layout for a Minibaccarat 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 if the certificate holder offers the Perfect Pairs wager authorized under subsection (c), the layout shall contain separate areas designated for the placement of the Perfect Pairs wager on the Player Hand and the Banker Hand for each player.

(c) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player the option of placing a Perfect Pairs wager on the Player Hand, the Banker Hand or both. The Perfect Pairs wager shall win if the

initial two cards dealt to the Player Hand or Dealer Hand or both contain a colored pair, mixed pair or perfect pair. For purposes of the Perfect Pairs wager, only cards that are identical in either number or type will be considered of the same rank. For example: two jacks, or two 4s.

(d) After the dealer positions the cards in accordance with § 627a.8(c)(1) or (2) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the Point Count of the Player's Hand and the Banker's Hand and shall settle any Perfect Pairs wagers by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager on the Player Hand or the Banker Hand and the initial two cards dealt to the Player Hand or Banker Hand:

(1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (e). If a player placed a Perfect Pairs wager on both the Player Hand and Banker Hand, and both the Player Hand and Banker Hand contain a colored pair, mixed pair or perfect pair, the player shall receive a payout in accordance with subsection (e) for both winning hands.

(2) Do not contain a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.

(e) The certificate holder shall pay out winning Perfect Pairs wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Perfect Pair	25 to 1	30 to 1	25 to 1
Colored Pair	12 to 1	10 to 1	15 to 1
Mixed Pair	6 to 1	5 to 1	5 to 1

§ 627b.2. Commission free Minibaccarat.

(a) If specified in its Rules Submission, a certificate holder may offer Commission free Minibaccarat in which no commission is collected.

(b) In addition to the requirements in § 627a.2(a) and (b)(1)—(4), (relating to Minibaccarat table physical characteristics), the layout for Commission free Minibaccarat shall contain:

(1) Separate areas designated for the placement of the Player Pair wager authorized under subsection (c)(1).

(2) Separate areas designated for the placement of the Banker Pair wager authorized under subsection (c)(2).

(3) Separate areas designated for the placement of the Lucky Six wager for each player, as authorized under subsection (c)(3).

(c) In addition to the wager on the Player Hand, Banker Hand and Tie Hand, which shall win or lose as provided in § 627a.7(a) (relating to wagers), a player may place the following optional wagers if offered by the certificate holder:

(1) Player Pair wager, which shall win if the initial two cards dealt to the Player's Hand are a pair such as two 9s or two queens and shall lose if the initial two cards dealt to the Player's Hand are not a pair.

(2) Banker Pair wager, which shall win if the initial two cards dealt to the Banker's Hand are a pair and shall lose if the initial two cards dealt to the Banker's Hand are not a pair.

(3) A Lucky Six wager, which shall win if the Point Count of the Banker's Hand is a six and is higher than the Point Count of the Player's Hand and shall lose if:

(i) The Point Count of the Banker's Hand is a six but is lower than the Point Count of the Player's Hand.

(ii) The Point Count of the Banker's Hand is not a six.

(d) Commission free Minibaccarat shall be dealt and played in accordance with §§ 627a.3—627a.8. If any player placed a Player or Banker Pair wager, the wager shall be settled prior to dealing a third card to the Player's or Banker's Hand. All winning Pair wagers shall be paid out in accordance with subsection (g). After settling any Pair wagers, the game shall resume by dealing any third cards that are required to be dealt in accordance with §§ 627a.9 and 627a.10 (relating to procedure for dealing a third card; and rules for determining whether a third card shall be dealt).

(e) After each hand has received all the cards to which it is entitled under §§ 627a.9 and 627a.10, the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce "tie hand." If the Point Counts of the Banker's Hand and Player's Hand results in a Lucky Six, the dealer shall announce Lucky Six.

(f) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager. Winning wagers on the Player's Hand shall be paid in accordance with subsection (h). Winning wagers on the Banker's Hand shall be paid in accordance with subsection (i). Winning Tie wagers shall be paid in accordance with subsection (j). Lucky Six wagers shall be paid in accordance with subsection (k).

(g) Winning Pair wagers on either the Player's Hand or Banker's Hand shall be paid at odds of 11 to 1.

(h) A winning wager made on the Player's Hand shall be paid at odds of 1 to 1.

(i) A winning wager made on the Banker's Hand shall be paid at odds of 1 to 1, except if the Banker's Hand wins with a Point Count of 6, then the winning wager on the Banker's Hand shall be paid out at odds of 1 to 2.

(j) A winning Tie wager shall be paid at odds of 8 to 1.

(k) When the Banker's Hand wins with a total of six points:

(1) With only two cards dealt to the Banker's Hand, the winning Lucky Six wager shall be paid at odds of 12 to 1.

(2) With three cards dealt to the Banker's Hand, the winning Lucky Six wager shall be paid at odds of 20 to 1.

(l) At the conclusion of a round of play, the dealer shall remove all 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. Irregularities during play shall be handled in accordance with § 627a.13 (relating to irregularities).

§ 627b.3. Royal 9 Progressive wager.

(a) The layout for a Minibaccarat 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 if the certificate holder offers the Royal 9 Progressive wager authorized under subsection (c), the layout shall contain a

separate area designated for the placement of the Royal 9 Progressive wager for each player. The Minibaccarat table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games), for the placement of Royal 9 Progressive wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Royal 9 Progressive 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 Royal 9 Progressive wagers that a player attempts to place after the dealer has begun dealing the cards.

(b) 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 a Minibaccarat wager in accordance with § 627a.7(b) (relating to wagers), the option of placing a Royal 9 Progressive wager which shall win if the first two cards to either the Banker hand or Player hand consist of a face card (K, Q or J) and a nine.

(c) After placing a Minibaccarat wager, as required in § 627a.7(b), and any optional wagers including the Royal 9 Progressive wager, the dealer shall deal the cards in accordance with § 627a.8(a)—(c) (relating to hands of player and banker; procedure for dealing initial two cards to each hand).

(d) Any winning Royal 9 Progressive wagers as outlined in subsection (e) will be paid by the dealer in accordance with subsection (f). The dealer will then complete the dealing procedures in § 627a.9 (relating to procedure for dealing a third card).

(e) Winning Royal 9 Progressive wagers are defined as follows:

(1) *Any Royal 9*—Either the player hand or banker hand contains a Royal 9.

(2) *Any Suited Royal 9*—Either the player or banker hand contains a Royal 9 where both cards are of the same suit.

(3) *Royal 9 Tie Hand*—Both player and banker have a Royal 9; not necessarily the same Royal 9 combination.

(4) *Suited Royal 9 Tie Hand*—Both player and banker have a suited Royal 9; not necessarily the same suited Royal 9.

(5) *Personal Progressive Combinations*—Each player position has a unique combination consisting of a King and a Nine which is printed on the layout in front of the wagering area which can trigger a progressive payout.

(6) *Mega Jackpot*—Personal King 9 versus Personal King 9—The Player hand and Banker hand both contain the same King and 9 combination that is a personal progressive combination assigned to a player position.

(7) *Major Jackpot*—Personal King 9 on Banker Hand—The Banker hand contains the King 9 combination that is a personal progressive combination assigned to a player position.

(8) *Minor Jackpot*—Personal King 9 on Player Hand—The Player hand contains the King 9 combination that is a personal progressive combination assigned to a player position.

(9) *Mega Envy*—Any Player Position's King 9 versus King 9—The Banker and Player hand contains the same

King 9 combination that is assigned to one of the player positions. It does not matter if the player position is occupied or if there is a wager in the player position that contains the winning King 9 combination.

(f) Royal 9 Progressive wager Paytable for \$5 wager.

(1) If a table game certificate holder offers a \$5 denomination Royal 9 progressive wager, the Royal 9 Progressive wager pay table is as follows:

Hand	Paytable
Personal King 9 v. Personal King 9	100% of Mega Jackpot
Personal King 9 on Banker Hand	100% Major Jackpot
Personal King 9 on Player Hand	100% Minor Jackpot
Mega Envy—Any Position's King 9 v. King 9	\$5,000
Suited Royal 9 Tie Hand	\$1,500
Royal 9 Tie Hand	\$250
Any Suited Royal 9	\$50
Any Royal 9	\$25

(2) The rate of progression for the meters used for the Royal 9 Progressive wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$5 denomination Royal 9 Progressive wager, the initial and reset amounts must also be in the Rules Submission and shall be at least \$50,000 for the Mega Jackpot, \$450 for the Major Jackpot, and \$450 for the Minor Jackpot.

(g) Royal 9 Progressive wager Paytable for \$1 wager.

(1) If a table game certificate holder offers a \$1 denomination Royal 9 Progressive wager, the Royal 9 Progressive wager pay table is as follows:

Hand	Paytable
Personal King 9 v. Personal King 9	100% of Mega Jackpot
Personal King 9 on Banker Hand	100% Major Jackpot
Personal King 9 on Player Hand	100% Minor Jackpot
Mega Envy—Any Position's King 9 v. King 9	\$1,000
Suited Royal 9 Tie Hand	\$300
Royal 9 Tie Hand	\$50
Any Suited Royal 9	\$10
Any Royal 9	\$5

(2) The rate of progression for the meters used for the Royal 9 Progressive wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$1 denomination Royal 9 Progressive, the initial and reset amounts must also be in the Rules Submission and shall be at least \$10,000 for the Mega Jackpot, \$90 for the Major Jackpot and \$90 for the Minor Jackpot.

CHAPTER 629b. MIDIBACCARAT SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

- 629b.1. Perfect Pairs wager.
- 629b.2. Commission free Midibaccarat.
- 629b.3. Royal 9 Progressive wager.
- 629b.4. Alternate card reveal procedure.

§ 629b.1. Perfect Pairs wager.

(a) For purposes of the Perfect Pairs wager, the following words and terms have the following meanings:

(1) *Colored Pair*—The initial two cards dealt to the player or banker that are of the same rank and the same color but different suits.

(2) *Mixed Pair*—The initial two cards dealt to the player or banker that are of the same rank but different colors.

(3) *Perfect Pair*—The initial two cards dealt to the player or banker that are of the same rank, the same color and the same suit.

(b) The layout for a Midibaccarat 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 if the certificate holder offers the Perfect Pairs wager authorized under subsection (c), the layout shall contain separate areas designated for the placement of the Perfect Pairs wager on the Player Hand and the Banker Hand for each player.

(c) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player the option of placing a Perfect Pairs wager on the Player Hand, the Banker Hand or both. The Perfect Pairs wager shall win if the initial two cards dealt to the Player Hand or Dealer Hand or both contain a colored pair, mixed pair or perfect pair. For purposes of the Perfect Pairs wager, only cards that are identical in either number or type will be considered of the same rank. For example: two jacks or two 4s.

(d) After the dealer positions the cards in accordance with § 629a.8(c)(1) and (2) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the Point Count of the Player's Hand and the Banker's Hand and shall settle any Perfect Pairs wagers by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager on the Player Hand or the Banker Hand and the initial two cards dealt to the Player Hand or Banker Hand:

(1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (e). If a player placed a Perfect Pairs wager on both the Player Hand and Banker Hand, and both the Player Hand and Banker Hand contain a colored pair, mixed pair or perfect pair, the player shall receive a payout in accordance with subsection (e) for both winning hands.

(2) Do not contain a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.

(e) The certificate holder shall pay out winning Perfect Pairs wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Perfect Pair	25 to 1	30 to 1	25 to 1
Colored Pair	12 to 1	10 to 1	15 to 1
Mixed Pair	6 to 1	5 to 1	5 to 1

§ 629b.2. Commission free Midibaccarat.

(a) If specified in its Rules Submission, a certificate holder may offer Commission free Midibaccarat in which no commission is collected.

(b) In addition to the requirements in § 629a.2(a) and (b)(1)—(4), (relating to Midibaccarat table physical characteristics), the layout for Commission free Midibaccarat shall contain:

(1) Separate areas designated for the placement of the Player Pair wager authorized under subsection (c)(1).

(2) Separate areas designated for the placement of the Banker Pair wager authorized under subsection (c)(2).

(3) Separate areas designated for the placement of the Lucky Six wager for each player, as authorized under subsection (c)(3).

(c) In addition to the wager on the Player Hand, Banker Hand and Tie Hand, which shall win or lose as provided in § 629a.7(a)(1)—(3) (relating to wagers), a player may place the following optional wagers if offered by the certificate holder:

(1) Player Pair wager, which shall win if the initial two cards dealt to the Player's Hand are a pair such as two 9s or two queens and shall lose if the initial two cards dealt to the Player's Hand are not a pair.

(2) Banker Pair wager, which shall win if the initial two cards dealt to the Banker's Hand are a pair and shall lose if the initial two cards dealt to the Banker's Hand are not a pair.

(3) A Lucky Six wager, which shall win if the Point Count of the Banker's Hand is a six and is higher than the Point Count of the Player's Hand and shall lose if:

(i) The Point Count of the Banker's Hand is a six but is lower than the Point Count of the Player's Hand.

(ii) The Point Count of the Banker's Hand is not a six.

(d) Commission Free Midibaccarat shall be dealt and played in accordance with §§ 629a.3—629a.8. If any player placed a Player or Banker Pair wager, the wager shall be settled prior to dealing a third card to the Player's or Banker's Hand. All winning Pair Wagers shall be paid out in accordance with subsection (g). After settling any Pair wagers, the game shall resume by dealing any third cards that are required to be dealt in accordance with §§ 629a.9 and 629a.10 (relating to procedure for dealing a third card; and rules for determining whether a third card shall be dealt).

(e) After each hand has received all the cards to which it is entitled under §§ 629a.9 and 629a.10, the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce "tie hand." If the Point Counts of the Banker's Hand and Player's Hand results in a Lucky Six, the dealer shall announce Lucky Six.

(f) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, starting at the highest numbered player position at which a winning wager is

located, the dealer shall pay that player's winning wager. Winning wagers on the Player's Hand shall be paid in accordance with subsection (h). Winning wagers on the Banker's Hand shall be paid in accordance with subsection (i). Winning Tie wagers shall be paid in accordance with subsection (j). Lucky Six wagers shall be paid in accordance with subsection (k).

(g) Winning Pair wagers on either the Player's Hand or Banker's Hand shall be paid at odds of 11 to 1.

(h) A winning wager made on the Player's Hand shall be paid at odds of 1 to 1.

(i) A winning wager made on the Banker's Hand shall be paid at odds of 1 to 1, except if the Banker's Hand wins with a Point Count of 6, then the winning wager on the Banker's Hand shall be paid out at odds of 1 to 2.

(j) A winning Tie wager shall be paid at odds of 8 to 1.

(k) When the Banker's Hand wins with a total of six points:

(1) With only two cards dealt to the Banker's Hand, the winning Lucky Six wager shall be paid at odds of 12 to 1.

(2) With three cards dealt to the Banker's Hand, the winning Lucky Six wager shall be paid at odds of 20 to 1.

(l) At the conclusion of a round of play, the dealer shall remove all 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. Irregularities during play shall be handled in accordance with § 629a.13 (relating to irregularities).

§ 629b.3. Royal 9 Progressive wager.

(a) The layout for a Midibaccarat 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 if the certificate holder offers the Royal 9 Progressive wager authorized under subsection (c), the layout shall contain a separate area designated for the placement of the Royal 9 Progressive wager for each player. The Midibaccarat table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games), for the placement of Royal 9 Progressive wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Royal 9 Progressive 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 Royal 9 Progressive wagers that a player attempts to place after the dealer has begun dealing the cards.

(b) 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 a Midibaccarat wager in accordance with § 629a.7(b) (relating to wagers), the option of placing a Royal 9 Progressive wager which shall win if the first two cards to either the Banker hand or Player hand consist of a face card (K, Q or J) and a nine.

(c) After placing a Midibaccarat wager, as required in § 629a.7(b), and any optional wagers including the Royal 9 Progressive wager, the dealer shall deal the cards in accordance with § 629a.8(a)—(d) (relating to hands of player and banker; procedure for dealing initial two cards to each hand).

(d) Any winning Royal 9 Progressive wagers as outlined in subsection (e) will be paid by the dealer in accordance with subsection (f). The dealer will then complete the dealing procedures in § 629a.8(c)(4)—(6).

(e) Winning Royal 9 Progressive wagers are defined as follows:

(1) *Any Royal 9*—Either the player hand or banker hand contains a Royal 9.

(2) *Any Suited Royal 9*—Either the player or banker hand contains a Royal 9 where both cards are of the same suit.

(3) *Royal 9 Tie Hand*—Both player and banker have a Royal 9; not necessarily the same Royal 9 combination.

(4) *Suited Royal 9 Tie Hand*—Both player and banker have a suited Royal 9; not necessarily the same suited Royal 9.

(5) *Personal Progressive Combinations*—Each player position has a unique combination consisting of a king and a nine which is printed on the layout in front of the wagering area which can trigger a progressive payout.

(6) *Mega Jackpot*—Personal King 9 versus Personal King 9—The Player hand and Banker hand both contain the same King and 9 combination that is a personal progressive combination assigned to a player position.

(7) *Major Jackpot*—Personal King 9 on Banker Hand—The Banker hand contains the King 9 combination that is a personal progressive combination assigned to a player position.

(8) *Minor Jackpot*—Personal King 9 on Player Hand—The Player hand contains the King 9 combination that is a personal progressive combination assigned to a player position.

(9) *Mega Envy*—Any Player Position's King 9 versus King 9—The Banker and Player hand contains the same King 9 combination that is assigned to one of the player positions. It does not matter if the player position is occupied or if there is a wager in the player position that contains the winning King 9 combination.

(f) Royal 9 Progressive wager Paytable for \$5 wager.

(1) If a table game certificate holder offers a \$5 denomination Royal 9 Progressive wager, the Royal 9 Progressive wager pay table is as follows:

Hand	Pay Table
Personal King 9 v. Personal King 9	100% of Mega Jackpot
Personal King 9 on Banker Hand	100% Major Jackpot
Personal King 9 on Player Hand	100% Minor Jackpot
Mega Envy—Any Position's King 9 v. King 9	\$5,000
Suited Royal 9 Tie Hand	\$1,500
Royal 9 Tie Hand	\$250
Any Suited Royal 9	\$50
Any Royal 9	\$25

(2) The rate of progression for the meters used for the Royal 9 Progressive wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$5 denomination Royal 9 Progressive wager, the initial

and reset amounts must also be in the Rules Submission and shall be at least \$50,000 for the Mega Jackpot, \$450 for the Major Jackpot and \$450 for the Minor Jackpot.

(g) Royal 9 Progressive wager Paytable for \$1 wager

(1) If a table game certificate holder offers a \$1 denomination Royal 9 Progressive wager, the Royal 9 Progressive wager pay table is as follows:

Hand	Pay Table
Personal King 9 v. Personal King 9	100% of Mega Jackpot
Personal King 9 on Banker Hand	100% Major Jackpot
Personal King 9 on Player Hand	100% Minor Jackpot
Mega Envy—Any Position's King 9 v. King 9	\$1,000
Suited Royal 9 Tie Hand	\$300
Royal 9 Tie Hand	\$50
Any Suited Royal 9	\$10
Any Royal 9	\$5

(2) The rate of progression for the meters used for the Royal 9 Progressive wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$1 denomination Royal 9 Progressive wager, the initial and reset amounts must also be in the Rules Submission and shall be at least \$10,000 for the Mega Jackpot, \$90 for the Major Jackpot, and \$90 for the Minor Jackpot.

§ 629b.4. Alternative card reveal procedure.

(a) If the certificate holder offers Midibaccarat as described in Chapter 629a (relating to Midibaccarat), the certificate holder may, if specified in its Rule Submissions under § 601a.2 (relating to table games Rules Submissions), offer players an alternative procedure for the reveal of the Dealer's Hand and Player's Hand.

(b) Notwithstanding the procedures for revealing the hands described in § 629a.8(c)(1) and (2) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), if all players have wagered on the Player's Hand and, upon request of the player with the highest wager on the Player's Hand, the dealer shall place the two cards of the Banker's Hand face up on the area designated for the Banker's Hand and announce the Point Count of the Banker's Hand. The dealer shall then hand the two cards of the Player's Hand, face down, to the player with the highest wager on the Player's Hand. After viewing the Player's Hand, the player shall return the two cards face up, to the dealer, who shall place the cards face up on the area designated for the Player's Hand and announce the Point Count of the Player's Hand.

(c) The round of play shall then continue as set forth in § 629a.8(c)(3)–(6).

CHAPTER 631b. BACCARAT SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

- Sec.
- 631b.1. Perfect Pairs wager.
- 631b.2. Heavenly 9 Baccarat wager.
- 631b.3. 5 Treasures Baccarat wagers.
- 631b.4. Lucky Nines.
- 631b.5. Commission free Baccarat.
- 631b.6. Must-Hit-By Mystery Bonus.

§ 631b.1. Perfect Pairs wager.

(a) For purposes of the Perfect Pairs wager, the following words and terms have the following meanings:

(1) *Colored Pair*—The initial two cards dealt to the player or banker that are of the same rank and the same color but different suits.

(2) *Mixed Pair*—The initial two cards dealt to the player or banker that are of the same rank but different colors.

(3) *Perfect Pair*—The initial two cards dealt to the player or banker that are of the same rank, the same color and the same suit.

(b) The layout for a Baccarat 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 if the certificate holder offers the Perfect Pairs wager authorized under subsection (c), the layout shall contain separate areas designated for the placement of the Perfect Pairs wager on the Player Hand and the Banker Hand for each player.

(c) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player the option of placing a Perfect Pairs wager on the Player Hand, the Banker Hand or both. The Perfect Pairs wager shall win if the initial two cards dealt to the Player Hand or Dealer Hand or both contain a colored pair, mixed pair or perfect pair. For purposes of the Perfect Pairs wager, only cards that are identical in either number or type will be considered of the same rank. For example: two jacks, or two 4s.

(d) After the cards are positioned in accordance with § 631a.9(c) or (d)(1)–(3) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the Point Count of the Player's Hand and the Banker's Hand and shall settle any Perfect Pairs wagers by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager on the Player Hand or the Banker Hand and the initial two cards dealt to the Player Hand or Banker Hand:

(1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (e). If a player placed a Perfect Pairs wager on both the Player Hand and Banker Hand, and both the Player Hand and Banker Hand contain a colored pair, mixed pair or perfect pair, the player shall receive a payout in accordance with subsection (e) for both winning hands.

(2) Do not contain a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.

(e) The certificate holder shall pay out winning Perfect Pairs wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C
Perfect Pair	25 to 1	30 to 1	25 to 1
Colored Pair	12 to 1	10 to 1	15 to 1
Mixed Pair	6 to 1	5 to 1	5 to 1

§ 631b.2. Heavenly 9 Progressive Baccarat wager.

(a) If the certificate holder offers Baccarat as described in Chapter 631a (relating to Baccarat), the certificate

holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers), the option of placing a Heavenly 9 Progressive wager, a wager based on the hand total of the player, banker or both being a 3-card hand total of 9.

(b) The layout for the Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Heavenly 9 Progressive Baccarat wager, in addition to the requirements in § 631a.2 (relating to Baccarat table physical characteristics), the layout shall contain a separate area designated for the placement for each player designated for the placement of the Heavenly 9 Progressive Baccarat wager.

(c) After placing a Baccarat wager, as required in § 631a.8(a), and any other available optional wagers, a player may place a Heavenly 9 Progressive Baccarat wager of no less than \$5 at any time before the dealer calls, "No more bets."

(d) If the certificate holder is offering the Heavenly 9 Progressive Baccarat wager, the Baccarat table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Heavenly 9 Progressive Baccarat wager. If the certificate holder is offering a Progressive Payout Wager 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 Wager.

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

(e) The dealer shall then deal the cards in accordance with § 631a.9(b)—(f) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), and the round of play shall be played and completed in accordance to the house rules and provisions of §§ 631a.10—631a.12 (relating to procedure for dealing a third card; rules for determining whether a third card shall be dealt; and announcement of result of round; payment and collection of wagers).

(f) After the round of play is completed and the announcement of the result is made, the dealer shall settle the players' Heavenly 9 Progressive Baccarat wagers while settling the Baccarat wagers and other optional wagers placed by each player.

(g) Any Heavenly 9 Progressive Baccarat wager placed shall win, and be paid out in accordance with one of the payable in subsection (i) if the following outcomes occur:

(1) The banker and the player tie with a 3-card hand total of 9 and all cards are the same suit.

(2) The banker and the player tie with a 3-card hand total of 9 and all cards are the same color.

(3) The banker and the player tie with a 3-card hand total of 9.

(4) The banker has a 3-card hand total of 9.

(5) The player has a 3-card hand total of 9.

(h) Each Heavenly 9 Progressive Baccarat wager placed shall lose and be collected by the dealer if one of the outcomes specified in subsection (g) does not occur.

(i) If a Heavenly 9 Progressive Baccarat wager wins, it shall be paid out based upon the following payable:

<i>Hand</i>	<i>Pays</i>
Player and Banker 3-Card Tie— All Cards Same Suit	100% Progressive
Player and Banker 3-Card Tie— All Cards Same Color	299 for 1
Player and Banker 3-Card Tie	60 for 1
Banker 3-Card 9	9 for 1
Player 3-Card 9	8 for 1
Meter Seed/ Reseed	\$10,000
Increment Rate	10%

§ 631b.3. 5 Treasures Baccarat wagers.

(a) If the certificate holder offers Baccarat as described in Chapter 631a (relating to Baccarat), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers), the option of placing one or more 5 Treasures Baccarat wagers, which are five wagers that win if a specific outcome occurs in the game.

(b) The layout for the Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the 5 Treasures Baccarat wagers, in addition to the requirements in § 631a.2 (relating to Baccarat table physical characteristics), the layout shall contain a separate area designated for the placement of each of the following 5 Treasures Baccarat wagers:

(1) Fortune 7 Bonus wager.

(2) Golden 8 Bonus wager.

(3) Heavenly 9 Bonus wager.

(4) Blazing 7's Bonus wager.

(5) Cover All Bonus wager.

(c) After placing a Baccarat wager, as required in § 631a.8(a), and any other available optional wagers, a player may place one or more of the 5 Treasures Baccarat wagers at any time before the dealer calls, "No more bets."

(d) The dealer shall then deal the cards in accordance with § 631a.9(b)—(f) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), and the round of play shall be played and completed in accordance to the house rules and provisions of §§ 631a.10—631a.12 (relating to procedure for dealing a third card; rules for determining whether a third card shall be dealt; and announcement of result of round; payment and collection of wagers).

(e) After the round of play is completed and the announcement of the result is made, the dealer shall settle the player's 5 Treasures Baccarat wagers while settling the Baccarat wagers and other optional wagers placed by each player.

(f) Each 5 Treasures Baccarat wager placed shall win, and be paid out in accordance with one of the paytables in subsection (h) if the following outcomes occur:

(1) The Fortune 7 Bonus wager shall win if the Banker's hand wins with a 3-card total of 7.

(2) The Golden 8 Bonus wager shall win if the player's hand wins with a 3-card total of 8.

(3) The Heavenly 9 Bonus wager shall win if the Banker's or player's hand has a 3-card total of 9, and a higher payout shall occur if both hands have a 3-card total of 9.

(4) The Blazing 7's Bonus wager shall win if the Banker's and player's hands is either a 2-card total of 7 or 3-card total of 7.

(5) The Cover All Bonus wager shall win if any of the other four 5 Treasures Baccarat wagers wins. The player need not place one of the four other 5 Treasures Baccarat wagers to place a Cover All Bonus wager.

(g) Each 5 Treasures Baccarat wager placed shall lose and be collected by the dealer if the outcomes specified in subsection (f) does not occur.

(h) If one of the 5 Treasures Baccarat wagers wins, it shall be paid out based upon one of the following paytables, which shall be specified in the certificate holder's Rules Submission, required under § 601a.2:

Wager	Paytable A	Paytable B
Fortune 7	40 to 1	40 to 1
Golden 8	25 to 1	25 to 1
Heavenly 9, Player and Banker	75 to 1	75 to 1
Heavenly 9, Player or Banker	10 to 1	10 to 1
3-Card Blazing 7's	400 to 1	200 to 1
2-Card Blazing 7's	N/A	50 to 1
Cover All	6 to 1	6 to 1

Hand	Paytable A	Paytable B	Paytable C	Paytable D
4 Nines	500 to 1	500 to 1	1000 to 1	2000 to 1
3 Nines Same Suit	250 to 1	250 to 1	500 to 1	500 to 1
3 Nines	20 to 1	30 to 1	35 to 1	15 to 1
2 Nines Same Suit	8 to 1	12 to 1	16 to 1	10 to 1
2 Nines	5 to 1	5 to 1	5 to 1	4 to 1
1 Nine Diamonds	2 to 1	2 to 1	2 to 1	2 to 1
1 Nine	1 to 1	1 to 1	1 to 1	1 to 1

(f) After settling the player's Lucky Nines wager, the dealer shall complete the dealing procedures in § 631a.9(e) and (f).

§ 631b.5. Commission free Baccarat.

(a) If specified in its Rules Submission, a certificate holder may offer Commission free Baccarat in which no commission is collected.

(b) In addition to the requirements in § 631a.2(a) and (b)(1)–(4), (relating to Baccarat table physical characteristics), the layout for Commission free Baccarat shall contain:

§ 631b.4. Lucky Nines.

(a) If the certificate holder offers Baccarat on a fully automated electronic gaming table, the certificate holder may offer players the option to place a Lucky Nines wager which shall win if any of the player's two cards or the banker's two cards contain at least one nine.

(b) The layout for a Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Lucky Nines wager, in addition to the requirements in § 631a.2 (relating to Baccarat table physical characteristics) the layout shall contain a separate area designated for the electronic placement of the Lucky Nines wager for each player.

(c) After placing an initial wager, as required under § 631a.8(a) (relating to wagers), a player may place a Lucky Nines wager by electronically placing a value chip on the designated area of the table layout.

(d) The dealer shall then deal the cards in accordance with § 631a.9(a)–(d) (relating to hands of player and banker; procedure for dealing initial two cards to each hand). After the initial two cards of the Player's Hand and Banker's Hand have been turned face up on the layout but prior to dealing a third card, the dealer shall settle all players' Lucky Nines wagers. If any of the player's two cards or the Banker's two cards:

(1) Do not contain a nine, the losing Lucky Nines wagers shall be collected.

(2) Contain a nine, the winning Lucky Nines wagers shall be paid in accordance with subsection (e) based on the number of nines in the player and banker hands.

(e) The certificate holder shall pay out winning Lucky Nines Wagers at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions):

(1) Separate areas designated for the placement of the Player Pair wager authorized under subsection (c)(1).

(2) Separate areas designated for the placement of the Banker Pair wager authorized under subsection (c)(2).

(3) Separate areas designated for the placement of the Lucky Six wager for each player, as authorized under subsection (c)(3).

(c) In addition to the wager on the Player Hand, Banker Hand and Tie Hand, which shall win or lose as provided in § 631a.8(a)(1)–(3) (relating to wagers), a player may place the following optional wagers if offered by the certificate holder:

(1) Player Pair wager, which shall win if the initial two cards dealt to the Player's Hand are a pair such as two 9s or two queens and shall lose if the initial two cards dealt to the Player's Hand are not a pair.

(2) Banker Pair wager, which shall win if the initial two cards dealt to the Banker's Hand are a pair and shall lose if the initial two cards dealt to the Banker's Hand are not a pair.

(3) A Lucky Six wager, which shall win if the Point Count of the Banker's Hand is a six and is higher than the Point Count of the Player's Hand and shall lose if:

(i) The Point Count of the Banker's Hand is a six but is lower than the Point Count of the Player's Hand.

(ii) The Point Count of the Banker's Hand is not a six.

(d) Commission free Baccarat shall be dealt and played in accordance with §§ 631a.3—631a.9. If any player placed a Player or Banker Pair wager, the wager shall be settled prior to dealing a third card to the Player's or Banker's Hand. All winning Pair wagers shall be paid out in accordance with subsection (g). After settling any Pair wagers, the game shall resume by dealing any third cards that are required to be dealt in accordance with §§ 631a.10 and 631a.11 (relating to procedure for dealing a third card; and rules for determining whether a third card shall be dealt).

(e) After each hand has received all the cards to which it is entitled under §§ 631a.10 and 631a.11, the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce "tie hand." If the Point Counts of the Banker's Hand and Player's Hand results in a Lucky Six, the dealer shall announce Lucky Six.

(f) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager. Winning wagers on the Player's Hand shall be paid in accordance with subsection (h). Winning wagers on the Banker's Hand shall be paid in accordance with subsection (i). Winning Tie wagers shall be paid in accordance with subsection (j). Lucky Six wagers shall be paid in accordance with subsection (k).

(g) Winning Pair wagers on either the Player's Hand or Banker's Hand shall be paid at odds of 11 to 1.

(h) A winning wager made on the Player's Hand shall be paid at odds of 1 to 1.

(i) A winning wager made on the Banker's Hand shall be paid at odds of 1 to 1, except if the Banker's Hand wins with a Point Count of 6, then the winning wager on the Banker's Hand shall be paid out at odds of 1 to 2.

(j) A winning Tie wager shall be paid at odds of 8 to 1.

(k) When the Banker's Hand wins with a total of six points:

(1) With only two cards dealt to the Banker's Hand, the winning Lucky Six wager shall be paid at odds of 12 to 1.

(2) With three cards dealt to the Banker's Hand, the winning Lucky Six wager shall be paid at odds of 20 to 1.

(l) At the conclusion of a round of play, the dealer shall remove all 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.

Irregularities during play shall be handled in accordance with § 631a.15 (relating to irregularities).

§ 631b.6. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Baccarat as described in Chapter 631a (relating to Baccarat) and the optional Heavenly 9 Progressive Baccarat wager under § 631b.2 (relating to Heavenly 9 Baccarat wager), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers) and an optional Heavenly 9 Progressive Baccarat wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery Bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Baccarat wager and a Heavenly 9 Progressive Baccarat wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Heavenly 9 Progressive Baccarat wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Heavenly 9 Progressive Baccarat wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 633b. BLACKJACK SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

- 633b.1. Perfect Pairs wager.
- 633b.2. Jackpot Party Progressive wager.
- 633b.3. Match the Dealer Progressive Blackjack wager.
- 633b.4. Switch Hands and Blackjack Premium.
- 633b.5. Blackjack played on a hybrid gaming table.
- 633b.6. Super 4 Progressive Blackjack wager.
- 633b.7. Top 3 wager.
- 633b.8. Lucky Aces wager.
- 633b.9. Blazing 7's Progressive wager.
- 633b.10. Blackjack Match Progressive.
- 633b.11. TriLux Deluxe wager.
- 633b.12. AxMan wager.
- 633b.13. Buster Blackjack wager.
- 633b.14. Must-Hit-By Mystery Bonus.

§ 633b.1. Perfect Pairs wager.

(a) For purposes of the Perfect Pairs wager, the following words and terms have the following meanings:

(1) *Colored Pair*—The player's initial two cards that are of the same rank and the same color but different suits.

(2) *Mixed Pair*—The player's initial two cards that are of the same rank but different colors.

(3) *Perfect Pair*—The player's initial two cards that are of the same rank, the same color and the same suit.

(b) The layout for a Blackjack 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 if the certificate holder offers the Perfect Pairs wager authorized under subsection (c), the layout shall contain a separate area designated for the placement of the Perfect Pairs wager for each player.

(c) 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 Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Perfect Pairs wager which shall win if the player's initial two cards are a colored pair, mixed pair or perfect pair.

(d) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Perfect Pairs wager, the dealer shall deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play).

(e) Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before any card reader device is utilized, the dealer shall, starting with the player farthest to the

dealer's right and continuing around the table in a counterclockwise direction, settle the player's optional wagers in accordance with § 633a.7(g) by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager and the player's initial two cards:

- (1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (f).
- (2) Are not a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.
- (f) The certificate holder shall pay out winning Perfect Pairs wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B
Perfect Pair	25 to 1	30 to 1
Colored Pair	12 to 1	10 to 1
Mixed Pair	6 to 1	5 to 1

§ 633b.2. Jackpot Party Progressive wager.

(a) A certificate holder may offer players the option to place a Jackpot Party Progressive wager that the dealer's two cards and the player's two cards will form any of the following winning Jackpot Party Progressive combinations:

- (1) *Royal Flush (Diamonds)*—Dealer Blackjack and the player's two cards and the dealer's two cards contain an ace, king, queen and jack of diamonds with the dealer's hand containing the ace of the diamonds.
- (2) *Royal Flush (Other Suit)*—Dealer Blackjack and the player's two cards and the dealer's two cards contain an ace, king, queen and jack of one the other remaining three suits, with the dealer's hand containing the ace of the same suit.
- (3) *Three of a Kind*—Dealer Blackjack and the player's two cards and the dealer's two cards contain three cards of the same rank.
- (4) *Straight*—Dealer Blackjack and the player's two card and the dealer's two card contain four cards of more than one suit in consecutive rank.
- (5) *Flush*—Dealer Blackjack and the player's two cards and the dealer's two cards are all the same suit.
- (6) *Two Pair*—Dealer Blackjack and player Blackjack with the dealer's two cards identical in rank with the player's two cards.
- (7) *All Cards Same Color*—Dealer Blackjack and the player's two cards and the dealer's two cards are all of the same color.
- (8) *Pair*—Dealer Blackjack and the player's two cards and the dealer's two cards contain two cards of the same rank.
- (9) Any Hand with Dealer Blackjack.
- (10) *Dealer Ace Up*—Dealer's up-card is an ace but the dealer does not have a Blackjack.

(b) The Jackpot Party Progressive wager may be played on a Blackjack table that utilizes 1, 2, 4, 6 or 8 decks of cards.

(c) The layout for a Blackjack 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 if the certificate holder offers the Jackpot Party Progressive wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for each player designated for the placement of the Jackpot Party Progressive wager for each player.

(d) If the certificate holder is offering the Jackpot Party Progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Jackpot Party Progressive wager. If the certificate holder is offering a Progressive Payout wager 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 wager.
- (2) A device that controls or monitors the placement of Progressive Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive wager that a player attempts to place after the dealer has announced "No more bets."

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Jackpot Party Progressive wager of \$1 or \$5.

(f) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Jackpot Party Progressive wager, the dealer shall announce "No more bets" and, if the Jackpot Party Progressive wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive wagers. If any Progressive 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 wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(g) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall determine if he has a Blackjack as provided in § 633a.7(h). If the dealer:

- (1) Does not have an ace showing or have a Blackjack, all Jackpot Party Progressive wagers shall lose and the dealer shall continue the hand in accordance with § 633a.7(i)—(t).
- (2) Has an ace showing or a Blackjack, the dealer shall settle each player's winning Jackpot Party Progressive wager as provided in subsection (h).
- (h) If a player has won a Jackpot Party Progressive payout, 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 Jackpot Party Progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on 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 container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out winning Jackpot Party Progressive wagers, for the highest ranking four-card hand formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Outcome</i>	<i>Six Decks—P1</i>	<i>Six Decks—P2</i>	<i>Six Decks—P3</i>
Royal Flush—Diamonds	100% of Progressive	100% of Progressive	100% of Progressive
Royal Flush—Other	10% of Progressive	10% of Progressive	10% of Progressive
Three-of-a-Kind	150 to 1	150 to 1	100 to 1
Straight	80 to 1	70 to 1	75 to 1
Flush	60 to 1	50 to 1	50 to 1
Two Pair	40 to 1	30 to 1	25 to 1
All Same Color	20 to 1	15 to 1	15 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	4 to 1
Dealer Ace Up (No Blackjack)	2 to 1	3 to 1	2 to 1
Wager	\$5	\$5	\$1
Meter Seed	\$50,000	\$50,000	\$10,000
Primary Increment Rate	16%	15%	19%
Secondary Increment Rate	3.75%	3.50%	4.25%

<i>Outcome</i>	<i>Eight Decks—P4</i>	<i>Eight Decks—P5</i>	<i>Eight Decks—P6</i>
Royal Flush—Diamonds	100% of Progressive	100% of Progressive	100% of Progressive
Royal Flush—Other	10% of Progressive	10% of Progressive	10% of Progressive
Three-of-a-Kind	150 to 1	150 to 1	100 to 1
Straight	80 to 1	70 to 1	75 to 1
Flush	60 to 1	50 to 1	50 to 1
Two Pair	40 to 1	30 to 1	25 to 1
All Same Color	20 to 1	15 to 1	15 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	4 to 1
Dealer Ace Up (No Blackjack)	2 to 1	3 to 1	2 to 1
Wager	\$5	\$5	\$1
Meter Seed	\$50,000	\$50,000	\$10,000
Primary Increment Rate	16%	15%	19%
Secondary Increment Rate	3.75%	3.50%	4.25%

	<i>Single Deck—P7</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Envy</i>
Royal Flush (A—J)—Diamonds	100% Progressive	\$3,000
Royal Flush (A—J)—Other	10% Progressive	\$1,000
Three-of-a-Kind	150 to 1	
Straight	70 to 1	
Flush	50 to 1	
Two Pair	30 to 1	
All Same Color	15 to 1	
Pair	10 to 1	

	<i>Single Deck—P7</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Envy</i>
Dealer Blackjack	5 to 1	
Dealer Ace Up (No BJ)	3 to 1	
Wager	\$5	
Meter Seed	\$50,000	
Total Increment Rate	18.50%	

	<i>Two Decks—P8</i>		<i>Four Decks—P9</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Progressive	\$3,000	100% Progressive	\$3,000
Royal Flush (A—J)—Other	10% Progressive	\$1,000	10% Progressive	\$1,000
Three-of-a-Kind	150 to 1		150 to 1	
Straight	70 to 1		70 to 1	
Flush	50 to 1		50 to 1	
Two Pair	30 to 1		30 to 1	
All Same Color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1	
Dealer Ace Up (No BJ)	3 to 1		3 to 1	
Wager	\$5		\$5	
Meter Seed/Reseed	\$50,000		\$50,000	
Total Increment Rate	18.50%		18.50%	

	<i>Six Decks—P10</i>		<i>Eight Decks—P11</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Progressive	\$3,000	100% Progressive	\$3,000
Royal Flush (A—J)—Other	10% Progressive	\$1,000	10% Progressive	\$1,000
Three-of-a-Kind	150 to 1		150 to 1	
Straight	70 to 1		70 to 1	
Flush	50 to 1		50 to 1	
Two Pair	30 to 1		30 to 1	
All Same Color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1	
Dealer Ace Up (No BJ)	3 to 1		3 to 1	
Meter Seed/Reseed	\$50,000		\$50,000	
Total Increment Rate	18.50%		18.50%	

	<i>Single Deck—P12</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Envy</i>
Royal Flush (A—J)—Diamonds	100% Progressive	\$3,000
Royal Flush (A—J)—Other	10% Progressive	\$1,000
Three-of-a-Kind	100 to 1	
Straight	75 to 1	
Flush	50 to 1	
Two Pair	25 to 1	
All Same Color	15 to 1	
Pair	10 to 1	
Dealer Blackjack	4 to 1	
Dealer Ace Up (No BJ)	2 to 1	

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	<i>Single Deck—P12</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Envy</i>
Wager	\$5	
Meter Seed	\$50,000	
Total Increment Rate	23.25%	

	<i>Two Decks—P13</i>		<i>Four Decks—P14</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Progressive	\$3,000	100% Progressive	\$3,000
Royal Flush (A—J)—Other	10% Progressive	\$1,000	10% Progressive	\$1,000
Three-of-a-Kind	100 to 1		100 to 1	
Straight	75 to 1		75 to 1	
Flush	50 to 1		50 to 1	
Two Pair	25 to 1		25 to 1	
All Same Color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	4 to 1		4 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1	
Wager	\$5		\$5	
Meter Seed/Reseed	\$50,000		\$50,000	
Total Increment Rate	23.25%		23.25%	

	<i>Six Decks—P15</i>		<i>Eight Decks—P16</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Progressive	\$3,000	100% Progressive	\$3,000
Royal Flush (A—J)—Other	10% Progressive	\$1,000	10% Progressive	\$1,000
Three-of-a-Kind	100 to 1		100 to 1	
Straight	75 to 1		75 to 1	
Flush	50 to 1		50 to 1	
Two Pair	25 to 1		25 to 1	
All Same Color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	4 to 1		4 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1	
Wager	\$5		\$5	
Meter Seed/Reseed	\$50,000		\$50,000	
Total Increment Rate	23.25%		23.25%	

<i>One Deck—P17</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	

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<i>One Deck—P17</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	7%		7%		7%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	7%		7%		7%	

<i>Two Decks—P18</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	7%		7%		7%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	7%		7%		7%	

<i>Four Decks—P19</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	7%		7%		7%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	7%		7%		7%	

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<i>Six Decks—P20</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	7%		7%		7%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	7%		7%		7%	

<i>Eight Decks—P21</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	7%		7%		7%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	7%		7%		7%	

<i>One Deck—P22</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	

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<i>One Deck—P22</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	
<i>Two Decks—P23</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	
<i>Four Decks—P24</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	

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<i>Four Decks—P24</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	

<i>Six Decks—P25</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	

<i>Eight Decks—P26</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	50 to 1		50 to 1		50 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	

<i>Eight Decks—P26</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	

<i>Single Deck—P27</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>		<i>Pays</i>		<i>Pays</i>	
Royal Flush (A—J)—Diamonds	100% Mega		100% Mega		100% Mega	
Royal Flush (A—J)—Other	100% Major		100% Major		100% Major	
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	60 to 1		60 to 1		60 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	

<i>Two Decks—P28</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>		<i>Pays</i>		<i>Pays</i>	
Royal Flush (A—J)—Diamonds	100% Mega		100% Mega		100% Mega	
Royal Flush (A—J)—Other	100% Major		100% Major		100% Major	
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	60 to 1		60 to 1		60 to 1	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	

<i>Four Decks—P29</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>		<i>Pays</i>		<i>Pays</i>	
Royal Flush (A—J)—Diamonds	100% Mega		100% Mega		100% Mega	

<i>Four Decks—P29</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal Flush (A—J)—Other	100% Major	100% Major	100% Major
Three-of-a-Kind	100% Minor	100% Minor	100% Minor
Straight	100% Mini	100% Mini	100% Mini
Flush	60 to 1	60 to 1	60 to 1
Two Pair	40 to 1	40 to 1	40 to 1
All Same Color	20 to 1	20 to 1	20 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer Ace Up (No BJ)	2 to 1	2 to 1	2 to 1
Mega Meter Seed/Reseed	\$50,000	\$25,000	\$10,000
Mega Increment Rate	6%	7%	7.5%
Major Meter Seed/Reseed	\$5,000	\$5,000	\$5,000
Major Increment Rate	5%	5%	5%
Minor Meter Seed/Reseed	\$500	\$500	\$500
Minor Increment Rate	3%	3%	3%
Mini Meter Seed/Reseed	\$300	\$300	\$300
Mini Increment Rate	3%	3%	3%

<i>Six Decks—P30</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal Flush (A—J)—Diamonds	100% Mega	100% Mega	100% Mega
Royal Flush (A—J)—Other	100% Major	100% Major	100% Major
Three-of-a-Kind	100% Minor	100% Minor	100% Minor
Straight	100% Mini	100% Mini	100% Mini
Flush	60 to 1	60 to 1	60 to 1
Two Pair	40 to 1	40 to 1	40 to 1
All Same Color	20 to 1	20 to 1	20 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer Ace Up (No BJ)	2 to 1	2 to 1	2 to 1
Mega Meter Seed/Reseed	\$50,000	\$25,000	\$10,000
Mega Increment Rate	6%	7%	7.5%
Major Meter Seed/Reseed	\$5,000	\$5,000	\$5,000
Major Increment Rate	5%	5%	5%
Minor Meter Seed/Reseed	\$500	\$500	\$500
Minor Increment Rate	3%	3%	3%
Mini Meter Seed/Reseed	\$300	\$300	\$300
Mini Increment Rate	3%	3%	3%

<i>Eight Decks—P31</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal Flush (A—J)—Diamonds	100% Mega	100% Mega	100% Mega
Royal Flush (A—J)—Other	100% Major	100% Major	100% Major
Three-of-a-Kind	100% Minor	100% Minor	100% Minor
Straight	100% Mini	100% Mini	100% Mini
Flush	60 to 1	60 to 1	60 to 1
Two Pair	40 to 1	40 to 1	40 to 1
All Same Color	20 to 1	20 to 1	20 to 1

<i>Eight Decks—P31</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer Ace Up (No BJ)	2 to 1	2 to 1	2 to 1
Mega Meter Seed/Reseed	\$50,000	\$25,000	\$10,000
Mega Increment Rate	6%	7%	7.5%
Major Meter Seed/Reseed	\$5,000	\$5,000	\$5,000
Major Increment Rate	5%	5%	5%
Minor Meter Seed/Reseed	\$500	\$500	\$500
Minor Increment Rate	3%	3%	3%
Mini Meter Seed/Reseed	\$300	\$300	\$300
Mini Increment Rate	3%	3%	3%

<i>Single Deck—P32</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	100% Micro		100% Micro		100% Micro	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	
Micro Meter Seed/Reseed	\$250		\$250		\$250	
Micro Increment Rate	3%		3%		3%	

<i>Two Decks—P33</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	100% Micro		100% Micro		100% Micro	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	

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<i>Two Decks—P33</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	
Micro Meter Seed/Reseed	\$250		\$250		\$250	
Micro Increment Rate	3%		3%		3%	

<i>Four Decks—P34</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	100% Micro		100% Micro		100% Micro	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	5%		5%		5%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	
Micro Meter Seed/Reseed	\$250		\$250		\$250	
Micro Increment Rate	3%		3%		3%	

<i>Six Decks—P35</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	100% Micro		100% Micro		100% Micro	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	

<i>Six Decks—P35</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	2%		2%		2%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	
Micro Meter Seed/Reseed	\$250		\$250		\$250	
Micro Increment Rate	3%		3%		3%	

<i>Eight Decks—P36</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>	<i>Pays</i>	<i>w/ Max Envy</i>
Royal Flush (A—J)—Diamonds	100% Mega	\$3,000	100% Mega	\$3,000	100% Mega	\$3,000
Royal Flush (A—J)—Other	100% Major	\$1,000	100% Major	\$1,000	100% Major	\$1,000
Three-of-a-Kind	100% Minor		100% Minor		100% Minor	
Straight	100% Mini		100% Mini		100% Mini	
Flush	100% Micro		100% Micro		100% Micro	
Two Pair	40 to 1		40 to 1		40 to 1	
All Same Color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer Ace Up (No BJ)	2 to 1		2 to 1		2 to 1	
Mega Meter Seed/Reseed	\$50,000		\$25,000		\$10,000	
Mega Increment Rate	6%		7%		7.5%	
Major Meter Seed/Reseed	\$5,000		\$5,000		\$5,000	
Major Increment Rate	2%		2%		2%	
Minor Meter Seed/Reseed	\$500		\$500		\$500	
Minor Increment Rate	3%		3%		3%	
Mini Meter Seed/Reseed	\$300		\$300		\$300	
Mini Increment Rate	3%		3%		3%	
Micro Meter Seed/Reseed	\$250		\$250		\$250	
Micro Increment Rate	3%		3%		3%	

§ 633b.3. Match the Dealer Progressive wager.

(a) A certificate holder may offer players the option to place a Match the Dealer Progressive wager that one or both of the player's cards will match the dealer's upcard in one of the following combinations:

(1) *Two Suited Match, Aces of Spades*—Both of the player's cards and the dealer's upcard are matching aces of spades.

(2) *Two Suited Match, All Others*—Both of the player's cards and the dealer's upcard are matching in suit and rank.

(3) *One Non-Suited Match and One Suited Match*—One of the player's cards matches the suit and rank of the dealer's upcard and the player's other card matches the rank of the dealer's upcard.

(4) *One Suited Match*—One of the player's cards matches the suit and rank of the dealer's upcard.

(5) *Two Non-Suited Matches*—Both of the player's cards match the rank of the dealer's upcard.

(6) *One Non-Suited Match*—One of the player's cards matches the rank of the dealer's upcard.

(b) The Match the Dealer Progressive wager may be played on a Blackjack table that utilizes 6 or 8 decks of cards.

(c) The layout for a Blackjack 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 if the certificate holder offers the Match the Dealer Progressive wager, in addition to the requirements in § 633a.2 (relat-

ing to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for each player designated for the placement of the Match the Dealer Progressive wager for each player.

(d) If the certificate holder is offering the Match the Dealer Progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Match the Dealer Progressive wager. If the certificate holder is offering a Progressive Payout Wager 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 Wager.

(2) A device that controls or monitors the placement of Progressive wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive wager that a player attempts to place after the dealer has announced “No more bets.”

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Match the Dealer Progressive wager of \$1 or \$5.

(f) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Match the Dealer Progressive wager, the dealer shall announce “No more bets” and, if the Match the Dealer Progressive wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive wagers. If any Progressive 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 wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(e) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle the Match the Dealer wager as follows:

(1) If the player does not have a card that matches the dealer’s upcard, the Match the Dealer Progressive wager shall lose.

(2) If the player has one of the winning combinations provided in subsection (a), the dealer shall settle the Match the Dealer Progressive wager as provided in subsection (h).

(h) If a player has won a Match the Dealer Progressive payout, 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 Match the Dealer Progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on 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 container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out winning Match the Dealer wagers, for the winning combination formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Six Decks

<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
2 Suited Match— Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match— All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	12 to 1	10 to 1	8 to 1	75 to 1
1 Suited Match	10 to 1	7 to 1	4 to 1	4 to 1
2 Non-Suited Matches	4 to 1	6 to 1	8 to 1	15 to 1
1 Non-Suited Match	2 to 1	3 to 1	4 to 1	3 to 1

<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Suited Match— Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match— All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	12 to 1	13 to 1	11 to 1	100 to 1
1 Suited Match	9 to 1	10 to 1	7 to 1	5 to 1

<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Non-Suited Matches	6 to 1	6 to 1	8 to 1	20 to 1
1 Non-Suited Match	3 to 1	3 to 1	4 to 1	3 to 1

<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	15 to 1	13 to 1
1 Suited Match	12 to 1	9 to 1
2 Non-Suited Matches	6 to 1	8 to 1
1 Non-Suited Match	3 to 1	4 to 1

Eight Decks

<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	9 to 1	12 to 1	8 to 1	75 to 1
1 Suited Match	6 to 1	10 to 1	4 to 1	4 to 1
2 Non-Suited Matches	6 to 1	4 to 1	8 to 1	15 to 1
1 Non-Suited Match	3 to 1	2 to 1	4 to 1	3 to 1

<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	12 to 1	10 to 1	13 to 1	14 to 1
1 Suited Match	9 to 1	6 to 1	10 to 1	11 to 1
2 Non-Suited Matches	6 to 1	8 to 1	6 to 1	6 to 1
1 Non-Suited Match	3 to 1	4 to 1	3 to 1	3 to 1

<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	100 to 1	15 to 1
1 Suited Match	5 to 1	12 to 1
2 Non-Suited Matches	20 to 1	6 to 1
1 Non-Suited Match	3 to 1	3 to 1

(j) The initial seed amount of the progressive wager shall be 1,000 times the wager amount offered by the certificate holder, and the primary incrementation rate and secondary incrementation rate shall be 15% and 6%.

§ 633b.4. Switch Hands and Blackjack Premium.

(a) If the certificate holder offers Switch Hands, the table layout 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 in addition to the requirements in

§ 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) shall contain:

(1) A separate area for each player designated for the placement of the Switch Hands Ante which contains the inscription “Ante \$1 for every \$5 Bet.”

(2) A separate area for each player designed for the placement of the Switch Hand cards.

(3) An inscription advising that “Switch Hands colored or suited Blackjacks pay 2 to 1.”

(b) All Blackjack wagers placed in accordance with § 633a.6(d) (relating to wagers) shall be placed in \$5 increments.

(c) In addition to the Blackjack wager required under § 633a.6(d), a player shall place a Switch Hands Ante equal to \$1 for every \$5 Blackjack wager placed.

(d) After placing a Blackjack wager, the Switch Hands Ante and any optional wagers offered by the certificate holder, the dealer shall deal, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner:

(1) One Switch Hands card, face down, on the designated area of the table layout.

(2) A second Switch Hands card, face down on the designated area of the table layout.

(e) After dealing the player's Switch Hands cards, the dealer shall deal the player's Blackjack hand in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play).

(f) Prior to any other cards being dealt or before any card reader device is utilized, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, ask if the player would like to discard the player's two up-cards and play the two face-down cards or discard the two face-down Switch Hand cards. For each player who chooses to play:

(1) The two face-up cards, the dealer shall collect the two face-down cards and place them, unexposed, in the discard rack.

(2) The two face-down cards, the dealer shall collect the two face-up cards and place them in the discard rack. The dealer shall then turn over the two face-down cards and place them face up on the table.

(g) After the procedures in subsection (f) have been completed, the dealer shall complete the dealing procedures in § 633a.7(h)—(t) provided that winning Blackjack wagers shall be paid in accordance with the payout odds in subsection (j).

(h) A player may surrender on the initial two cards dealt or a Switch Hand, may double down or split pairs in accordance with §§ 633a.9—633a.11 (relating to surrender; Double Down Wager; and splitting pairs).

(i) For players who:

(1) Did not Switch Hands, the certificate holder shall pay each winning Blackjack wager at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(2) Switched Hands, the certificate holder shall pay each winning Blackjack wager in accordance with subsection (j)(1) provided that:

(i) If the player has a winning hand containing a same suit or same color Blackjack, the winning Blackjack wager shall be paid out at odds of 2 to 1.

(ii) If specified in its rules submission required under § 601a.10(a), if both the player and dealer have Blackjack, instead of returning the player's Blackjack wager, the certificate holder may pay a tie Blackjack at odds of 1 to 2.

(j) Notwithstanding the requirements in subsections (d) and (e), a certificate holder may deal the two Switch Hands cards as provided in subsection (d) after to dealing the Blackjack hands in accordance with subsection (e).

(k) If specified in its rules submission required under § 601a.10(a), the certificate holder may offer Blackjack Premium in which a player may play, on the same gaming table, either Switch Hand in accordance with previous subsections (a)—(j) or elect to not place a Switch Hand Ante and play only Blackjack in accordance with Chapter 633a (relating to Blackjack). A player that elects to play only Blackjack may not elect to switch hands after the dealer has started dealing the cards.

(l) If offering Blackjack Premium, the Switch Hand Ante is optional and shall remain on the layout until the dealer has dealt the cards in accordance with subsections (d) and (e). If a player elects to switch hands, the dealer shall collect the player's two face-up cards, placing them in the discard rack.

(m) After the procedures in subsection (l) have been completed, the dealer shall complete the dealing procedures in § 633a.7(h)—(t) provided that winning Blackjack wagers shall be paid in accordance with the payout odds in subsection (o).

(n) A player may surrender on the initial two cards dealt or a Switch Hand, may double down or split pairs in accordance with §§ 633a.9—633a.11.

(o) The certificate holder shall pay out winning Blackjack wagers at odds of 1 to 1 and player Blackjack at odds of 3 to 2 unless both the dealer and player have Blackjack which shall pay out at odds of 1 to 2 provided that if the player placed a Switched Hands Ante, the certificate holder shall pay a same suit or same color Blackjack at odds of 2 to 1.

§ 633b.5. Blackjack played on a hybrid gaming table.

(a) Hybrid gaming tables and electronic wagering terminals used to play Blackjack shall comply with the requirements in Chapter 605a (relating to electronic gaming tables).

(b) The layout for Blackjack played on a hybrid gaming table shall be submitted to the Bureau of Gaming Operations for approval 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) Three designated boxes for the placement of player's cards.

(3) A designated box for the placement of the dealer's cards.

(4) A community box for the placement of additional cards drawn by the dealer.

(c) Each electronic wagering terminal connected to a hybrid gaming table shall contain, at a minimum:

(1) An electronic layout submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a).

(2) A game rules icon explaining the rules of Blackjack play including that Blackjack pays 3 to 2, dealer stands on all soft 17s, that insurance pays 2 to 1 and any rules selected by the certificate holder regarding the action that may automatically be taken at the conclusion of the countdown clock when a player does not elect to hit or stand.

(3) If the certificate holder is offering the Buzzer Beater wager, a game rules icon explaining the optional wager and the payout odds.

(d) Each hybrid gaming table offering Blackjack must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the hybrid gaming table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Unless a continuous shuffler is used, each hybrid gaming 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.

(f) Blackjack played on a hybrid gaming table shall be played with six or eight decks of cards that are identical in appearance and a card shuffling device.

(g) The decks of cards opened for use at a hybrid gaming table offering Blackjack shall be changed at least once every 24 hours.

(h) 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 unless that value would give a player or the dealer a score in excess of 21, in which case the ace shall have a value of 1.

(i) After receiving six or eight 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.

(j) Unless the decks of cards received at the table were preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards, stacked and shuffled using an automated cards shuffling device so that the cards are randomly intermixed. Upon completion of the shuffle, the cards shall be placed in the dealing shoe. All cards shall be dealt from a dealing shoe that reads the value of the cards which must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

(k) Wagers at Blackjack played on hybrid gaming tables shall be placed using each player's electronic wagering terminal. All wagers, except an Insurance Wager under § 633a.8 (relating to Insurance Wager), a Double Down Wager under § 633a.10 (relating to Double Down Wager) or a wager on split pairs under § 633a.11 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play.

(l) To participate in a round of play each player shall select a player position between 1 and 3. To compete against the dealer's hand, each player shall electronically place a Blackjack wager.

(m) If specified in its rules submission required under § 601a.10(a), a certificate holder may offer to each player who placed a Blackjack wager, the option of placing a

Buzzer Beater wager that the player's hand will have a point count of 19 or greater and will lose against the dealer's hand.

(n) At the commencement of each round of play, the dealer shall, starting with the player position farthest to the dealer's left that was selected by any player for that round of play and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face up to each player position on the hybrid gaming table layout that was selected by any player.

(2) One card face up to the dealer.

(3) A second card face up to each player position on the hybrid gaming table layout.

(4) A second card face down to the dealer.

(o) If the dealer's first card is an ace, the dealer shall offer the Insurance Wager or even money in accordance with § 633a.8. If the dealer's first card is an ace, king, queen, jack or 10, the dealer shall then determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, additional cards may not be dealt and each player's Blackjack wager and the Buzzer Beater wager, if applicable, shall be settled.

(p) After the procedures in subsection (o) have been completed, if necessary, and if the player position:

(1) Has Blackjack and the dealer's up card is a 2, 3, 4, 5, 6, 7, 8 or 9, the Blackjack shall be electronically paid in accordance with subsection (v)(1). If any Buzzer Beater wagers were placed on that player position, the losing Buzzer Beater wagers shall be cleared.

(2) Does not have Blackjack, each player shall electronically indicate whether he wishes to double down as permitted under § 633a.10, split pairs as permitted under § 633a.11, stand or draw additional cards. A player that takes no action by the conclusion of the countdown clock will be deemed to stand on his hand.

(q) If any player elects to double down, split or draw additional cards, the dealer shall draw additional cards face up. The drawn cards shall be used as community cards for all player positions.

(r) A player may elect to electronically hit to draw additional cards whenever the point count for his chosen player position is less than 21, except that:

(1) A player having Blackjack or a hard or soft total of 21 may not draw additional cards.

(2) A player electing to make a Double Down Wager will utilize only the first community card.

(s) After the decisions of each player position have been implemented and all additional community cards have been dealt, the dealer shall turn the hole card face up. Any additional cards required to be dealt to the hand of the dealer shall be dealt face up. The dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21.

(t) A player's Blackjack wager shall:

(1) Win and be electronically paid in accordance with the payout odds in subsection (v)(1) if:

(i) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21.

(ii) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(iii) The player has a Blackjack and the dealer's hand has a total point count of 21 in more than two cards.

(2) Push if the total point count of the player's hand is the same as the dealer's.

(3) Be lost if:

(i) The total point count of the player's hand is in excess of 21 and the total point count of the dealer's hand is 21 or less.

(ii) The total point count of the dealer's hand exceeds the total point count of the player's hand without exceeding 21.

(iii) The dealer has a Blackjack and the player's hand has a total point count of 21 in more than two cards.

(u) If any player placed a Buzzer Beater wager, the player's Buzzer Beater wager shall:

(1) Win and be electronically paid in accordance with subsection (v)(3) if the player's hand was a 19, 20, 21 or a Blackjack and the dealer's hand was equal to or greater than the player's hand without exceeding 21.

(2) Lose and be electronically collected if:

(i) The player's hand beat the dealer's hand.

(ii) The dealer's hand beat the player's hand and the player did not have a 19, 20, 21 or Blackjack.

(v) Payout odds:

(1) Each winning Blackjack wager shall be paid electronically at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(2) Winning Insurance wagers shall be paid electronically at odds of 2 to 1.

(3) Winning Buzzer Beater wagers shall be paid electronically at the following odds:

<i>Player Hand</i>	<i>Dealer Hand</i>	<i>Payout Odds</i>
Blackjack	Blackjack	5 to 1
20	20	5 to 1
20	21 or Blackjack	30 to 1
19	19	5 to 1
19	20	10 to 1
19	21 or Blackjack	10 to 1

(w) A certificate holder may offer a version of Blackjack on a hybrid gaming table whereby the dealer does not receive a hole card. If offering this version of Blackjack, previous subsections (a), (c)(1) and (2) and (d)—(k) apply in addition to the following provisions.

(x) To participate in a round of play, the player shall electronically place a Blackjack wager. If specified in its rules submission required under § 601a.10(a), the certificate holder may offer to each player who placed a Blackjack wager, the option of placing electronically Royal Match 21, Bet the Set or Kings Bounty wagers as provided in § 633a.6(e)(4)—(6) (relating to wagers).

(y) At the commencement of each round of play, the dealer shall deal the cards as follows:

(1) One card face up, which shall be used as all players' first card.

(2) A second card face up, which shall be used as the dealer's first card.

(3) A third card face up, which shall be used as all players' second card.

(4) All cards dealt after the first three shall be community cards and may be designated to a player or to the dealer depending on the choices each player makes with respect to his hand.

(z) If the dealer's first card is an ace, the electronic wagering terminal shall offer the Insurance Wager in accordance with § 633a.8. Each player shall electronically indicate whether he wishes to place an Insurance Wager, if applicable, or to surrender as permitted under § 633a.9 (relating to surrender), double down as permitted under § 633a.10, split pairs for a total of two hands as permitted under § 633a.11, stand or draw additional cards. A player may elect to electronically draw additional cards whenever the point count for his chosen player position is less than 21, except that a player having Blackjack or a hard or soft total of 21 may not draw additional cards. A player who takes no action by the conclusion of the countdown clock will be deemed to stand on his hand provided that if the certificate holder selects different options, such as a player's hand of an 11 will automatically hit if the player takes no action at the conclusion of the countdown clock, those options shall be explained to the player in the game rules icon as provided in subsection (c)(2).

(aa) After the decisions of each player position have been implemented, the dealer shall deal a community card face up which shall be used as follows:

(1) If the player's two cards gave the player Blackjack, the community card dealt shall be used as the dealer's hole card. If the hole card:

(i) Also gave the dealer a Blackjack, the player's Blackjack wager shall push and be electronically returned to player and, if applicable, the winning Insurance Wager shall be electronically paid in accordance with subsection (ee)(1).

(ii) Did not give the dealer Blackjack, the player's winning Blackjack wager shall be paid in accordance with subsection (ee)(2) and the losing Insurance Wager, if applicable, shall be electronically collected.

(2) If the player's two cards did not give the player Blackjack but the player elected to stand and not receive additional cards, the first community card dealt shall be used as the dealer's hole card. If the hole card:

(i) Gives the dealer a Blackjack, no additional community cards shall be designated to the player or dealer's hand and the player's losing Blackjack wager shall be electronically collected. If applicable, the winning Insurance Wager shall be electronically paid in accordance with subsection (ee)(1).

(ii) Did not give the dealer Blackjack, the losing Insurance Wager, if applicable, shall be electronically collected. The community cards revealed thereafter shall be added to the dealer's hand in accordance with subsection (bb).

(3) If the player's two cards did not give the player Blackjack and the player elected to hit, split pairs or double down, the first community card shall be added to the player's hand. If a player:

(i) Split aces or doubled down in accordance with §§ 633a.10 and 633a.11, the player's hand shall be complete after the first community card is dealt and the player may not hit to receive additional community cards.

After the first community card is designated to the player's hand, if the player's hand is over 21 before any additional cards are revealed, the player's losing Blackjack wager shall be electronically collected. The community cards revealed thereafter shall be added to the dealer's hand in accordance with subsection (bb).

(ii) Elected to hit or split pairs, other than aces, the player may then stand or may elect to continue to hit and receive additional community cards added to the player's hand until the point count of each of the player's hands is a hard or soft 21 or less. If the player's hand is over 21 before the dealer's second/hole card is revealed, the player's losing Blackjack wager shall be electronically collected. Once a player stands, the community cards revealed thereafter shall be added to the dealer's hand in accordance with subsection (bb).

(bb) Once the player has made all decisions with respect to his hand or hands, the next card dealt shall be designated to the dealer's hand. If the dealer's two cards:

(1) Gives the dealer a Blackjack, no additional community cards shall be designated to the dealer's hand and the player's losing Blackjack wager shall be electronically collected. If applicable, the winning Insurance wager shall be electronically paid in accordance with subsection (ee)(1). If a player split pairs and the dealer's second card gave the dealer Blackjack, the amount of the original wager of the player shall be electronically collected and if the player's split hand did not exceed 21, the additional amount wagered in splitting pairs shall be electronically returned to the player.

(2) Does not give the dealer a Blackjack, the losing Insurance Wager, if applicable, shall be electronically collected. The additional community cards dealt thereafter shall be designated to the dealer's hand until the point count of the dealer's hand is a hard or soft total of 17, 18, 19, 20 or 21.

(cc) A player's Blackjack wager shall win, lose or push as provided in previous subsection (t).

(dd) If any player placed a Royal Match, Bet the Set or a King's Bounty wager, those wagers shall be electronically settled in accordance with § 633a.7(g)(4)–(6).

(ee) Payout odds:

(1) Winning Insurance wagers shall be paid electronically at odds of 2 to 1.

(2) Each winning Blackjack wager shall be paid electronically at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(3) The certificate holder shall pay out winning Royal Match and the Crown Treasure Bonus as provided in § 633a.13(f) (relating to payout odds; payout limitation).

(4) The certificate holder shall pay out winning Bet the Set wagers as provided in § 633a.13(g).

(5) The certificate holder shall pay out winning King's Bounty wagers as provided in § 633a.13(h).

§ 633b.6. Super 4 Progressive Blackjack wager.

(a) A certificate holder may offer players the option to place a Super 4 Progressive Blackjack wager that the dealer's two cards and the player's two cards will form any of the following winning Super 4 Progressive combinations:

(1) *Royal Flush (Chosen Suit)*—The player's two cards and the dealer's two cards containing an ace, king, queen and jack of the certificate holder's chosen suit with the dealer's hand containing the ace of the same suit.

(2) *Royal Flush (Other Suit)*—The player's two cards and the dealer's two cards containing an ace, king, queen and jack of one the other remaining three suits, with the dealer's hand containing the ace of the same suit.

(3) *Three of a Kind*—Dealer Blackjack and the player's two cards and the dealer's two cards contain three cards of the same rank.

(4) *Straight*—Four cards of more than one suit in consecutive rank with the dealer's hand containing the ace and a ten-value card.

(5) *Flush*—Dealer Blackjack and the player's two cards and the dealer's two cards are all the same suit.

(6) *Two Pair*—Dealer Blackjack and player Blackjack with the dealer's two cards identical in suit and rank with the player's two cards.

(7) *All Cards Same Color*—Dealer Blackjack and the player's two cards and the dealer's two cards are all of the same color.

(8) *Pair*—Dealer Blackjack with the four cards dealt to the player and the dealer containing two cards of the same suit and rank.

(9) Any Hand with Dealer Blackjack.

(10) *Dealer Ace Up*—Dealer's up-card is an ace but the dealer does not have a Blackjack.

(b) The Super 4 Progressive wager may be played on a Blackjack table that utilizes 1, 2, 4, 6 or 8 decks of cards.

(c) The layout for a Blackjack 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 if the certificate holder offers the Super 4 Progressive wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for each player designated for the placement of the Super 4 Progressive wager for each player.

(d) If the certificate holder is offering the Super 4 Progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Super 4 Progressive Wager. If the certificate holder is offering a Progressive Payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.7 and § 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 wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack Wager in accordance with § 633a.6(d), the option of placing a Super 4 Progressive wager of \$5.

(f) After placing a Blackjack wager, as required in § 633a.6(d) (relating to wagers), and any optional wagers including the Super 4 Progressive wager, the dealer shall

announce “No more bets” and, if the Super 4 Progressive wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive wagers. If any Progressive 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 wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(g) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall determine if he has a Blackjack as provided in § 633a.7(h). If the dealer:

(1) Does not have an ace showing or have a Blackjack, all Super 4 Progressive wagers shall lose and the dealer shall continue the hand in accordance with § 633a.7(i)—(t).

(2) Has an ace showing or a Blackjack, the dealer shall settle each player’s winning Super 4 Progressive wager as provided in subsection (h).

(h) If a player has won a Super 4 Progressive payout, 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 Super 4 Progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on 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 container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out winning Super 4 Progressive wagers, for the highest ranking four-card hand formed, at the odds in 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 Submissions):

<i>Paytable 1—Option 1</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$50,000	6%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	7%
Three-of-a-Kind	Spade Progressive	\$500	7%
Straight	\$750		
Flush	\$250		
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		

<i>Paytable 1—Option 2</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$25,000	7%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	7%
Three-of-a-Kind	Spade Progressive	\$500	7%
Straight	\$750		
Flush	\$250		
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		

<i>Paytable 1—Option 3</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$10,000	7.5%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	7%

<i>Paytable 1—Option 3</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Three-of-a-Kind	Spade Progressive	\$500	7%
Straight	\$750		
Flush	\$250		
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		

<i>Paytable 2—Option 1</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$50,000	6%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	5%
Three-of-a-Kind	Spade Progressive	\$500	3%
Straight	Diamond Progressive	\$300	3%
Flush	\$250		
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		

<i>Paytable 2—Option 2</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$25,000	6%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	5%
Three-of-a-Kind	Spade Progressive	\$500	3%
Straight	Diamond Progressive	\$300	3%
Flush	\$250		
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		

<i>Paytable 3—Option 1</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$50,000	6%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	2%
Three-of-a-Kind	Spade Progressive	\$500	3%
Straight	Diamond Progressive	\$300	3%
Flush	Club Progressive	\$250	3%
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		
No Dealer Face Up Ace	Loss		

<i>Paytable 3—Option 2</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$25,000	6%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	2%
Three-of-a-Kind	Spade Progressive	\$500	3%
Straight	Diamond Progressive	\$300	3%
Flush	Club Progressive	\$250	3%
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		

<i>Paytable 3—Option 3</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal Flush in Chosen Suit	Star Progressive	\$10,000	6%
Royal Flush (Other Suit)	Heart Progressive	\$5,000	2%
Three-of-a-Kind	Spade Progressive	\$500	3%
Straight	Diamond Progressive	\$300	3%
Flush	Club Progressive	\$250	3%
Two Pair	\$200		
All Cards Same Color	\$100		
Pair	\$50		
Any Hand w/ Dealer Blackjack	\$25		
Dealer Ace Up	\$10		

(j) If the progressive table game system utilized by the certificate holder has the capability to offer a mystery progressive, the seed and reseed amount, random must hit by amount, and incrementation rate shall be as follows:

<i>Configuration</i>	<i>Reseed</i>	<i>Random Must Hit By</i>	<i>Increment Rate</i>
1	\$250	\$1,000	5%
2	\$100	\$500	5%
3	\$100	\$200	2%

§ 633b.7. Top 3 wager.

(a) If the certificate holder offers the Three Card Poker wager authorized under § 633a.6(e)(9) (relating to wagers), the certificate holder may also offer the Top 3 wager which shall win if the player's two cards and the dealer's up card form a three-of-a-kind or a straight flush.

(b) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Three Card Poker wager and the Top 3 wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area designated for the placement of the Top 3 wager for each player.

(c) After placing a Blackjack wager, as required under § 633a.6(d) and a Three Card Poker wager, a player may place a Top 3 wager by placing a value chip on the designated area of the table layout.

(d) The dealer shall then deal the cards in accordance with § 633a.7(a)–(f) (relating to procedure for dealing the cards; completion of each round of play). Immediately

after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle any Three Card Poker wagers in accordance with § 633a.7(g)(8) and any Top 3 wagers. If the player's two cards and the dealer's up card:

(1) Do not contain a three-of-a-kind or a straight flush of three cards in sequence and of the same suit, the dealer shall collect the player's losing Top 3 wager.

(2) Contain a three-of-a-kind or a straight flush of three cards in sequence and of the same suit, the dealer shall pay the winning Top 3 wager in accordance with subsection (e).

(e) The certificate holder shall pay out winning Top 3 wagers for the highest ranking three-card hand formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submission):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Three-of-a-kind Suited	270 to 1	1000 to 1
Straight Flush	180 to 1	100 to 1

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Three-of-a-kind	90 to 1	70 to 1

(f) After settling the player's Three Card Poker and Top 3 wagers, the dealer shall complete the dealing procedures in § 633a.7(h)—(t).

§ 633b.8. Lucky Aces wager.

(a) If the certificate holder offers Blackjack on a fully automated electronic gaming table, the certificate holder may offer players the option to place a Lucky Aces wager which shall win if the player's two cards and the dealer's two cards contain at least one ace.

(b) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Lucky Aces wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area designated for the electronic placement of the Lucky Aces wager for each player.

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
4 Aces	500 to 1	500 to 1	1000 to 1	2000 to 1
3 Aces Same Suit	250 to 1	250 to 1	500 to 1	500 to 1
3 Aces	20 to 1	30 to 1	35 to 1	15 to 1
2 Aces Same Suit	8 to 1	12 to 1	16 to 1	10 to 1
2 Aces	5 to 1	5 to 1	5 to 1	4 to 1
1 Ace of Diamonds	2 to 1	2 to 1	2 to 1	2 to 1
1 Ace	1 to 1	1 to 1	1 to 1	1 to 1

(f) After settling the player's Lucky Aces wager, the dealer shall complete the dealing procedures in § 633a.7(m)—(t).

§ 633b.9. Blazing 7's Progressive wager.

(a) The layout for a Blackjack 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 if the certificate holder offers the Blazing 7's Progressive wager authorized under subsection (c), the layout shall contain a separate area designated for the placement of the Blazing 7's Progressive wager for each player. The Blackjack table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games), for the placement of Blazing 7's Progressive wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Blazing 7's Progressive 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 Blazing 7's Progressive wagers that a player attempts to place after the dealer has begun dealing the cards.

(b) 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 a Blackjack

(c) After placing a Blackjack wager, as required under § 633a.6(d) (relating to wagers), a player may place a Lucky Aces wager by electronically placing a value chip on the designated area of the table layout.

(d) The dealer shall then deal the cards in accordance with § 633a.7(a)—(l) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the dealer's hole card is turned face up on the layout, the dealer shall settle any Lucky Aces wagers. If any of the player's two cards or the dealer's two cards:

(1) Do not contain an ace, the losing Lucky Aces wagers shall be collected.

(2) Contain an ace, the winning Lucky Aces wagers shall be paid in accordance with subsection (e) based on the number of aces in the player and dealer hands.

(e) The certificate holder shall pay out winning Lucky Aces wagers at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions):

wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Blazing 7's Progressive wager which shall win if either of the player's initial two cards is a seven.

(c) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Blazing 7's Progressive wager, the dealer shall deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play).

(d) The dealer shall settle any optional wagers in accordance with § 633a.7(g) and complete the dealing procedures in § 633a.7(h)—(o). After settling all other optional wagers, if a player placed a Blazing 7's Progressive wager:

(1) And the player chose to split, the Blazing 7's Progressive wager shall be based on the two sevens and the third card dealt to the player.

(2) And the player busts, the bust card shall not count toward the player's Blazing 7's Progressive wager.

(3) The player's hand shall win if either of the player's first two cards is a seven. If a player has only one seven in the first two cards, hits and receives another seven, the player shall be paid out in accordance with subsections (e) and (f) for only the seven contained in the initial two cards dealt to the player.

(4) And if the first two cards of the player are sevens and the player hits and receives another seven, the player

shall be paid out for three sevens in accordance with subsections (e) and (f). If a dealer has Blackjack and the first two cards of the player are sevens, the player shall be dealt an additional card to determine if the player receives an additional seven.

(e) If a player has won the Blazing 7's Progressive wager, the dealer shall:

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

(2) Have a floorman or above verify any Blazing 7's Progressive Payout with odds greater than 200 for 1 in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(3) Pay the player the winning Blazing 7's Progressive wager in accordance with subsection (f). If a player has won a progressive payout that is 10% or more of the jackpot amount on 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 container, the cards of the player must remain on the table until the necessary documentation has been completed. If more than one player at the table has won a progressive payout that is 100% of the jackpot amount on the progressive meter, each player shall share the maximum amount equally.

(f) The certificate holder shall pay out winning Blazing 7's Progressive wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B
Three 7's Same Suit	100% of meter	N/A
Three 7's Diamonds	N/A	100% of meter
Three 7's—Clubs, Spades, Hearts	N/A	10% of meter
Three 7's Same Color	10% of meter	500 to 1
Three 7's	200 to 1	200 to 1
First two cards (two 7's)	25 to 1	25 to 1
Either of first two cards (one 7)	2 to 1	2 to 1

(g) The rate of progression for the meter used for the Blazing 7's Progressive wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amounts must also be in the Rules Submission and shall be at least \$2,000 if the required Blazing 7's Progressive wager is \$1 and \$10,000 if the required Blazing 7's Progressive wager is \$5.

(h) Notwithstanding the requirements in subsection (d)(4), if the first two cards of the player are sevens, the certificate holder may utilize a dealing procedure wherein the dealer's up card rather than a player's drawn card, shall be used to determine whether the player receives a payout for three sevens in accordance with subsections (e) and (f). The certificate holder shall specify in its Rules Submission required under § 601a.2 if this dealing procedure is being utilized.

§ 633b.10. Blackjack Match Progressive.

(a) A certificate holder may offer players the option to place a Blackjack Match Progressive wager that the dealer's two cards and the player's two cards will form any of the following winning Blackjack Match Progressive combinations:

(1) *Ace-King Matching Suited Blackjacks*—Both dealer and player have Blackjack consisting of an ace-king with the dealer's two cards identical in suit with the player's two cards.

(2) *Matching Suited Blackjacks*—Both dealer and player have Blackjack with the dealer's two cards identical in suit and rank with the player's two cards, other than an ace-king. For example a player's ace-ten of spades and the dealer's ace-ten of spades.

(3) *Player and Dealer Suited Blackjacks*—Both dealer and player have Blackjack with the dealer's two cards identical in suit, but not rank, with the player's two cards. For example a player's ace-ten of spades and the dealer's ace-queen of spades.

(4) *Player and Dealer Blackjacks*—Both Dealer and player have Blackjack but the player's hand and the dealer's hand do not match in suit or rank.

(5) *Player Suited Blackjack*—Player has Blackjack of the same suit and the dealer's two cards are not a Blackjack.

(6) *Player Blackjack*—Player's two cards are a Blackjack but are not the same suit and the dealer's two cards are not a Blackjack.

(7) *Player Any Ace*—Player's two cards are not a Blackjack but contain at least one ace.

(b) The Blackjack Match Progressive wager shall be played on a Blackjack table that utilizes 6 or 8 decks of cards.

(c) The layout for a Blackjack 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 if the certificate holder offers the Blackjack Match Progressive wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for each player designated for the placement of the Blackjack Match Progressive wager.

(d) If the certificate holder is offering the Blackjack Match Progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Blackjack Match Progressive wager. If the certificate holder is offering a Progressive Payout wager 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 wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing either a \$1 or \$5 Blackjack Match Progressive wager as selected by the certificate holder in its Rules Submission form.

(f) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Blackjack Match Progressive wager, the dealer shall announce “No more bets” and, if the Blackjack Match Progressive wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive wagers. If any Progressive 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 wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(g) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, the dealer shall determine if he has a Blackjack as provided in § 633a.7(h), if applicable. After determining whether the dealer has Blackjack, if applicable, but prior to any additional cards being dealt, the dealer shall settle all Blackjack Match Progressive wagers. If any player placed a Blackjack Match Progressive wager, and the first two cards dealt to the player:

(1) Do not contain an ace or Blackjack, the Blackjack Match Progressive wager shall be lost.

(2) Contains an ace or Blackjack, the dealer shall settle each player’s winning Blackjack Match Progressive wager as provided in subsection (h).

(h) If a player has won a Blackjack Match Progressive payout, 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 Blackjack Match Progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on 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 container, the cards of that player must remain on the table until the necessary documentation has been completed.

(5) Pay any Envy Bonus, if selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2. A player making a Blackjack Match Progressive Wager shall receive an Envy Bonus when another player at the same Blackjack table and the dealer are holders of Matching Suited Blackjacks, as defined in subsection (a). Players are entitled to multiple Envy Bonuses if more than one other player and the dealer have Matching Suited Blackjacks. A player is not entitled to an Envy Bonus for his own hand. Blackjack Match Envy Bonus payouts shall be made in accordance with the payouts in subsection (k).

(i) The certificate holder shall pay out winning Blackjack Match Progressive wagers at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Ace-King Matching Suited Blackjack	100% of meter	100% of meter
Matching Suited Blackjack	10% of meter	10% of meter
Player and Dealer Suited Blackjacks	200 to 1	200 to 1
Player and Dealer Blackjacks	30 to 1	30 to 1
Player Suited Blackjacks	10 to 1	10 to 1
Player Blackjack	5 to 1	5 to 1
Player Any Ace	3 to 1	3 to 1
Seed Amount	\$10,000	\$5,000
Increment Rate	13%	13%
Secondary Seed	2.5%	3.25%

<i>Hand</i>	<i>Paytable C</i>	<i>Paytable D</i>
Ace-King Matching Suited Blackjack	100% of meter	100% of meter
Matching Suited Blackjack	10% of meter	10% of meter
Player and Dealer Suited Blackjacks	300 to 1	300 to 1
Player and Dealer Blackjacks	50 to 1	50 to 1
Player Suited Blackjacks	10 to 1	10 to 1
Player Blackjack	5 to 1	5 to 1
Player Any Ace	2 to 1	2 to 1
Seed Amount	\$10,000	\$5,000
Increment Rate	13%	13%
Secondary Seed	2.5%	3.25%

(j) If in the same round of play two or more players have won the same progressive jackpot amount on the progressive meter, the jackpot amount shall be split equally between the winning players. For example, if two players have Ace-King Matching Suited Blackjacks in the same round of play, both players shall split 100% of the progressive jackpot amount equally.

(k) If selected by a certificate holder, a player shall be paid an Envy Bonus in accordance with the payout tables as follows depending on the value of the Blackjack Match Progressive wager selected by the certificate holder in its Rules Submission form:

<i>Hand</i>	<i>\$1 Blackjack Match Wager offered</i>
Ace-King Matching Suited Blackjack	\$600
Matching Suited Blackjack	\$200

<i>Hand</i>	<i>\$5 Blackjack Match Wager offered</i>
Ace-King Matching Suited Blackjack	\$3000
Matching Suited Blackjack	\$1000

(l) After settling the Blackjack Match Progressive wagers, the dealer shall continue the hand in accordance with § 633a.7(i)–(t).

§ 633b.11. TriLux Deluxe wager.

(a) For the purposes of the TriLux Deluxe wager, the following words and terms have the following meanings:

- (1) *Flush*—The player’s initial two cards and the dealer’s up-card are of the same suit.
- (2) *Straight*—The player’s initial two cards and the dealer’s up-card are sequential in rank.
- (3) *Straight flush*—The player’s initial two cards and the dealer’s up-card are sequential in rank and of the same suit.
- (4) *Three-of-a-kind*—The player’s initial two cards and the dealer’s up-card are the same rank.

(b) 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 Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a TriLux Deluxe wager which shall win if the player’s initial two cards and the dealer’s up-card form a flush, straight, three-of-a-kind, or straight flush.

(c) The layout for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the TriLux Deluxe wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections), the layout shall contain a separate area designated for the placement of the TriLux Deluxe wager and TriLux Deluxe Press.

(d) After placing a Blackjack Wager, as required in § 633a.6(d), a player may place a TriLux Deluxe wager before each round of Blackjack at any time before the dealer calls, “No more bets.” A TriLux Deluxe wager may not exceed two times the Blackjack wager.

(e) The dealer shall deal the cards in accordance with § 633a.7(a)–(f) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before any card reader device is utilized, the dealer shall, starting with the player farthest to the dealer’s right and continuing around the table in a counterclockwise direction, settle the player’s optional wagers in accordance with § 633a.7(g) by collecting all losing wagers and paying all winning wagers. If a player placed a TriLux Deluxe wager and the player’s initial two cards and the dealer’s up-card:

- (1) Are a flush, straight, three-of-a-kind, or straight flush, the dealer shall pay the TriLux Deluxe wager in accordance with subsection (i).
- (2) Are not a flush, straight, three-of-a-kind, or straight flush, the dealer shall collect the TriLux Deluxe wager.

(f) If a player’s TriLux Deluxe wager wins, the dealer shall give the player the option to collect his winnings, or cap his initial Blackjack wager with all or a portion of the player’s initial TriLux Deluxe wager winnings. If the player chooses to cap his initial Blackjack wager with all or a portion of the TriLux Deluxe wager winnings, the dealer shall move the winnings to the TriLux Deluxe Press area on the layout.

(g) If, after capping the initial Blackjack wager, the player wins his Blackjack hand, the TriLux Deluxe wager winnings will be paid even money, including instances where the player has Blackjack. The player may not cap TriLux Deluxe wager winnings to the initial Blackjack wager if the dealer has Blackjack.

(h) If, after capping the initial Blackjack wager, the player chooses to split a pair in accordance with § 633a.11 (relating to splitting pairs), the player must match the initial Blackjack wager and the portion of winnings in the TriLux Deluxe Press area added to the initial wager. A player may place a Double Down Wager in accordance with § 633a.10 (relating to Double Down Wager), and all standard and house rules shall apply.

(i) If a TriLux Deluxe wager wins, the payout shall be as follows:

<i>Hand</i>	<i>Paytable TLX-1</i>	<i>Paytable TLX-2</i>	<i>Paytable TLX-3</i>
Straight flush	20 to 1	20 to 1	25 to 1
Three-of-a-kind	15 to 1	15 to 1	15 to 1
Straight	9 to 1	9 to 1	8 to 1
Flush	6 to 1	5 to 1	5 to 1

(j) The payable used for the TriLux Deluxe wager shall be determined by the number of decks used at the Blackjack table as follows:

- (1) 1 deck—Paytable TLX-1.
- (2) 2 decks—Paytable TLX-2.
- (3) 4 decks—Paytable TLX-3.
- (4) 6 decks—Paytable TLX-3.
- (5) 8 decks—Paytable TLX-3.

§ 633b.12. AxMan wager.

(a) For the purposes of the AxMan wager, the following words and terms have the following meanings:

- (1) *Five-of-a-kind*—Five of the dealer’s cards are the same rank.
- (2) *Flush*—Five of the dealer’s cards are of the same suit.
- (3) *Four-of-a-kind*—Four of the dealer’s cards are the same rank.
- (4) *Full house*—Five of the dealer’s cards are made up of a Three-of-a-Kind and a pair.
- (5) *Jacks or better pair*—Two of the dealer’s cards are of the same rank and are a jack, queen, king, or ace.
- (6) *Straight*—Five of the dealer’s cards are sequential in rank.
- (7) *Straight flush*—Five of the dealer’s cards are sequential in rank and of the same suit.
- (8) *Three-of-a-kind*—Three of the dealer’s cards are the same rank.
- (9) *Two-pair*—Four of the dealer’s cards are two separate pairs.

(b) 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 Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing an AxMan wager which shall win if the cards in the dealer’s hand make up a poker hand of jacks or better pair, two pair, three-of-a-kind, full

house, four-of-a-kind, straight, flush, five-of-a-kind or straight flush. The AxMan wager may only be offered at Blackjack tables using a six or eight-deck batch or batches of cards.

(c) The layout for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the AxMan wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections), the layout shall contain a separate area designated for the placement of the AxMan wager.

(d) After placing a Blackjack wager, as required in § 633a.6(d), a player may place an AxMan wager before each round of Blackjack at any time before the dealer calls, "No more bets." An AxMan wager may be made for any amount within the table limits.

(e) The dealer shall then deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play), and the round of play shall be played and completed according to house rules and the provisions of § 633a.7, including the settling of the Blackjack wagers placed by each player.

(f) Immediately after the completion of the round of play in accordance with § 633a.7, the dealer's hand, including the bust card if there is one, will be interpreted as a poker hand. The dealer shall then, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, settle the player's AxMan wagers by collecting all losing wagers and paying all winning wagers.

(g) If the dealer's hand has five cards or less, including a bust card if there is one, the poker hand will consist of all cards in the dealer's hand. If the dealer's hand has six or more cards, including a bust card if there is one, the poker hand will consist of the five highest cards in the dealer's hand.

(h) If the dealer's hand has less than five cards, the poker hands that can be created are jacks or better pair, two pair, three-of-a-kind or four-of-a-kind. If one of these hands is created, the AxMan wager is a winner, and shall be settled in accordance with the payable in subsection (l).

(i) If the dealer's hand has five cards or more, the poker hands that can be created are those listed in subsection (h) and full house, straight, flush, five-of-a-kind and straight flush. If one of these hands is created, the AxMan wager is a winner, and shall be settled in accordance with the payable in subsection (l).

(j) If the dealer's hand does not create a poker hand of jacks or better pair or greater, the AxMan wager shall lose.

(k) If the dealer has a king of diamonds card in his hand, this card shall be treated as a wild card, meaning it can be assigned any rank. If the player has one king of diamonds card in the initial two cards of his Blackjack hand, it shall act as a two-times (2X) multiplier for the player's winning AxMan wager based upon the payable in subsection (l). If the player has two king of diamonds cards in the initial two cards of his Blackjack hand, it shall act as a five-times (5X) multiplier for the player's winning AxMan wager based upon the payable in subsection (l).

(l) If an AxMan wager wins, the payout shall be as follows:

<i>Hand</i>	<i>Paytable</i>
Straight flush (five cards)	1000 to 1
Five-of-a-kind (five cards)	500 to 1
Flush (five cards)	200 to 1
Straight (five cards)	100 to 1
Four-of-a-kind	50 to 1
Full house (five cards)	30 to 1
Three-of-a-kind	20 to 1
Two pair	12 to 1
Jacks or better pair	5 to 1

§ 633b.13. Buster Blackjack wager.

(a) If a certificate holder offers Blackjack, the 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 Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Buster Blackjack wager where a player places a wager as to whether the dealer's hand will result in a total point count in excess of 21 (a "bust").

(b) The layout for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Buster Blackjack wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections), the layout shall contain a separate area designated for the placement of the Buster Blackjack wager.

(c) The Buster Blackjack wager may be offered on tables where Blackjack is played with one-deck, six-deck or eight-deck shoes.

(d) After placing a Blackjack wager, as required in § 633a.6(d), and any other available optional wagers, a player may place a Buster Blackjack wager before each round of Blackjack at any time before the dealer calls, "No more bets." A Buster Blackjack wager may be made for any amount within the table limits.

(e) The dealer shall then deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play), and the round of play shall be played and completed according to house rules and the provisions of § 633a.7.

(f) After all action on the players' hands has been completed, the dealer shall draw cards to his hand until he reaches a point total of at least 17 or busts.

(g) If the dealer's hand does not result in a bust, the Buster Blackjack wager loses and shall be collected by the dealer.

(h) If the dealer's hand results in a bust, the Buster Blackjack wager wins, and shall be paid out based upon one of the following paytables which shall be specified in the Rules Submission under § 601a.2, with the payout determined by the number of cards in the dealer's hand when the bust occurs:

<i>Single Deck Shoe</i>			
<i>Dealer Busts with</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
8 or more cards	250 to 1	200 to 1	250 to 1
7 cards	50 to 1	50 to 1	50 to 1
6 cards	15 to 1	15 to 1	12 to 1
5 cards	4 to 1	4 to 1	4 to 1
4 cards	2 to 1	2 to 1	2 to 1
3 cards	2 to 1	2 to 1	2 to 1

<i>Dealer Busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
8 or more cards	200 to 1	250 to 1	250 to 1
7 cards	50 to 1	50 to 1	50 to 1
6 cards	12 to 1	12 to 1	20 to 1
5 cards	4 to 1	3 to 1	8 to 1
4 cards	2 to 1	2 to 1	2 to 1
3 cards	2 to 1	2 to 1	1 to 1

<i>Six-Deck Shoe</i>			
<i>Dealer Busts with</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
8 or more cards	250 to 1	200 to 1	250 to 1
7 cards	50 to 1	50 to 1	50 to 1
6 cards	15 to 1	15 to 1	12 to 1
5 cards	4 to 1	4 to 1	4 to 1
4 cards	2 to 1	2 to 1	2 to 1
3 cards	2 to 1	2 to 1	2 to 1

<i>Dealer Busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
8 or more cards	200 to 1	250 to 1	250 to 1
7 cards	50 to 1	50 to 1	50 to 1
6 cards	12 to 1	12 to 1	20 to 1
5 cards	4 to 1	3 to 1	8 to 1
4 cards	2 to 1	2 to 1	2 to 1
3 cards	2 to 1	2 to 1	1 to 1

<i>Eight-Deck Shoe</i>			
<i>Dealer Busts with</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
8 or more cards	250 to 1	200 to 1	250 to 1
7 cards	50 to 1	50 to 1	50 to 1
6 cards	15 to 1	15 to 1	12 to 1
5 cards	4 to 1	4 to 1	4 to 1
4 cards	2 to 1	2 to 1	2 to 1
3 cards	2 to 1	2 to 1	2 to 1

<i>Dealer Busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
8 or more cards	200 to 1	250 to 1	250 to 1
7 cards	50 to 1	50 to 1	50 to 1
6 cards	12 to 1	12 to 1	20 to 1
5 cards	4 to 1	3 to 1	8 to 1
4 cards	2 to 1	2 to 1	2 to 1
3 cards	2 to 1	2 to 1	1 to 1

(i) The certificate holder may also offer a cash bonus award to any player whose hand results in a Blackjack and who also wins a Buster Blackjack wager of at least \$5 with the dealer's hand busting with 7 cards or 8 or more cards, with one of the following payouts specified in the Rules Submission under § 601a.2(a):

<i>Dealer Busts with</i>	<i>Bonus Pay B1</i>	<i>Bonus Pay B2</i>
8 or more cards	\$8,000	\$5,000
7 cards	\$1,000	\$1,000

§ 633b.14. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Blackjack as described in Chapter 633a (relating to Blackjack) and either the optional Jackpot Party Progressive wager under § 633b.2 (relating to Jackpot Party progressive wager), the optional Blazing 7's progressive wager under 633b.9 (relating to Blazing 7's progressive wager), the optional Hit and Run Progressive wager under § 633a.6(e)(10) (relating to wagers) or the optional Straight Jack Progressive wager under § 633a.6(e)(11), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Blackjack wager in accordance with § 633a.6(d) and an optional Jackpot Party Progressive wager, Blazing 7's Progressive wager, Hit and Run Progressive wager or the Straight Jack Progressive wager, the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Blackjack wager and a Jackpot Party Progressive wager, a Blazing 7's Progressive wager, a Hit and Run Progressive wager or a Straight Jack Progressive wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Jackpot Party Progressive wager, Blazing 7's Progressive wager, Hit and Run Progressive wager or Straight Jack Progressive wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Jackpot Party Progressive wager, Blazing 7's Progressive wager, Hit and Run Progressive wager, or Straight Jack Progressive wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 635b. SPANISH 21 SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

635b.1. Match the Dealer Progressive Spanish 21 wager.

§ 635b.1. Match the Dealer Progressive Spanish 21 wager.

(a) A certificate holder may offer players the option to place a Match the Dealer Progressive Spanish 21 wager that one or both of the player's cards will match the dealer's upcard in one of the following combinations:

(1) *Two Suited Match, Aces of Spaces*—Both of the player's cards and the dealer's upcard are matching aces of spades.

(2) *Two Suited Match, All Others*—Both of the player's cards and the dealer's upcard are matching in suit and rank.

(3) *One Non-Suited Match and One Suited Match*—One of the player's cards matches the suit and rank of the dealer's upcard and the player's other card matches the rank of the dealer's upcard.

(4) *One Suited Match*—One of the player's cards matches the suit and rank of the dealer's upcard.

(5) *Two Non-Suited Matches*—Both of the player's cards match the rank of the dealer's upcard.

(6) *One Non-Suited Match*—One of the player's cards matches the rank of the dealer's upcard.

(b) The Match the Dealer Progressive wager may be played on a Spanish 21 table that utilizes 6 decks or 8 decks of cards.

(c) The layout for a Spanish 21 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 if the certificate holder offers the Match the Dealer Progressive wager, in addition to the requirements in § 635a.2 (relating to Spanish 21 table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for each player designated for the placement of the Match the Dealer Progressive wager for each player.

(d) If the certificate holder is offering the Match the Dealer Progressive wager, the Spanish 21 table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Match the Dealer Progressive wager. If the certificate holder is offering a Progressive Payout wager 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 wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Spanish 21 wager in accordance with § 635a.6(d) (relating to wagers), the option of placing a Match the Dealer Progressive wager of \$1 or \$5.

(f) After placing a Spanish 21 wager, as required in § 635a.6(d), and any optional wagers including the Match the Dealer Progressive wager, the dealer shall announce "No more bets" and, if the Match the Dealer Progressive wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive wagers. If any Progressive 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 wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 635a.7(a)—(e) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle the Match the Dealer Progressive wager as follows:

(1) If the player does not have a card that matches the dealer's upcard, the Match the Dealer Progressive wager shall lose.

(2) If the player has one of the winning combinations provided in subsection (a), the dealer shall settle the Match the Dealer Progressive wager as provided in subsection (h).

(h) If a player has won a Match the Dealer Progressive payout, 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 Match the Dealer Progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on 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 container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out winning Match the Dealer wagers, for the winning combination formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	8 to 1	11 to 1	75 to 1	50 to 1
1 Suited Match	5 to 1	9 to 1	4 to 1	4 to 1
2 Non-Suited Matches	6 to 1	4 to 1	25 to 1	15 to 1
1 Non-Suited Match	3 to 1	2 to 1	2 to 1	3 to 1
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	11 to 1	12 to 1	10 to 1	13 to 1
1 Suited Match	8 to 1	9 to 1	6 to 1	10 to 1
2 Non-Suited Matches	6 to 1	6 to 1	8 to 1	6 to 1
1 Non-Suited Match	3 to 1	3 to 1	4 to 1	3 to 1
<i>Result</i>	<i>Paytable 9</i>		<i>Paytable 10</i>	
2 Suited Match—Aces of Spades	100% Progressive		100% Progressive	
2 Other Suited Match—All Others	10% Progressive		10% Progressive	
1 Non-Suited and 1 Suited Match	75 to 1		11 to 1	
1 Suited Match	5 to 1		7 to 1	
2 Non-Suited Matches	15 to 1		8 to 1	
1 Non-Suited Match	3 to 1		4 to 1	
<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	8 to 1	11 to 1	12 to 1	10 to 1
1 Suited Match	5 to 1	9 to 1	10 to 1	7 to 1
2 Non-Suited Matches	6 to 1	4 to 1	4 to 1	6 to 1
1 Non-Suited Match	3 to 1	2 to 1	2 to 1	3 to 1
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	50 to 1	100 to 1	9 to 1	12 to 1
1 Suited Match	4 to 1	4 to 1	5 to 1	9 to 1

<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Non-Suited Matches	15 to 1	20 to 1	8 to 1	6 to 1
1 Non-Suited Match	3 to 1	2 to 1	4 to 1	3 to 1

<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	10 to 1	13 to 1
1 Suited Match	6 to 1	10 to 1
2 Non-Suited Matches	8 to 1	6 to 1
1 Non-Suited Match	4 to 1	3 to 1

(j) The initial seed amount of the progressive wager shall be 1,000 times the wager amount offered by the certificate holder, and the primary incrementation rate and secondary incrementation rate shall be 15% and 6%.

CHAPTER 639b. CARIBBEAN STUD POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.
639b.1 Must-Hit-By Mystery Bonus.

§ 639b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Caribbean Stud Poker as described in Chapter 639a (relating to Caribbean Stud Poker) and the optional Progressive Payout wager under 639a.7(d)(2) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Caribbean Stud wager in accordance with § 639a.7(d)(1) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Caribbean Stud Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Caribbean Stud Poker wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player’s qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player’s contribution increases the Must-Hit-By Mystery Bonus progressive meter’s jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player’s qualifying Progressive Payout wager and the minimum and

maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

*Paytable C—\$1 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

*Paytable C—\$2 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

*Paytable C—\$5 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

*Paytable D—\$1 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

*Paytable D—\$2 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

**CHAPTER 641b. FOUR CARD POKER SIDE
 WAGERS AND VARIATIONS—
 TEMPORARY REGULATIONS**

Sec.

641b.1. Must-Hit-By Mystery Bonus.

§ 641b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Four Card Poker as described in Chapter 641a (relating to Four Card Poker) and the optional Four-Card Progressive Payout wager under § 641a.6(b) (relating to Four Card Poker rankings) or Five-Card Progressive Payout wager under § 641a.6(d), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Four Card Poker wager in accordance with § 641a.6(d)(1) and an optional Four-Card Progressive Payout wager or Five-Card Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Four Card Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Four Card Poker wager and a Four-Card Progressive Payout wager or a Five-Card Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Four-Card Progressive Payout wager or Five-Card Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Four-Card Progressive Payout wager or Five-Card Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

*Paytable A—\$1 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 2%

*Paytable A—\$2 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 1.5%

*Paytable A—\$5 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$250
 Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 643b. LET IT RIDE POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

643b.1. Must-Hit-By Mystery Bonus.

§ 643b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Let It Ride Poker as described in Chapter 643a (relating to Let It Ride Poker) and the optional Three-Card Progressive Payout wager under § 643a.7(g) (relating to wagers) or Five-Card Progressive Payout wager under § 643a.7(h), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Let It Ride Poker wager in accordance with § 643a.6(a) (relating to Let It Ride Poker rankings) and an optional Three-Card Progressive Payout wager or Five-Card Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Let It Ride Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Let It Ride Poker wager and a Three-Card Progressive Payout wager or Five-Card Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Three-Card Progressive Payout wager or Five-Card Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Three-Card Progressive Payout wager or Five-Card Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus

meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 645b. PAI GOW POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

645b.1. Commission free Pai Gow Poker.

645b.2. Player activated Pai Gow Poker; Wagers based on the outcome of the dice.

645b.3. Must-Hit-By Mystery Bonus.

§ 645b.1. Commission free Pai Gow Poker.

(a) In addition to the provisions in Chapter 645a (relating to Pai Gow Poker), an operator may offer a variation of Pai Gow Poker in which no vigorish is collected as provided in this section.

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

Commission free Pai Gow Poker—A variation of Pai Gow Poker in which vigorish is not collected.

Tiger 9—The dealer's two-card low hand which contains a 9-high.

(c) In addition to the requirements in § 645a.2(b) (relating to Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics), if a certificate holder offers Commission free Pai Gow Poker, the layout shall contain:

(1) Separate areas designated for the Tiger 9 wager, if offered by the certificate holder.

(2) Inscriptions that advise patrons that if the dealer's hand contains a Tiger 9, all Pai Gow Poker wagers shall push and be returned to the player.

(d) If Commission free Pai Gow Poker is being played, the certificate holder may offer the following additional wagers:

(1) The Fortune Bonus wager as provided in § 645a.7(e)(1) (relating to wagers) and the Progressive Payout wager as provided in § 645a.7(e)(4).

(2) The Tiger 9 wager which shall win if the dealer's low hand is a 9-high.

(e) The dealer shall deal the cards in accordance with § 645a.8—645a.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). After the dealing procedures have been completed, each player shall examine and set his hand in accordance with § 645a.11(a) and (b) (relating to procedures for completion of each round of play). The cards of the dealer shall then be revealed and set in accordance with § 645a.11(c).

(f) The dealer shall then reveal the player's cards and complete the dealing procedures in § 645a.11(e) and (f) provided that if Commission free Pai Gow is being offered and the dealer:

(1) Has a Tiger 9 the player's Pai Gow Poker wager shall push and be returned to the player. If the player placed a Tiger 9 wager the dealer shall pay the winning wager in accordance with subsection (h).

(2) Does not have a Tiger 9, the player Pai Gow Poker wager shall be settled in accordance with § 645a.11(f). If the player placed a Tiger 9 wager, the dealer shall collect the player's losing Tiger 9 wager.

(g) If any player placed a Fortune Bonus or Progressive Payout wager, after settling the player's Tiger 9 and Pai Gow Poker wagers, the dealer shall complete the procedures in § 645a.11(h).

(h) The certificate holder shall pay out winning Tiger 9 wagers at odds of 30 to 1.

§ 645b.2. Player activated Pai Gow Poker; Wagers based on the outcome of the dice.

(a) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may use a player activated shaker to determine the starting position for the dealing of the cards in Pai Gow Poker.

(b) The player activated shaker shall be submitted to the Gaming Lab for approval in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use and must:

(1) Have the capability of being sealed or locked to ensure the integrity of the three dice contained inside the shaker.

(2) Shake the dice for at least 5 seconds to cause a random mixture of the dice.

(c) If the certificate holder offering the Beat It wager in accordance with subsection (e)(3)(i), the one red and two blue dice shall be used in the shaker. Dice used in the shaker shall comply with the requirements in:

(1) § 603a.12(a) and (c) (relating to dice; physical characteristics) if the certificate holder is utilizing an electronic shaker.

(2) § 603a.12(b) if a manual shaker is being utilized. If a manual shaker is being utilized, the certificate holder shall comply with the requirements in § 621a.2(d) (relating to Pai Gow table; Pai Gow shaker; physical characteristics).

(d) If the certificate holder offers optional wagers based on the outcome of the dice in the manual or player-activated automated shaker, the layout shall comply with the requirements in § 645a.2(b) (relating to Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics) and shall contain:

(1) A separate betting area for each player designated for the placement of the Sum wager if offered by the certificate holder.

(2) Six separate betting areas for each player inscribed with a one through six designated for the placement of the Match wager if offered by the certificate holder.

(3) A separate betting area for each player designed for the placement of the Beat It wager if offered by the certificate holder.

(e) The certificate holder may offer the following optional wagers based on the outcome of the dice contained in the shaker:

(1) A Sum wager, which shall win, depending on the payout table selected by the certificate holder in its Rules Submission, if:

(i) The total of the three dice is equal to an 8, 16 or 17.

(ii) The total of the three dice is equal to a 3, 8 or 9.

(iii) At least two of the dice are matching.

(iv) The three dice form a series, such as a 1, 2 and 3 or 3, 4 and 5.

(2) A Match wager which shall win if at least two of the dice match the value selected by the player. For example, a player's Match wager on the one shall win if two or three of the dice rolled is a one.

(3) A Beat It wager which shall win, depending on the payout table selected by the certificate holder in its Rules Submission, if:

(i) The red dice is equal in value to or greater than the sum of the two blue dice. For example, a player's Beat It wager shall win if the red dice is a six and the two blue dice are a two and a one for a total of three.

(ii) Any single dice beats the sum of the two other dice by one to four points. For example, a player's Beat It wager shall win if the dice rolled are a five, a one and a one ($5 - (1+1) = 3$).

(f) All wagers must be placed before the electronic shaker is activated or the manual shaker is utilized. After all wagers have been placed, the dealer shall announce "No more bets" and:

(1) If a player-activated electronic shaker is utilized, a selected player shall then activate the electronic shaker by pressing an activation button at the player's wagering position.

(2) If a manual shaker is utilized, the dealer shall shake the Pai Gow shaker at least three times to cause a random mixture of the dice. The dealer shall then remove the lid covering the Pai Gow shaker and place the uncovered Pai Gow shaker on the designated area of the table layout.

(g) After the dice come to rest, the dealer shall announce the numeric value of each die and settle the

player's Sum, Match and Beat It wagers by collecting losing wagers and paying out winning wagers as follows:

(1) Winning Sum wagers shall be paid out in accordance with one of the following payout tables selected by the certificate holder:

<i>Sum of Dice</i>	<i>Paytable A</i>	<i>Sum of Dice</i>	<i>Paytable B</i>
17	25 to 1	3	25 to 1
16	6 to 1	8	4 to 1
8	3 to 1	9	2 to 1

	<i>Paytable C</i>		<i>Paytable D</i>
Any three match	3 to 1	Any Series of three	15 to 2
Any two match	1 to 1		

(2) Winning Match wagers shall be paid out at following odds:

	<i>Payout</i>
Triple Match	100 to 1
Double Match	6 to 1

(3) Winning Beat It wagers shall be paid out in accordance with one of the following payout tables selected by the certificate holder:

<i>Red Die Beats Sum of Blue Dice by:</i>	<i>Paytable A</i>	<i>Paytable B</i>
4 Points	50 to 1	60 to 1
2 or 3 Points	10 to 1	10 to 1
Tie or 1 Point	1 to 1	1 to 1

	<i>Paytable C</i>
Any Die Beats Sum of other two by one or more Points	5 to 2

(e) After settling the Sum, Match and Beat It wagers, the dealer shall deal the cards in accordance with §§ 645a.8—645a.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) and complete the round of play in accordance with §§ 645a.11 and 645a.13 (relating to procedures for completion of each round of play; and payout odds; envy bonus; rate of progression; payout limitation).

§ 645b.3. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Pai Gow Poker as described in Chapter 645a (relating to Pai Gow Poker) and the optional Progressive Payout wager under § 645a.7(e)(4) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Pai Gow Poker wager in accordance with § 645a.7(d) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations

for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Pai Gow Poker wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

- (i) Verify that the appropriate light on the progressive table game system has been illuminated.
- (ii) Have a floorperson or above validate the progressive payout.
- (iii) Pay the Must-Hit-By Mystery Bonus.
- (iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

**CHAPTER 647b. TEXAS HOLD 'EM BONUS
 POKER SIDE WAGERS AND VARIATIONS—
 TEMPORARY REGULATIONS**

Sec.
 647b.1. Must-Hit-By Mystery Bonus.

§ 647b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Texas Hold 'Em Bonus Poker as described in Chapter 647a (relating to Texas Hold 'Em Bonus Poker) and the optional Progressive Payout wager under § 647a.7(d)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Texas Hold 'Em Bonus wager in accordance with § 647a.7(d)(1) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Texas Hold 'Em Bonus Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Texas Hold 'Em Bonus Poker wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 1.5%

*Paytable A—\$5 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$250
 Incremental Contribution Rate 1%

*Paytable B—\$1 Configuration**Configuration B*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 5%

*Paytable B—\$2 Configuration**Configuration B*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 3.5%

*Paytable B—\$5 Configuration**Configuration B*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

*Paytable C—\$1 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

*Paytable C—\$2 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

*Paytable C—\$5 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

*Paytable D—\$1 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

*Paytable D—\$2 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

**CHAPTER 649b. THREE CARD POKER
 SIDE WAGERS AND VARIATIONS—
 TEMPORARY REGULATIONS**

Sec.

649b.1. Must-Hit-By Mystery Bonus.

§ 649b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Three Card Poker as described in Chapter 649a (relating to Three Card Poker) and the optional Three-Card Progressive Payout wager under § 649a.7(d)(4) (relating to wagers) or Five-Card Progressive Payout wager under § 649a.7(d)(6), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Three Card Poker wager in accordance with § 649a.7(d)(1) and an optional Three-Card Progressive Payout wager or Five-Card Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Three Card Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Three Card Poker wager and a Three-Card Progressive Payout or Five-Card Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Three-Card Progressive Payout wager or Five-Card Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive

meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Three-Card Progressive Payout wager or Five-Card Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$250
 Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

- (i) Verify that the appropriate light on the progressive table game system has been illuminated.
- (ii) Have a floorperson or above validate the progressive payout.
- (iii) Pay the Must-Hit-By Mystery Bonus.
- (iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 653b. ULTIMATE TEXAS HOLD 'EM POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.
 653b.1. Must-Hit-By Mystery Bonus.

§ 653b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Ultimate Texas Hold 'Em Poker as described in Chapter 653a (relating to Ultimate Texas Hold 'Em Poker) and the optional Progressive Payout wager under § 653a.7(d)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed an Ultimate Texas Hold 'Em wager in accordance with § 653a.7(d)(1) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Ultimate Texas Hold 'Em Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with

§ 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing an Ultimate Texas Hold 'Em Poker wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

**CHAPTER 655b. MISSISSIPPI STUD SIDE
WAGERS AND VARIATIONS—
TEMPORARY REGULATIONS**

Sec.
655b.1. Must-Hit-By Mystery Bonus.

§ 655b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Mississippi Stud as described in Chapter 655a (relating to Mississippi Stud) and the optional Progressive Payout wager under § 655a.7(d)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Mississippi Stud wager in accordance with § 655a.7(d)(1) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Mississippi Stud table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Mississippi Stud wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$5

Minimum Dollar Value \$250

Maximum Dollar Value \$1,000

Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 657b. CRAZY 4 POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

657b.1. Must-Hit-By Mystery Bonus.

§ 657b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Crazy 4 Poker as described in Chapter 657a (relating to Crazy 4 Poker) and the optional Four-Card Progressive Payout wager under § 657a.7(d)(3) (relating to wagers) or Five-Card Progressive Payout wager under § 649a.7(d)(4) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Crazy 4 Poker wager in accordance with § 657a.7(d)(1) and an optional Four-Card Progressive Payout wager or Five-Card Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Crazy 4 Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Crazy 4 Poker wager and a Four-Card Progressive Payout or Five-Card Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Four-Card Progressive Payout wager or Five-Card Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive

meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Four-Card Progressive Payout wager or Five-Card Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

*Paytable A—\$1 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$1

Minimum Dollar Value \$100

Maximum Dollar Value \$200

Incremental Contribution Rate 2%

*Paytable A—\$2 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$2

Minimum Dollar Value \$100

Maximum Dollar Value \$200

Incremental Contribution Rate 1.5%

*Paytable A—\$5 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$5

Minimum Dollar Value \$100

Maximum Dollar Value \$250

Incremental Contribution Rate 1%

*Paytable B—\$1 Configuration**Configuration B*

Minimum Progressive Wager Amount—\$1

Minimum Dollar Value \$100

Maximum Dollar Value \$500

Incremental Contribution Rate 5%

*Paytable B—\$2 Configuration**Configuration B*

Minimum Progressive Wager Amount—\$2

Minimum Dollar Value \$100

Maximum Dollar Value \$500

Incremental Contribution Rate 3.5%

*Paytable B—\$5 Configuration**Configuration B*

Minimum Progressive Wager Amount—\$5

Minimum Dollar Value \$100

Maximum Dollar Value \$500

Incremental Contribution Rate 2%

*Paytable C—\$1 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$1

Minimum Dollar Value \$250

Maximum Dollar Value \$500

Incremental Contribution Rate 2%

*Paytable C—\$2 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$2

Minimum Dollar Value \$250

Maximum Dollar Value \$500

Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 659b. FORTUNE ASIA POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.
 659b.1. Must-Hit-By Mystery Bonus.

§ 659b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Fortune Asia Poker as described in Chapter 659a (relating to Fortune Asia Poker) and the optional Progressive Payout wager under § 659a.7(e)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Fortune Asia Poker wager in accordance with § 659a.7(d) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Fortune Asia Poker table shall be submitted to the Bureau of Gaming Opera-

tions for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Fortune Asia Poker wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$250
 Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 3.5%

*Paytable B—\$5 Configuration**Configuration B*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

*Paytable C—\$1 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

*Paytable C—\$2 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

*Paytable C—\$5 Configuration**Configuration C*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

*Paytable D—\$1 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

*Paytable D—\$2 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

**CHAPTER 670b. SIX-CARD FORTUNE PAI GOW
 POKER SIDE WAGERS AND VARIATIONS—
 TEMPORARY REGULATIONS**

Sec.

670b.1. Must-Hit-By Mystery Bonus.

§ 670b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Six-Card Fortune Pai Gow Poker as described in Chapter 670a (relating to Six-Card Fortune Pai Gow Poker) and the optional Progressive Payout wager under § 670a.7(e)(4) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Six-Card Fortune Pai Gow Poker wager in accordance with § 670a.7(d) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Six-Card Fortune Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Six-Card Fortune Pai Gow Poker wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

*Paytable A—\$1 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 2%

*Paytable A—\$2 Configuration**Configuration A*

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$250
 Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 685b. DOWN UNDER BLACKJACK SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

685b.1. Match the Dealer Progressive Down Under Blackjack wager.

§ 685b. 1. Match the Dealer Progressive Down Under Blackjack wager.

(a) A certificate holder may offer players the option to place a Match the Dealer Down Under Blackjack wager that one or both of the player's cards will match the dealer's upcard in one of the following combinations:

(1) *Two Suited Match, Aces of Spaces*—Both of the player's cards and the dealer's upcard are matching aces of spades.

(2) *Two Suited Match, All Others*—Both of the player's cards and the dealer's upcard are matching in suit and rank.

(3) *One Non-Suited Match and One Suited Match*—One of the player's cards matches the suit and rank of the dealer's upcard and the player's other card matches the rank of the dealer's upcard.

(4) *One Suited Match*—One of the player's cards matches the suit and rank of the dealer's upcard.

(5) *Two Non-Suited Matches*—Both of the player's cards match the rank of the dealer's upcard.

(6) *One Non-Suited Match*—One of the player's cards matches the rank of the dealer's upcard.

(b) The Dealer Match Progressive wager may be played on a Down Under Blackjack table that utilizes 6 or 8 decks of cards.

(c) The layout for a Down Under Blackjack 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 if the certificate holder offers the Match the Dealer Progressive wager, in addition to the requirements in § 685a.2 (relating to Down Under Blackjack table; Masque Card Reader device; physical characteristics;

inspections) the layout shall contain a separate area for each player designated for the placement of the Match the Dealer Progressive wager for each player.

(d) If the certificate holder is offering the Match the Dealer Progressive wager, the Down Under Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Match the Dealer Progressive wager. If the certificate holder is offering a Progressive Payout wager 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 wager.

(2) A device that controls or monitors the placement of Progressive wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive wager that a player attempts to place after the dealer has announced “No more bets.”

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Down Under Blackjack wager in accordance with § 685a.6(d) (relating to wagers), the option of placing a Match the Dealer Progressive wager of \$1 or \$5.

(f) After placing a Down Under Blackjack wager, as required in § 685a.6(d), and any optional wagers including the Match the Dealer Progressive wager, the dealer shall announce “No more bets” and, if the Match the Dealer Progressive wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive wagers. If any Progressive 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 wagers accepted by the

progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 685a.7(a)—(e) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle the Match the Dealer Progressive wager as follows:

(1) If the player does not have a card that matches the dealer’s upcard, the Match the Dealer Progressive wager shall lose.

(2) If the player has one of the winning combinations provided in subsection (a), the dealer shall settle the Match the Dealer Progressive wager as provided in subsection (h).

(h) If a player has won a Match the Dealer Progressive payout, 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 Match the Dealer Progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on 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 container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out winning Match the Dealer wagers, for the winning combination formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	12 to 1	10 to 1	8 to 1	75 to 1
1 Suited Match	10 to 1	7 to 1	4 to 1	4 to 1
2 Non-Suited Matches	4 to 1	6 to 1	8 to 1	15 to 1
1 Non-Suited Match	2 to 1	3 to 1	4 to 1	3 to 1
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	12 to 1	13 to 1	11 to 1	100 to 1
1 Suited Match	9 to 1	10 to 1	7 to 1	5 to 1
2 Non-Suited Matches	6 to 1	6 to 1	8 to 1	20 to 1
1 Non-Suited Match	3 to 1	3 to 1	4 to 1	3 to 1

<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	15 to 1	13 to 1
1 Suited Match	12 to 1	9 to 1
2 Non-Suited Matches	6 to 1	8 to 1
1 Non-Suited Match	3 to 1	4 to 1

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	9 to 1	12 to 1	8 to 1	75 to 1
1 Suited Match	6 to 1	10 to 1	4 to 1	4 to 1
2 Non-Suited Matches	6 to 1	4 to 1	8 to 1	15 to 1
1 Non-Suited Match	3 to 1	2 to 1	4 to 1	3 to 1

<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	12 to 1	10 to 1	13 to 1	14 to 1
1 Suited Match	9 to 1	6 to 1	10 to 1	11 to 1
2 Non-Suited Matches	6 to 1	8 to 1	6 to 1	6 to 1
1 Non-Suited Match	3 to 1	4 to 1	3 to 1	3 to 1

<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
2 Suited Match—Aces of Spades	100% Progressive	100% Progressive
2 Suited Match—All Others	10% Progressive	10% Progressive
1 Non-Suited and 1 Suited Match	100 to 1	15 to 1
1 Suited Match	5 to 1	12 to 1
2 Non-Suited Matches	20 to 1	6 to 1
1 Non-Suited Match	3 to 1	3 to 1

(j) The initial seed amount of the progressive wager shall be 1,000 times the wager amount offered by the certificate holder, and the primary incrementation rate and secondary incrementation rate shall be 15% and 6%.

CHAPTER 687b. DJ WILD STUD POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec. 687b.1. Must-Hit-By Mystery Bonus.

§ 687b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers DJ Wild Stud Poker as described in Chapter 687a (relating to DJ Wild Stud Poker) and the optional Progressive Bonus wager under § 687a.7(d)(2) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a DJ Wild Stud Poker wager in accordance with § 687a.7(d)(1) and an optional Progressive Bonus wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the DJ Wild Stud Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relat-

ing to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a DJ Wild Stud Poker wager and a Progressive Bonus wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Bonus wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Bonus wager and the minimum and

maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$200
Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$250
Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$100
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$500
Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
Minimum Dollar Value \$250
Maximum Dollar Value \$1,000
Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 688b. FACE UP PAI GOW POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

Sec.

688b.1. Must-Hit-By Mystery Bonus.

§ 688b.1. Must-Hit-By Mystery Bonus.

(a) If the certificate holder offers Face Up Pai Gow Poker as described in Chapter 688a (relating to Face Up Pai Gow Poker) and the optional Progressive Payout wager under § 688a.7(e)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Face Up Pai Gow Poker wager in accordance with § 688a.7(d) and an optional Progressive Payout wager the opportunity to win the Must-Hit-By Mystery Bonus.

(b) The layout and signage for the Face Up Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery Bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery Bonus by placing a Face Up Pai Gow Poker wager and a Progressive Payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Progressive Payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery Bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery Bonus when a qualifying player's contribution increases the Must-Hit-By Mystery Bonus progressive meter's jackpot amount in excess of a random dollar value pre-selected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Progressive Payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery Bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$200
 Incremental Contribution Rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$250
 Incremental Contribution Rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$100
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$500
 Incremental Contribution Rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum Progressive Wager Amount—\$1
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum Progressive Wager Amount—\$2
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum Progressive Wager Amount—\$5
 Minimum Dollar Value \$250
 Maximum Dollar Value \$1,000
 Incremental Contribution Rate 2%

(5) If a player has won the Must-Hit-By Mystery Bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery Bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission form, filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery Bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery Bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

[Pa.B. Doc. No. 21-1462. Filed for public inspection September 3, 2021, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 61, 63, 65, 67 AND 69]

Fishing

The Fish and Boat Commission (Commission) proposes to amend Chapters 61, 63, 65, 67 and 69. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments will establish a single, Statewide opening day for the regular season for trout.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2022.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

The proposed amendments to §§ 63.3, 65.6, 65.12, 65.14, 65.15, 65.19 and 65.20 are published under the statutory authority of section 2102(a) of the code (relating to rules and regulations). The proposed amendments to §§ 61.1, 61.2 and 69.12a (relating to Commonwealth inland waters; Delaware River, West Branch Delaware River and River Estuary; and special regulations applicable to Lake Erie tributary streams) are published under the statutory authority of section 2102(b) of the code. The proposed amendment to § 67.2 (relating to refuge areas) is published under the statutory authority of section 2306(a) of the code (relating to refuge areas). The proposed amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307(a) of the code (relating to waters limited to specific purposes). The proposed amendment to § 63.20 (relating to permits for the protection and management of trout and salmon) is published under the statutory authority of section 2904(a) of the code (relating to permits for the protection and management of particular fish). The proposed amendment to § 65.26 (relating to extended trout season) is published under the statutory authority of sections 2102(b) and 2307(a) of the code.

D. *Purpose and Background*

The specific purpose and background of the proposed amendments are described in more detail under the summary of proposal.

E. *Summary of Proposal*

Under § 61.1, the opening day of the regular season for trout begins at 8 a.m. on the first Saturday after April 11 and continues through midnight of Labor Day. This regulation was in place for all of this Commonwealth's inland waters for many years and is a well-known, much anticipated tradition. However, on January 1, 2007, a new regulation went into effect under § 65.12 (relating to regional opening day of trout season). This regulation created a separate opening day for southeastern and southcentral counties where trout season opens at 8 a.m. on the first Saturday after March 28 and continues through midnight of Labor Day.

In late winter 2020, the novel coronavirus (COVID-19) pandemic reached this Commonwealth and on March 16, 2020, the Commonwealth eliminated most activities that were not considered essential for health and safety. Subsequently, there was substantial concern within the Commission that traditional stocking practices with large numbers of volunteers in close contact and traditional opening day crowds could lead to increased risk of virus transmission. As such, the decision was made to greatly accelerate trout stocking, eliminate the use of volunteers, deploy Commission staff from throughout the agency to perform the stockings, and announce the opening day without warning at 8 a.m. on Tuesday April 7, 2020. This unheralded opening was designed to reduce crowding, and a single, Statewide opening day was employed to reduce cross-boundary travel between the Statewide and regional opening day zones. In addition, public travel restrictions required more anglers to fish closer to home than they would under normal circumstances.

Planning for the 2021 trout stocking season began in early fall of 2020 in anticipation that COVID-19 restrictions and concerns about virus transmission may still be in effect. At the January 2021 quarterly Commissioners meeting, a single, Statewide opening day was established for 2021.

After experiencing 2 consecutive years of a single, Statewide opening day, Commission staff identified an opportunity to further consider the efficacy of the current Commission regulations that provide for a regional opening day of trout season. An ad hoc committee with representatives from the Bureaus of Fisheries; Hatcheries; Law Enforcement; Outreach, Education and Marketing; Administration; Policy and Planning; the Field Operations Deputy Executive Director; and Office of Chief Counsel for review was formed. The committee reviewed the history and summary of opening day designations for trout season. Following that review, the committee recommended the elimination of the regional opening day of trout season and a return to the more traditional single Statewide opener. Commission staff believe that a single opening day simplifies regulations, reduces confusion among the angling public, lessens landowner issues in border counties, gives Statewide anglers at least an extra week of fishing opportunity and better allows businesses to plan for any sales surge.

The elimination of a regional opening day also requires minor amendments to various sections referencing trout season. As such, Commission staff recommend reformatting the dates in regulations relating to trout season for clarification and simplification. Finally, consistent with the act of July 10, 2020, (P.L. 604, No. 56) staff recommend that any reference in the regulations to the trout/salmon permit be changed to trout permit.

The Commission proposes that §§ 61.1, 61.2, 63.3, 63.20, 65.5, 65.6, 65.12, 65.14, 65.15, 65.19, 65.20, 65.24, 65.26, 67.2 and 69.12a be amended to read as set forth in Annex A.

F. *Paperwork*

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-318. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 61. SEASONS, SIZES AND CREEL LIMITS

§ 61.1. Commonwealth inland waters.

* * * * *

(d) Except as otherwise provided in this subpart, the following seasons, sizes, and daily limits apply to inland waters of this Commonwealth and the Youghiogeny Reservoir:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
ALL SPECIES OF TROUT AND SALMON (except landlocked Atlantic salmon)	Regular Season: 8 a.m. first Saturday [after April 11] in April to midnight Labor Day	7 inches	5 (combined species) except areas with special regulations (see Chapter 65 (relating to special fishing regulations))
	Extended Season: Stocked trout waters and all waters downstream of stocked trout waters 12:01 a.m. day after Labor Day to midnight [last day of February] the third Monday in February of the following year.	7 inches	3 (combined species), except Class A wild trout streams, where the daily limit is 0, and areas with special regulations
* * * * *			

§ 61.2. Delaware River, West Branch Delaware River and River Estuary.

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(e) The following seasons, sizes and creel limits apply to the Delaware River, West Branch Delaware River and Delaware River tributaries, from the mouths of the tributaries upstream to the limit of the tidal influence and the Lehigh River from its mouth upstream to the first dam in Easton, Pennsylvania:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
TROUT	8 a.m., [first Saturday after April 11] the opening day of the regular season for trout to midnight, October 15	North of I-84: 14 inches	North of I-84: 1 (combined species)
		South of I-84: no minimum	South of I-84: 5 (combined species)
		West Branch Delaware River:* 12 inches	West Branch Delaware River:* 2 (combined species)
* * * * *			

* A special no-kill artificial lures only season is in effect on the West Branch of the Delaware River from October [**1**] **16** to midnight on the Friday before the [**first Saturday after April 11**] **opening day of the regular season for trout**. See § 65.24. **It is unlawful for any person to possess a female crab bearing eggs from which the egg pouch or bunion has been removed.

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CHAPTER 63. GENERAL FISHING REGULATIONS**§ 63.3. Fishing in stocked trout waters.**

It is unlawful to fish in stocked trout waters regulated under § 61.1 (relating to Commonwealth inland waters) from 12:01 a.m. on [**March 1**] **the third Monday in February** to 8 a.m. on the [**first Saturday after April 11** and in stocked trout waters regulated under § 65.12 (relating to regional opening day of trout season) from 12:01 a.m. on **March 1** to 8 a.m. on the **first Saturday after March 28**] **opening day of the regular season for trout**. As used in this subpart, the term "stocked trout waters" means waters that are stocked with adult trout by the Commission. A listing of stocked trout waters is published in the Commission's "Summary of Fishing Regulations and Laws," which is available from the Commission at Post Office Box 67000, Harrisburg, Pennsylvania 17106-7000. The Executive Director or a designee may, from time to time, supplement or modify the list of stocked trout waters, and additions or deletions will be published in the *Pennsylvania Bulletin*.

§ 63.20. Permits for the protection and management of trout [**and salmon**].

(a) *Finding*. The Commission finds under section 2904 of the code (relating to permits for the protection and management of particular fish) that it is necessary for the protection and management of trout [**and salmon**] in the waters of this Commonwealth that persons who fish for trout [**or salmon**] have a permit for that activity.

(b) *Permit required*. It is unlawful for a person required by Chapter 27 of the code (relating to fishing licenses) to procure a fishing license to fish for trout [**or salmon**] unless that person has first procured a valid [**trout/salmon**] **trout** permit or a combination [**trout/salmon**] **trout** permit and Lake Erie permit.

(c) *Exceptions*.

(1) The Commission will issue a [**trout/salmon**] **trout** permit without fee to disabled veterans who possess a free fishing license under section 2707 of the code (relating to disabled veterans).

(2) A person who is exempt from the fishing license requirements of Chapter 27 of the code or who is issued an institutional fishing license under section 2708 of the code (relating to institutional licenses) is exempt from this section.

(3) A person who purchased a senior resident lifetime fishing license and a [**trout/salmon**] **trout** permit or a combination [**trout/salmon**] **trout** permit and Lake Erie permit prior to January 1, 2015, shall be exempt from the requirements of this section.

(4) A [**trout/salmon**] **trout** permit is not required to fish for trout [**or salmon**] on free fishing days designated by the Commission under section 2709(d) of the code (relating to exemptions from license requirements).

(5) A [**trout/salmon**] **trout** permit is not required to fish for trout [**or salmon**] on Class A regulated fishing lakes. A [**trout/salmon**] **trout** permit is not required to fish for trout [**or salmon**] on designated Class B regulated fishing lakes that have the following characteristics:

(i) The lake is a natural pond or impoundment located wholly on private property and constructed and maintained wholly with private funds.

(ii) The lake is operated by a private club or organization.

(iii) The lake is not open for fishing by the general public [,] and fishing is restricted to members only.

(iv) The trout/salmon population of the lake is composed entirely of trout or salmon stocked from private resources and contains no trout or salmon stocked by the Commission, the United States Government or cooperative nurseries recognized by the Commission.

(d) *Fish for trout or salmon*. A person fishes for trout or salmon when one of the following applies:

(1) The person fishes in waters under special trout regulations designated under those sections of Chapter 65 (relating to special fishing regulations) that require a [**trout/salmon**] **trout** permit, wilderness trout streams or their tributaries or Class A wild trout waters or their tributaries.

(2) The person fishes in streams or rivers that are stocked trout waters as defined in § 63.3 (relating to fishing in stocked trout waters) or their tributaries during the period from 12:01 a.m. on [**March 1**] **the third Monday in February** until midnight May 31.

(3) The person takes, kills or possess, while in the act of fishing, a trout or salmon on or in waters of this Commonwealth or boundary waters.

CHAPTER 65. SPECIAL FISHING REGULATIONS**§ 65.5. Catch and release artificial lures only.**

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release. The designation of waters as catch and release shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in areas designated and posted catch and release except in compliance with the following requirements:

(1) Fishing may be done with artificial lures only constructed of metal, plastic, rubber, or wood or with flies and streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of any other lures or substances is prohibited.

(2) No trout may be killed or had in possession.

(3) Open to fishing year-round.

(4) Wading is permitted unless otherwise posted.

(5) Taking of bait fish or fish bait is prohibited.

(6) A current [**trout/salmon**] **trout** permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the catch and release area.

§ 65.6. Delayed harvest artificial lures only areas.

(a) The Executive Director, with the approval of the Commission, may designate waters as delayed harvest,

artificial lures only areas. The designation of waters as delayed harvest, artificial lures only areas shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted delayed harvest, artificial lures only areas except in compliance with the following requirements:

(1) Fishing may be done with artificial lures only constructed of metal, plastic, rubber, or wood or with flies or streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear.

(2) The use or possession of any natural bait, bait fish, fish bait, bait paste and similar substances, fish eggs (natural or molded) or any other edible substance is prohibited.

(3) Minimum size is: 9 inches, caught on, or in possession on, the waters under regulation.

(4) The daily creel limit is: three combined species except during the period after Labor Day and before June 15 when the daily limit shall be zero trout combined species, caught on or in possession on the waters under regulation.

(5) Taking of bait fish or fish bait is prohibited.

(6) A current [trout/salmon] trout permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the delayed harvest artificial lures only area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the delayed harvest artificial lures only area.

§ 65.12. Regional opening day of trout season.

[(a)] The Executive Director, with the approval of the Commission, may designate waters in certain regions as part of the regional opening day of trout season. The designation of waters as part of the regional opening day of trout season shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

[(b) It is unlawful to fish in waters designated as part of the regional opening day of trout season except in compliance with the following seasons, sizes and creel limits:

SEASONS	MINIMUM SIZE	DAILY LIMIT
Regular Season: 8 a.m. first Saturday after March 28 to midnight Labor Day	7 inches	5 (combined species) except areas with special regulations (see Chapter 65 (relating to special fishing regulations))
Extended Season: Stocked trout waters and all waters downstream of stocked trout waters 12:01 a.m. day after Labor Day to midnight last day of February of the following year	7 inches	3 (combined species) except Class A wild trout streams where the daily limit is 0, and areas with special regulations (see Chapter 65)

(c) It is unlawful to take, catch, kill, or possess trout except during the seasons specified in this section. It is not a violation of this section if a trout caught out of season from waters where fishing for other species is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(d) It is unlawful to take, catch, kill, or possess trout of less than the minimum size specified in this section. It is not a violation of this section if an undersized trout taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(e) It is unlawful to take, catch or kill more than 1 day's limit of any species of trout as specified in this section during 1 calendar day. It is unlawful to possess more than 1 day's limit of any species of trout as specified in this section except under the following circumstances:

(1) A person may possess any number of lawfully caught trout at the person's residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may possess, while transporting trout from the place where caught to his residence, a number of trout equal to no more than two times the daily creel limit for trout. In prosecutions for violations of this section, it shall be a rebuttable presumption

that a person transporting trout from a fishing site caught all of the trout during 1 calendar day.

(3) A trout will not be considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(4) Any trout caught that is not to be counted in the creel limit shall be immediately released unharmed to the waters from which taken. Except as otherwise provided in §§ 53.24 or 63.40 (relating to tournament and fishing derby permits; and fishing tournaments and fishing derbies), a trout placed on a stringer or confined by any type of container, structure or device or not returned immediately to the water will be considered as part of the daily creel or possession limits. Trout returned to the water shall be handled carefully and be returned unharmed to the waters from which taken.

(5) Trout may be given to another person, but the trout shall be counted in the donor's creel limit and neither donor nor the recipient may kill or possess (while in the act of fishing) more than the limit allowed.]

§ 65.14. Catch and release fly-fishing only.

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release fly-fishing only. The designation of waters as catch and

release fly-fishing only shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated and posted as catch and release fly-fishing only except in compliance with the following requirements:

(1) Fishing may be done with artificial flies and streamers constructed of natural or synthetic materials so long as all flies are constructed in a normal fashion with components wound on or about the hook or hooks. Use or possession of any other lures or substances is prohibited.

(2) Fishing shall be done with tackle which is limited to fly rods, fly reels and fly line with leader material or monofilament line attached. Spinning, spincast, and casting rods and reels are prohibited.

(3) No trout may be killed or had in possession.

(4) Open to fishing year-round.

(5) Taking of baitfish or fishbait is prohibited.

(6) Wading is permitted unless otherwise posted.

(7) A current [**trout/salmon**] **trout** permit is required.

(c) Notwithstanding the requirements of this section an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release fly-fishing only area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the catch and release fly-fishing only area.

§ 65.15. Catch and release all-tackle.

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release

all-tackle. The designation of waters as catch and release all-tackle shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated and posted catch and release all-tackle except in compliance with the following requirements:

(1) There are no tackle restrictions.

(2) No trout may be killed or had in possession.

(3) Open to fishing year-round; there is no closed season.

(4) A current [**trout/salmon**] **trout** permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release all-tackle area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the catch and release all-tackle area

§ 65.19. Stocked trout waters open to year-round fishing.

(a) The Executive Director, with the approval of the Commission, may designate waters as stocked trout waters open to year-round fishing. The designation of waters as stocked trout waters open to year-round fishing shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as stocked trout waters open to year-round fishing except in compliance with the following seasons and size and creel limits. It is not a violation of this section if a trout is immediately returned unharmed to the waters from which it is taken.

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
ALL SPECIES OF TROUT AND SALMON (except landlocked Atlantic salmon)	Regular Season: 8 a.m. [first Saturday after April 11 (or first Saturday after March 28 for waters designated as part of the regional opening day of trout season)] of the opening day of the regular season for trout to midnight Labor Day	7 inches	5 (combined species)
	Extended Season: 12:01 a.m. day after Labor Day to midnight [last day of February] the third Monday in February of the following year	7 inches	3 (combined species)
	12:01 [first day of March to first Saturday after April 11 (or first Saturday after March 28 for waters designated as part of the regional opening day of trout season.)] a.m. the third Monday in February to 8 a.m. the opening day of the regular season for trout	NO HARVEST—Catch and immediate release only	

(c) It is unlawful to fish in rivers and streams designated as stocked trout waters open to year-round fishing without a current [**trout/salmon**] **trout** permit. A

[**trout/salmon**] **trout** permit is not required to fish in lakes and ponds that have been designated as stocked trout waters open to year-round fishing unless the person

takes, kills or possesses, while in the act of fishing, a trout or salmon on or in these waters.

§ 65.20. Mentored Youth Fishing Day Program.

(a) The Executive Director may annually designate Mentored Youth Fishing Days. As part of the designation, the Executive Director will identify the species, waters, dates, creel and minimum size limits and other applicable limitations. The designation will be effective upon publication of a notice in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as part of the Mentored Youth Fishing Day Program except in compliance with the following requirements when participating in the Mentored Youth Fishing Day Program:

(1) Anglers shall adhere to the limitations as established by the Executive Director by notice in the *Pennsylvania Bulletin*.

(2) An angler 16 years of age or older shall be accompanied by a youth, less than 16 years of age, who has obtained a mentored youth permit or a voluntary youth fishing license from the Commission.

(3) A youth angler shall obtain a mentored youth permit or a voluntary youth fishing license from the Commission and be accompanied by an angler 16 years of age or older.

(4) A current [**trout/salmon**] **trout** permit is required for an angler 16 years of age or older when participating in a Mentored Youth Fishing Day Program that relates to trout.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the water designated as part of the Mentored Youth Fishing Day Program without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the water designated as part of the Mentored Youth Fishing Day Program.

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

County	Name of Water	Special Regulations
* * * * *		
Centre and Mifflin	Penns Creek, from the confluence of Elk Creek downstream 7 miles to 600 meters downstream of Swift Run	Open to fishing year-round. All tackle types are permitted. From 8 a.m. on the [first Saturday after April 11] opening day of the regular season for trout through Labor Day—the daily creel limit for trout is 2 (combined species). Trout must be at least 7 inches but less than 12 inches in length to be killed or possessed. From the day after Labor Day until 8 a.m. on the [first Saturday after April 11] opening day of the regular season for trout , no trout may be killed or possessed. Inland regulations apply to all other species. This miscellaneous special regulation will remain in effect until further notice.
* * * * *		
Huntingdon	Raystown Lake (includes Raystown Branch from the Raystown Dam downstream to the confluence with the Juniata River).	Trout (all species)—no closed season. Daily limit: [First Saturday after April 11] opening day of the regular season for trout until Labor Day—5 trout per day; day after Labor Day to [first Saturday after April 11] opening day of the regular season for trout of the following year—3 trout per day. Size limits: Inland rules apply. Smelt may be taken from shore or by wading by means of dip nets not to exceed 20 inches in diameter or 20 inches square. The daily limit per person is the greater of 1 gallon of smelt by volume or 200 smelt by number.
* * * * *		
Luzerne	Harveys Lake	During the period from the [first Saturday after April 11 through midnight last day of] opening day of the regular season for trout through midnight the third Monday in February, the daily creel limit for trout (combined species) is 3, only one of

County	Name of Water	Special Regulations
* * * * *		
Somerset, Fayette, Westmoreland and Allegheny	Youghiogheny River from confluence with Casselman River downstream to the confluence with Ramcat Run Youghiogheny River from the pipeline crossing at the confluence with Lick Run downstream to the mouth of the river.	Trout (all species)—no closed season. Daily limit: [First Saturday after April 11] opening day of the regular season for trout until Labor Day—5 trout per day; day after Labor Day to [first Saturday after April 11] opening day of the regular season for trout of the following year—3 trout per day. Inland regulations apply to warmwater/coolwater species.
Warren	Allegheny River—8.75 miles downstream from the outflow of the Allegheny Reservoir to the confluence with Conewago Creek	Trout—minimum size limit—14 inches; daily creel limit—2 trout per day (combined species) from 8 a.m. on the [first Saturday after April 11] opening day of the regular season for trout through midnight Labor Day, except during the period from the day after Labor Day to the [first Saturday after April 11] opening day of the regular season for trout of the following year, when no trout may be killed or had in possession. Other inland seasons, sizes and creel limits apply.
* * * * *		
Washington	Little Chartiers Creek from Canonsburg Lake Dam approximately 1/2 mile downstream to mouth of Chartiers Creek	Fishing is prohibited from 12:01 a.m. [March 1] the third Monday in February to 8 a.m. the [first Saturday after April 11] opening day of the regular season for trout .
Wayne	West Branch Delaware River	Trout: From the Pennsylvania/New York border downstream to the confluence with the East River Branch of the Delaware River: no-harvest artificial lures only season on trout from October 16 until midnight of the Friday before the [first Saturday after April 11] opening day of the regular season for trout . During the no-harvest artificial lures only season: 1. Fishing may be done with artificial lures only, constructed of metal, plastic, rubber or wood, or flies or streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of any other lures or substances is prohibited. 2. The daily creel limit for trout is 0.
* * * * *		

§ 65.26. Extended trout season.

(Editor's Note: The proposed amendments to § 65.26 incorporate the proposed amendments published at 51 Pa.B. 3140 (June 5, 2021).)

(a) *General rule.*—The extended trout season is in effect from the day after Labor Day until the [**last day of**] **third Monday in** February of the following year on stocked trout waters [**and all waters downstream of stocked trout waters**]. A creel limit of three trout per

day and a minimum size limit of 7 inches apply during this season[, **except Class A wild trout streams where the creel limit is 0 and areas with special regulations**].

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CHAPTER 67. NURSERY WATERS

§ 67.2. Refuge areas.

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(b) Refuge areas are closed to public fishing except during the period from June 15 until the [**last day of third Monday in February**] of the following year.

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CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES

Subchapter B. SPORT FISHING AND ANGLING

§ 69.12a. Special regulations applicable to Lake Erie tributary streams.

* * * * *

(c) From 12:01 a.m. on the day after Labor Day, until the [**first Saturday after April 11**] of the opening day of the regular season for trout of the following year, all Lake Erie tributary streams are closed to fishing from 10 p.m. until 5 a.m. on the following day except for Walnut Creek north of Manchester Road Bridge and Elk Creek north of Route 5.

* * * * *

[Pa.B. Doc. No. 21-1463. Filed for public inspection September 3, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 61, 63, 65 AND 69]

Fishing

The Fish and Boat Commission (Commission) proposes to amend Chapters 61, 63, 65 and 69. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments will simplify regulations pertaining to black bass, while improving their management and optimizing the fishery for this species group.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2022.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The proposed amendments to §§ 61.1, 61.2 and 69.12 (relating to Commonwealth inland waters; Delaware River, West Branch Delaware River and River Estuary; and seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters) are published under the statutory authority of section 2102(b) (relating to rules and regulations) of the code. The proposed amendments to §§ 63.43 and 65.9 (relating to fishing for bass during spring season; and big bass) are published under the statutory authority of section 2102(a) of the code. The proposed amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307(a) (relating to waters limited to specific purposes) of the code.

D. Purpose and Background

The specific purpose and background of the proposed amendments are described in more detail under the summary of proposal.

E. Summary of Proposal

Commission staff have identified an opportunity to simplify regulations pertaining to black bass (that is, largemouth bass, smallmouth bass and spotted bass) while improving upon black bass management and optimizing the fishery for that species group. A modification to black bass regulations pertaining to the start and end of seasons, creel and minimum size limits and uniformity among resources categories (that is, lakes, rivers and streams) would allow anglers to interpret regulations more easily. Amendments to Commonwealth inland waters in § 61.1, big bass in § 65.9, miscellaneous special regulations in § 65.24 and Lake Erie basin regulations in § 69.12 are warranted.

Current Commonwealth inland waters angling regulations require catch and immediate release of black bass from 12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11. Black bass seasons defined in Commonwealth inland waters regulations are also incorporated in other special regulations or watershed-specific regulations, or both, requiring changes to multiple regulations specific to the management of black bass throughout the Commonwealth. Additionally, black bass daily creel and minimum size limits are not consistent among lakes, rivers and streams, which can lead to regulatory confusion by anglers.

For these reasons, Commission staff recommend amendments to Commonwealth inland waters regulations specific to black bass. In doing so, amendments to seasons as defined in big bass regulations, miscellaneous special regulations and Lake Erie basin regulations are warranted to establish regulatory consistency. This slight modification to seasons is expected to have minimal impact to both general angling for black bass as well as tournaments. Additionally, aligning black bass daily creel and minimum size limits for waters managed under Commonwealth inland waters regulations eliminates regulatory complexity, while continuing to provide adequate protection to the resource.

The Commission proposes that §§ 61.1, 61.2, 63.43, 65.9, 65.24 and 69.12 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within two working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-320. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART II. FISH AND BOAT COMMISSION
Subpart B. FISHING
CHAPTER 61. SEASONS, SIZES AND CREEL
LIMITS

§ 61.1. Commonwealth inland waters.

* * * * *

(d) Except as otherwise provided in this subpart, the following seasons, sizes and creel limits apply to inland waters of this Commonwealth and the Youghiogeny Reservoir:

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
* * * * *			
AMERICAN EEL	Open year-round	9 inches	25
[BASS—Largemouth and Smallmouth and Spotted Lakes:]	[January 1 to midnight the day before first Saturday after April 11 and November 1 to midnight December 31**]	[15 inches]	[4 (combined species from all habitats)]
	[12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11]	[NO HARVEST—Catch and immediate release only (No Tournaments Permitted)]	
	[12:01 a.m. the first Saturday after June 11 to midnight October 31]	[12 inches]	[6 (combined species)]
BASS—Largemouth and Smallmouth and Spotted [Rivers and Streams*:]	January 1 to midnight the day before the [first Saturday after April 11] second Saturday in April and October 1 to midnight December 31 [**] *	15 inches	4 (combined species)
	12:01 a.m. the [first Saturday after April 11] second Saturday in April to 12:01 a.m. the [first Saturday after June 11] second Saturday in June	NO HARVEST—Catch and immediate release only (No Tournaments Permitted)	
	12:01 a.m. the [first Saturday after June 11] second Saturday in June to midnight September 30	12 inches	6 (combined species)
* * * * *			

[*For purposes of this subsection, power dam pools and recreational dam pools on the Susquehanna River and navigational pools in the Ohio drainage are “rivers.”]

[**] * Note: Stocked trout waters are closed to all fishing from [March 1 to the first Saturday after April 11 unless included in the Regional Opening Day of Trout Season Program (see § 65.12 (relating to regional opening day of trout season)). Waters included in the Regional Opening Day of Trout Season Program are closed to all fishing from March 1 to the first Saturday after March 28] the third Monday in February to the second Saturday in April.

[*]** Note: Unlawful to take, catch or kill American shad, hickory shad and river herring (alewife and blueback herring) in Susquehanna River and its tributaries. See §§ 61.4 and 61.7 (relating to Conowingo Reservoir; and Susquehanna River and tributaries).

§ 61.2. Delaware River, West Branch Delaware River and River Estuary.

* * * * *

(e) The following seasons, sizes, and creel limits apply to the Delaware River, West Branch Delaware River and Delaware River tributaries, from the mouths of the tributaries upstream to the limit of the tidal influence and the Lehigh River from its mouth upstream to the first dam in Easton, Pennsylvania:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
BASS Largemouth Smallmouth	January 1 to midnight the day before the [first Saturday after April 11] second Saturday in April and 12:01 a.m. the [first Saturday after June 11] second Saturday in June to midnight December 31	12 inches	5 (combined species)
	12:01 a.m. the [first Saturday after April 11] second Saturday in April to 12:01 a.m. the [first Saturday after June 11] second Saturday in June	NO HARVEST—Catch and immediate release only	
* * * * *			

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.43. Fishing for bass during spring season.

(a) During the period from 12:01 a.m. on the [**first Saturday after April 11**] **second Saturday in April** until 12:01 a.m. on the [**first Saturday after June 11**] **second Saturday in June**:

* * * * *

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.9. Big bass.

* * * * *

(b) It is unlawful to take, catch, kill or possess a largemouth, smallmouth or spotted bass on or in designated “big bass” waters except in compliance with the following seasons and size and creel limits. It is not a violation of this section if the bass is immediately returned unharmed to the waters from which it is taken.

<i>Seasons</i>	<i>Size (in)</i>	<i>Creel Limit</i>
<i>Lakes:</i> January 1 to midnight the day before the [first Saturday after April 11] second Saturday in April and 12:01 a.m. the [first Saturday after June 11] second Saturday in June to midnight December 31	15	4 (combined species)
12:01 a.m. the [first Saturday after April 11] second Saturday in April to 12:01 a.m. the [first Saturday after June 11] second Saturday in June	NO HARVEST—Catch and immediate release only	
<i>Rivers and Streams:</i> January 1 to midnight the day before the [first Saturday after April 11] second Saturday in April and October 1 to midnight December 31	18	2 (combined species)
12:01 a.m. the [first Saturday after April 11] second Saturday in April to 12:01 a.m. the [first Saturday after June 11] second Saturday in June	NO HARVEST—Catch and immediate release only	
12:01 a.m. the [first Saturday after June 11] second Saturday in June to midnight September 30	15	4 (combined species)

* * * * *

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

County	Name of Water	Special Regulations
* * * * *		
Clarion	Beaver Creek Ponds	<p>Closed to fishing from 12:01 a.m. January 1 to 12:01 a.m. the [first Saturday after June 11] second Saturday in June of each year.</p> <p>Bass—15 inch minimum size limit and a 2 bass daily creel limit for the total project area. Panfish (combined species) 10 fish daily creel limit for the total project area. Other species-inland regulations apply.</p>
* * * * *		
Cumberland, Dauphin, Juniata, Lancaster, Northumberland, Perry, Snyder, York	Susquehanna river (98.0 miles) from the inflatable dam near Sunbury downstream to Holtwood Dam, including all tributaries to a point 1/2 mile upstream from the confluence	<p>Bass (Smallmouth and Largemouth)—No harvest year-round—catch and immediate release only.</p> <p>From 12:01 a.m. the [first Saturday after April 11] second Saturday in April to 12:01 a.m. the [first Saturday after June 11] second Saturday in June—No Bass tournaments.</p> <p>Remainder of the year—Catch-measure—immediate release tournaments only.</p> <p>It is unlawful for an angler to repeatedly cast into a clearly visible bass spawning nest or bed in an effort to catch or take bass. A bass caught and immediately returned unharmed to the waters from which taken will not be considered a violation of this section.</p>
Dauphin, Juniata, Perry	Juniata River (31.7 miles) from SR0075 bridge at Port Royal downstream to the mouth, including all tributaries to a point 1/2 mile upstream from the confluence	<p>Bass (Smallmouth and Largemouth)—No harvest year-round—catch and immediate release only.</p> <p>From 12:01 a.m. the [first Saturday after April 11] second Saturday in April to 12:01 a.m. the [first Saturday after June 11] second Saturday in June—No Bass tournaments.</p> <p>Remainder of the year—Catch-measure—immediate release tournaments only.</p> <p>It is unlawful for an angler to repeatedly cast into a clearly visible bass spawning nest or bed in an effort to catch or take bass. A bass caught and immediately returned unharmed to the waters from which taken will not be considered a violation of this section.</p>
* * * * *		

CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES

Subchapter B. SPORT FISHING AND ANGLING

§ 69.12. Seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters.

* * * * *

(f) Except as otherwise provided in subsections (d) and (e) and this subpart, the following seasons, sizes and creel limits apply to Lake Erie, Lake Erie tributaries and Presque Isle Bay, including peninsula waters:

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
	* * * * *		
BASS Largemouth Smallmouth	January 1 to [first Saturday after April 11] second Saturday in April and [first Saturday after June 11] second Saturday in June until December 31.	15 inches	4 (combined species)
	[First Saturday after April 11] Second Saturday in April until [first Saturday after June 11] second Saturday in June .*	20 inches	1
	* * * * *		

* It is unlawful to conduct or participate in a fishing tournament (as defined in § 63.40 (relating to fishing tournaments and fishing derbies)) for bass on Lake Erie, Lake Erie tributaries or Presque Isle Bay during the period from the [**first Saturday after 11 until the first Saturday after June 11**] **second Saturday in April until the second Saturday in June**.

* * * * *

[Pa.B. Doc. No. 21-1464. Filed for public inspection September 3, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed additions update the harvest requirements relating to all-tackle trophy trout slot limit and artificial lures only trout slot limit regulations.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

The proposed addition of §§ 65.4c and 65.4d (relating to all-tackle trout slot limit; and artificial lures only trout

slot limit) are published under the statutory authority of section 2102(a) of the code (relating to rules and regulations).

D. *Purpose and Background*

The specific purpose and background of the proposed amendments are described in more detail under the summary of proposal.

E. *Summary of Proposal*

To address landowner and angler feedback, increase the abundance of large wild brown trout in the population, and provide the opportunity to use all tackle types and harvest some trout, a new miscellaneous special regulation for slot limit was added to § 65.24 (relating to miscellaneous special regulations) was established on Penns Creek, Section 03, beginning January 1, 2014. The slot limit regulation allows for year-round fishing, use of all tackle types, and the harvest of two trout per day that are at least 7 inches but less than 12 inches in length, from the opening day of trout season through Labor Day, with no harvest permitted the remainder of the year.

Penns Creek, Section 03, provided a unique opportunity to evaluate a new special regulation on a productive limestone stream. The Penns Creek trout population was monitored before and after implementation of the slot limit regulation. Results of the monitoring revealed a substantial increase in the electrofishing catch rates of larger brown trout (greater than or equal to 16 inches in length) during the slot limit regulation implementation

period (2014—2019). These results suggest that the slot limit regulation likely played an important role in the increased electrofishing catch of large brown trout in Section 03. In addition to fishery independent monitoring, Commission staff conducted an angler use, harvest and opinion survey to evaluate the social aspects of the regulation change and estimate angler harvest in 2019. Results documented low harvest of trout during the survey and high angler support for continuance of the slot limit regulation. Despite low angler harvest under the current slot limit regulation, this regulation provides the opportunity for anglers to harvest intermediate-sized trout if desired, which was an important social consideration when the regulation was originally implemented.

Given the success of the experimental slot limit regulation program on Penns Creek, Section 03, and potential opportunities to utilize this regulation at other suitable wild trout waters in the future, Commission staff recommend that the Commission establish a new special regulation program to be known as trout slot limit. The trout slot limit program will have two subprograms: all-tackle trout slot limit and artificial lures only trout slot limit. These subprograms will provide the Commission with the ability to select the most appropriate tackle option to achieve biological and social objectives for each water considered for inclusion in the program and provide an opportunity to evaluate the effects of different terminal tackle types.

The Commission proposes that §§ 65.4c and 65.4d be added to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-317. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

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

§ 65.4c. All-tackle trout slot limit.

(a) The Executive Director, with the approval of the Commission, may designate waters as all-tackle trout slot limit. The designation of waters as all-tackle trout slot limit shall be effective when the waters are so posted after publication of a notice of such designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted all-tackle trout slot limit areas except in compliance with the following requirements.

- (1) Open to fishing year-round.
- (2) All tackle types are permitted.

(3) From 8 a.m. on the opening day of the regular season for trout through Labor Day, the daily creel limit of trout is two (combined species). Trout must be at least 7 inches but less than 12 inches in length to be killed or possessed.

(4) From the day after Labor Day until 8 a.m. on the opening day of the regular season for trout, no trout may be killed or possessed.

- (5) A current trout permit is required.

(c) This section applies to trout only. Inland regulations apply to all other species.

§ 65.4d. Artificial lures only trout slot limit.

(a) The Executive Director, with the approval of the Commission, may designate waters as artificial lures only trout slot limit. The designation of waters as artificial lures only trout slot limit shall be effective when the waters are so posted after publication of a notice of the designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted artificial lures only trout slot limit areas except in compliance with the following requirements.

- (1) Open to fishing year-round.

(2) Fishing may be done with artificial lures only; constructed of metal, plastic, rubber or wood; or with flies and streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly-fishing gear. Use or possession of other lures or substances is prohibited.

(3) From 8 a.m. on the opening day of the regular season for trout through Labor Day, the daily creel limit of trout is two (combined species). Trout must be at least 7 inches but less than 12 inches in length to be killed or possessed.

(4) From the day after Labor Day until 8 a.m. on the opening day of the regular season for trout, no trout may be killed or possessed.

- (5) Taking of baitfish or fishbait is prohibited.
- (6) A current trout permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the artificial lures only trout slot limit area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the artificial lures only trout slot limit area.

[Pa.B. Doc. No. 21-1465. Filed for public inspection September 3, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 69]

Fishing; Sport Fishing and Angling

The Fish and Boat Commission (Commission) proposes to amend Chapter 69 (relating to fishing in Lake Erie and boundary lakes). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments will simplify regulations pertaining to the Lake Erie basin while improving salmonid management and improving the fishery for that species group.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2022.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

The proposed amendments to § 69.12 (relating to seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters) are published under the statutory authority of section 2102(b) (relating to rules and regulations) of the code.

D. *Purpose and Background*

The specific purpose and background of the proposed amendments are described in more detail under the summary of proposal.

E. *Summary of Proposal*

The Commission has identified an opportunity to simplify regulations pertaining to the Lake Erie basin while improving upon salmonid management and optimizing the fishery for that species group. A modification to regulations applied to trout and salmon to align with a proposed amendment to Commonwealth inland waters regulations in § 61.1 (relating to Commonwealth inland waters) pertaining to the start of the trout season would allow anglers to more easily identify when fishing and harvest are permitted. Current regulations prohibit fishing and possession of trout and salmon from 12:01 a.m. on the Friday before the first Saturday after April 11 until 8 a.m. on the first Saturday after April 11. If the proposed amendments to Commonwealth inland waters regulations were to be adopted, it would result in one Statewide opening day of regular season for trout on the first Saturday in April. To better align these regulations to those of the Lake Erie basin, § 69.12 could be amended to prohibit fishing and possession of trout and salmon from 12:01 a.m. on the Friday before the first Saturday in April until 8 a.m. on the opening day of regular season for trout (that is, first Saturday in April).

In addition to regulation simplification and alignment, a modification to the daily creel and minimum size limits for both rainbow trout (steelhead) and lake trout would

potentially enhance angling opportunities for those species. Current daily creel limits allow for the harvest of five fish (only two of which may be lake trout) greater than or equal to 9 inches in total length from 8 a.m. on the first Saturday after April 11 through Labor Day. Lake Erie and its tributaries generate hundreds of thousands of angler trips for steelhead resulting in millions of dollars of economic benefit to local economies around Lake Erie. Lower daily creel and increased minimum size limits would reduce the potential for overharvest and prohibit harvest of intermediate-sized rainbow trout and lake trout while further promoting the trophy component of the fishery.

Lake trout are an important component of the Lake Erie ecosystem and recreational fishery. Through representation on the Lake Erie Committee, the Commission cooperatively manages lake trout with other member jurisdictions to advance restoration and optimize the recreational fishery. A reduction in the daily creel to one fish per day during the open season could potentially improve lake trout rehabilitation efforts by minimizing the number of spawning stock harvested. Additionally, a daily creel limit of one fish per day would align regulations pertaining to lake trout in Commonwealth waters of Lake Erie with New York.

In summary, Commission staff recommend amendments to the Lake Erie basin angling regulations pertaining to salmonids for regulatory consistency and simplicity by aligning the trout and salmon seasons with the proposed amendment to Commonwealth inland waters regulations, and modifying the daily creel and minimum size limits for rainbow trout and lake trout to optimize those fisheries. It should be noted that amending the daily creel limit of rainbow trout from five to three and minimum size limit from 9 inches to 15 inches from 8 a.m. on the opening day of the regular season for trout and salmon through Labor Day will not impact the creel or size limit for brown trout, a popular put-and-take fishery during the months of April and May. Additionally, a reduction to the daily creel limit of lake trout from two to one and increase in the minimum size from 9 inches to 15 inches provides further protection to the population which is consistent with ongoing multijurisdictional rehabilitation efforts in Lake Erie.

The Commission proposes that § 69.12 be amended to read as set forth in Annex A.

F. *Paperwork*

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the

comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-319. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART II. FISH AND BOAT COMMISSION
Subpart B. FISHING
CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES

Subchapter B. SPORT FISHING AND ANGLING
§ 69.12. Seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters.

* * * * *

(d) It is unlawful to fish in or along any Lake Erie tributary stream from 12:01 a.m. on the Friday before the **[first Saturday after April 11 until 8 a.m. on the first Saturday after April 11] opening day of the regular season for trout until 8 a.m. on the opening day of the regular season for trout.**

(e) It is unlawful to possess trout or salmon in or along any Lake Erie tributary stream from 12:01 a.m. on the Friday before the **[first Saturday after April 11 until 8 a.m. on the first Saturday after April 11] opening day of the regular season for trout until 8 a.m. on the opening day of the regular season for trout.**

(f) Except as otherwise provided in subsections (d) and (e) and this subpart, the following seasons, sizes and creel limits apply to Lake Erie, Lake Erie tributaries and Presque Isle Bay, including peninsula waters:

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
	* * * * *		
BASS Largemouth Smallmouth	January 1 to first Saturday after April 11 and first Saturday after June 11 until December 31.	15 inches	4 (combined species)
	First Saturday after April 11 until first Saturday after June 11.*	20 inches	1
BROOK and BROWN TROUT [and SALMON]	8 a.m. [first Saturday after April 11] the opening day of the regular season for trout until midnight Labor Day.	9 inches	5 (combined species [only 2 of which may be lake trout]).
	12:01 a.m. the day after Labor Day until 12:01 a.m. on the Friday before the [first Saturday after April 11] opening day of the regular season for trout.	15 inches	3 (combined species [only 2 of which may be lake trout]).
RAINBOW TROUT and SALMON	8 a.m. the opening day of the regular season for trout until 12:01 a.m. the Friday before the opening day of the regular season for trout the following year.	15 inches	3
LAKE TROUT	8 a.m. the opening day of the regular season for trout until 12:01 a.m. the Friday before the opening day of the regular season for trout the following year.	15 inches	1
STURGEON	No open season	ENDANGERED SPECIES	
	* * * * *		

[Pa.B. Doc. No. 21-1466. Filed for public inspection September 3, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 111]

Boating; Special Regulations Counties

The Fish and Boat Commission (Commission) proposes to amend Chapter 111 (relating to special regulation counties). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment updates the Commission's regulations pertaining to Blue Marsh Lake, located in Berks County.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The proposed amendment to § 111.6 (relating to Berks County) is published under the statutory authority of section 5124(a) of the code (relating to particular areas of water).

D. Purpose and Background

The specific purpose and background of the proposed amendment is described in more detail under the summary of proposal.

E. Summary of Proposal

Blue Marsh Lake is a 1,148-acre flood control project managed by the United States Army Corps of Engineers (USACOE) in Berks County. Section 111.6 states that a boat may not tow more than one water-skier (that is, person) on Blue Marsh Lake. This regulation was promulgated shortly after the Blue Marsh Recreation Area was established to address a perceived safety issue relating to boats with multiple towlines. According to definitions contained in § 109.4 (relating to waterskiing, aquaplaning, kiteskiing and similar activities), the term "waterski" is defined as "a device used by a person to be towed through or on water behind a boat. The term includes conventional water skis, aquaplanes, kneeboards, inner tubes, inflatable hot dogs, air mattresses, parasails, kite skis and similar devices." Some of these devices are designed to carry more than one person.

In the fall of 2019, the USACOE requested a change to § 111.6 citing that it does not serve the intended purpose, causes confusion among boaters and unnecessarily limits recreational boating opportunities. The USACOE recently requested the Boating Advisory Board reconsider their request to amend § 111.6 with the intent to limit the number of devices towed by a boat—rather than the number of persons—to no more than one. The USACOE stated that with the popularity of inflatable towed devices designed to carry more than one person, this amendment will eliminate confusion among the boating public and increase recreational boating opportunities. It is also anticipated that the amendment will result in more effective and efficient law enforcement efforts on the lake. The number of persons being towed on a device is limited by the boat's persons capacity.

The Commission proposes that § 111.6 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-315. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 111. SPECIAL REGULATIONS COUNTIES

§ 111.6. Berks County.

(a) *Blue Marsh Lake.*

* * * * *

(3) A boat may not tow more than one [**water-skier**] **water ski device.**

* * * * *

[Pa.B. Doc. No. 21-1467. Filed for public inspection September 3, 2021, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 131]

Preliminary Provisions; Replacement Costs for Wildlife Killed

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its July 24, 2021, meeting to amend § 131.8 (relating to replacement costs for wildlife killed) to increase replacement costs for peregrine falcons from \$200 to \$2,500.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the July 24, 2021, meeting of the Commission. Comments can be sent until September 8, 2021, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The population of nesting peregrine falcons (*Falco peregrinus*) in this Commonwealth has continued to increase since the Commission's upgrade of the species from endangered to threatened. This action follows the Commission's Peregrine Falcon Management Plan (dated 2013) in which objectives for delisting the species were established. Section 925(i) of the code (relating to jurisdiction and penalties) states that "[i]n addition to the fines and costs imposed for violations pursuant to subsection (b), the costs incurred by the commission for the replacement of the species involved in the violation shall be assessed by the magisterial district judge in such amount as is fixed by regulation of the commission." Upon the peregrine falcon's delisting, replacement costs for this species will be reduced from \$5,000 to a default of \$200. Notwithstanding its efforts to delist the peregrine falcon, the Commission has determined that the species necessitates further protection from unlawful takings in the form of increased replacement costs upon its effective delisting date. The Commission is proposing to amend § 131.8 to increase replacement costs for peregrine falcons from \$200 to \$2,500.

Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 131.8 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 131.8 to increase replacement costs for Peregrine Falcons from \$200 to \$2,500.

3. *Persons Affected*

Persons interested or affected by the classification status of the peregrine falcon (*Falco peregrinus*) will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in any additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-475. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.8. Replacement costs for wildlife killed.

Under section 925(i) of the act (relating to jurisdiction and penalties), in addition to any fines and costs imposed for violations of the act and this title, any person who unlawfully kills or possesses wildlife may be assessed replacement costs according to the following minimum cost scale:

(1) *General class.*

(i) Each threatened or endangered bird or mammal, \$5,000.

(ii) Each bald eagle, golden eagle [**or**], osprey **or** **peregrine falcon**, \$2,500.

(iii) Each elk or black bear, \$1,500.

(iv) Each white-tailed deer, \$800.

(v) Each bobcat or otter, \$500.

(vi) Each wild turkey or beaver, \$300.

(vii) Any other wildlife, \$200.

(2) *Trophy class.*

(i) Each elk with a Boone and Crockett green score of 200 [**points**] **inches** or more, \$5,000.

(ii) Each white-tailed deer with a Boone and Crockett green score of 115 [**points**] **inches** or more, \$5,000.

(iii) Each black bear with a field dressed weight of 350 pounds or more, \$5,000.

[Pa.B. Doc. No. 21-1468. Filed for public inspection 2314-55, 2021, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 133]

Wildlife Classification; Birds

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its July 24, 2021, meeting to amend § 133.21 (relating to classification of birds) to add the northern goshawk (*Accipiter gentilis*) to the Commonwealth's list of endangered birds and also to delete the peregrine falcon (*Falco peregrinus*) from the Commonwealth's list of threatened birds.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the July 24, 2021, meeting of the Commission. Comments can be sent until September 8, 2021, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The Commission is proposing two changes to the Commonwealth's lists of threatened and endangered birds based on current monitoring data. First, the Commission

is proposing to amend § 133.21 to add the northern goshawk (*Accipiter gentilis*) to the Commonwealth's list of endangered birds. A large secretive raptor of mature, mixed forests, the northern goshawk is found in the northern tier and high elevations across this Commonwealth and has experienced both range contraction and breeding population decline over the past 20 years. Primary threats to goshawks include forest fragmentation and degradation, nest site disturbance, disease and predation. This Commonwealth lies at the southern limits of the range of the Northeastern population of northern goshawk, which makes this population more susceptible to the previous effects. Several recent agency-supported efforts to better understand this species have documented a dramatic decline in the State's population. The agency's advisory Ornithological Technical Committee has recommended a change to endangered status. This proposed change would tailor protections for the species, including, but not limited to, limiting or delaying certain activities within known breeding northern goshawk habitat during courtship and nesting seasons.

Second, the Commission is also proposing to amend § 133.21 to delete the peregrine falcon (*Falco peregrinus*) from the Commonwealth's list of threatened birds. This Commonwealth's population of nesting peregrine falcons has continued to increase since the Commission's upgrade of the species from endangered to threatened in 2019, and the objectives established in the Commission's 2013—2022 Peregrine Falcon Management Plan have been achieved. This current status revision comes after more than 40 years of conservation recovery action in this Commonwealth and Nationally, in which the Commission has taken an active role. This proposed status change accomplishes a significant victory for the Commission as the third high-profile raptor recovery, following bald eagle and osprey and demonstrating that an endangered or threatened species listing is not a permanent designation, and recovery is an achievable goal.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to "Add to or change the classification of any wild bird or wild animal." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 133.21 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 133.21 to add the northern goshawk (*Accipiter gentilis*) to the Commonwealth's list of endangered birds and also to delete the peregrine falcon (*Falco peregrinus*) from the Commonwealth's list of threatened birds.

3. *Persons Affected*

Persons interested or affected by the classification status of the northern goshawk (*Accipiter gentilis*) or the peregrine falcon (*Falco peregrinus*) will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in any additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-473. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 133. WILDLIFE CLASSIFICATION

Subchapter B. BIRDS

§ 133.21. Classification of birds.

The following birds are classified:

(1) *Endangered.*

(i) King Rail (*Rallus elegans*)

(ii) Short-eared Owl (*Asio flammeus*)

(iii) Black Tern (*Chlidonias niger*)

(iv) Least Bittern (*Ixobrychus exilis*)

(v) Piping Plover (*Charadrius melodus*)

(vi) Loggerhead Shrike (*Lanius ludovicianus*)

(vii) American Bittern (*Botaurus lentiginosus*)

(viii) Great Egret (*Ardea alba*)

(ix) Yellow-crowned Night Heron (*Nycticorax violaceus*)

(x) Common Tern (*Sterna hirundo*)

(xi) Blackpoll Warbler (*Setophaga striata*)

(xii) Black-crowned Night-Heron (*Nycticorax nycticorax*)

(xiii) Dickcissel (*Spiza americana*)

(xiv) Sedge Wren (*Cistothorus platensis*)

(xv) Yellow-bellied Flycatcher (*Empidonax flavi-ventris*)

(xvi) Upland Sandpiper (*Batramia longicauda*)

(xvii) Northern Goshawk (*Accipiter gentilis*)

(2) *Threatened.*

(i) Northern Harrier (*Circus cyaneus*)

(ii) Long-eared Owl (*Asio otus*)

(iii) [**Peregrine Falcon (*Falco peregrinus anatum*)**] (**Reserved**).

(iv) Red Knot (*Calidris canutus rufa*)

[Pa.B. Doc. No. 21-1469. Filed for public inspection September 3, 2021, 9:00 a.m.]

STATEMENTS OF POLICY

Title 101—GENERAL ASSEMBLY

LEGISLATIVE REFERENCE BUREAU

[101 PA. CODE CH. 31]

Right-to-Know Law; Amended; Statement of Policy

The Legislative Reference Bureau (Bureau), under section 504(a) of the Right-to-Know Law (65 P.S. § 67.504(a)), amends § 31.12 (relating to contract information) to read as set forth in Annex A. The purpose of this statement of policy is to update the e-mail contact information for written document requests to the Bureau.

Effective Date

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

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

(Editor's Note: Title 101 of the Pennsylvania Code is amended by amending the statement of policy in § 31.12 to read as set forth in Annex A.)

Annex A

TITLE 101. GENERAL ASSEMBLY

PART I. LEGISLATIVE REFERENCE BUREAU

Subpart E. STATEMENTS OF POLICY

CHAPTER 31. RIGHT-TO-KNOW LAW

Subchapter B. OPEN RECORDS PROCEDURES OF THE BUREAU

§ 31.12. Contact information.

Right to Know requests must be sent to:
 Open-Records Officer
 Legislative Reference Bureau
 Room 641, Main Capitol Building
 Harrisburg, PA 17120-0033
 Fax: (717) 783-2396
 Email: LRBRightToKnow@palrb.us

[Pa.B. Doc. No. 21-1470. Filed for public inspection September 3, 2021, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

List of Pesticides Which May be Used by Medical Marijuana Grower and Processors

The following pesticide active ingredients can be used legally in the growing and processing of seeds, immature medical marijuana plants, medical marijuana plants or medical marijuana and in accordance with the Pennsylvania Pesticide Control Act of 1973 (3 P.S. §§ 111.21—112). To qualify, products containing the following active ingredients must also be registered in the Commonwealth, and labeled for use in greenhouses on unspecified food crops or unspecified herbs, or both. Commonwealth pesticide registration can be checked at <https://www.paplants.pa.gov/ProductRegFSA/BrandSearch.aspx>.

The Department of Agriculture (Department) evaluates potential pesticide active ingredients for inclusion on this list on an annual basis. Candidates for addition to this list should be submitted to the Department by June 1st of each year. This list will be reviewed and updated September of each calendar year. Deletions of active ingredients will occur on an as-needed basis. Submissions can be sent to the Department of Agriculture, Attn: Pesticide Registration, 2301 North Cameron Street, Harrisburg, PA 17110.

Active ingredients will be considered for inclusion on this list by the following criteria:

1) The active ingredient is in at least one Environmental Protection Agency (EPA) registered pesticide, or is exempt under section 25(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.A § 136w(b)).

2) Pesticides containing this ingredient are labeled for unspecified food or herb crops.

3) The active ingredient is exempt from the requirements of a tolerance on all food crops.

The Department may also consider other factors, such as pyrolysis data or whether addition of an active ingredient may likely lead to widespread misuse.

List of Pesticide Active Ingredients approved for use by Medical Marijuana Grower/Processors			
<i>EPA Status</i>	<i>Pesticide Type</i>	<i>Comments</i>	<i>Active Ingredient</i>
25(b)	Insecticide		Castor Oil
25(b)	Insecticide		Cedar Oil
25(b)	Insecticide		Cinnamon
25(b)	Fungicide, Insecticide		Cinnamon Oil
25(b)	Fungicide, Insecticide		Citric Acid
25(b)	Bactericide, Fungicide		Clove
25(b)	Insecticide		Clove Oil
25(b)	Fungicide		Corn Oil
25(b)	Insecticide		Cottonseed Oil
25(b)	Insecticide		Garlic
25(b)	Insect Repellent		Garlic Oil
25(b)	Fungicide		Geraniol
25(b)	Insecticide		Geranium Oil
25(b)	Fungicide, Insecticide		Lemon Grass Oil
25(b)	Insecticide		Peppermint Oil
25(b)	Insecticide		Peroxyacetic Acid
25(b)	Fungicide		Potassium Sorbate
25(b)	Insecticide		Rosemary
25(b)	Insecticide		Rosemary Oil
25(b)	Fungicide, Insecticide, Miticide		Sesame Oil
25(b)	Fungicide, Insecticide		Sodium Lauryl Sulfate
25(b)	Insecticide		Soybean Oil
25(b)	Fungicide		Thyme
25(b)	Fungicide, Insecticide, Miticide		Thyme Oil
25(b)	Insecticide		White Pepper
Sec 3 Products	PGR		24-Epibrassinolide

List of Pesticide Active Ingredients approved for use by Medical Marijuana Grower/Processors			
<i>EPA Status</i>	<i>Pesticide Type</i>	<i>Comments</i>	<i>Active Ingredient</i>
Sec 3 Products	Insecticide		Azadirachtin
Sec 3 Products	Fungicide		Bacillus Amyloliquefaciens Strain D747
Sec 3 Products	Fungicide	For use in protected growing environments only (for example, greenhouses).	Bacillus Pumilus Strain GHA 180
Sec 3 Products	Fungicide		Bacillus Subtilis QST713 Strain
Sec 3 Products	Insecticide		Bacillus Thuringiensis SSP. Aizawai
Sec 3 Products	Insecticide		Bacillus thuringiensis ssp israelensis
Sec 3 Products	Insecticide		Beauveria bassiana Strain GHA
Sec 3 Products	Insecticide		Burkholderia ssp Strain A396
Sec 3 Products	Insecticide		Canola Oil
Sec 3 Products	Insect Repellent		Capsicum Oleoresin Extract
Sec 3 Products	Insecticide		Chromobacterium Sub Strain PRAA4-1 Cells
Sec 3 Products	Fungicide, Insecticide		Clarified Hydrophobic Extract of Neem Oil
Sec 3 Products	Fungicide		Copper Octanoate
Sec 3 Products	PGR		Cytokinin (Kinetin)
Sec 3 Products	Insecticide		Diatomaceous Earth
Sec 3 Products	PGR		Gibberellins (Gibberellic Acid)
Sec 3 Products	Fungicide		Gliocladium catenulatum strain J1446
Sec 3 Products	PGR		Harpin Alpha Beta
Sec 3 Products	PGR		Homobrassinolide
Sec 3 Products	Antimicrobial, Fungicide	Post-harvest application prohibited.	Hydrogen Peroxide
Sec 3 Products	PGR	Applications allowed in furrow at planting or in hydroponics only.	IBA (Indole-3-Butyric Acid)
Sec 3 Products	Insecticide		Isaria fumosorosea Apopka Strain 97
Sec 3 Products	Insecticide, PGR		Kaolin
Sec 3 Products	Insecticide		Mineral Oil
Sec 3 Products	Fungicide	Use only allowed prior to final transplant, unless grown in recirculating hydroponics systems.	Mono-Potassium and Di-Potassium Salts of Phosphorous Acid
Sec 3 Products	Insecticide		Monopotassium Phosphate
Sec 3 Products	Nematicide		Myrothecium Verrucaria
Sec 3 Products	Fungicide, Insecticide		Neem Oil, Cold Pressed
Sec 3 Products	Fungicide		Potassium bicarbonate
Sec 3 Products	Insecticide	Use allowed prior to final transplant.	Potassium Laurate
Sec 3 Products	Fungicide, Insecticide		Potassium Salts of Fatty Acids
Sec 3 Products	Insecticide		Pyrethrins

List of Pesticide Active Ingredients approved for use by Medical Marijuana Grower/Processors			
<i>EPA Status</i>	<i>Pesticide Type</i>	<i>Comments</i>	<i>Active Ingredient</i>
Sec 3 Products	Fungicide		Reynoutria sachalinensis extract
Sec 3 Products	Molluscicide		Sodium Ferric EDTA
Sec 3 Products	Insecticide, miticide		Sucrose octanoate esters
Sec 3 Products	Fungicide		Streptomyces lydicus WYEC 108
Sec 3 Products	Fungicide		Trichoderma Asperellum Strain ICC 012
Sec 3 Products	Fungicide		Trichoderma harzianum Rifai strain T-22
Sec 3 Products	Fungicide		Trichoderma virens strain G-41

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 21-1471. Filed for public inspection September 3, 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 August 24, 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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
08-12-2021	Citicorp Banking Corporation New Castle New Castle County, DE	Filed
	Application for approval to purchase or otherwise acquire 100% of the outstanding shares of the Series C Perpetual Non-Cumulative Non-Convertible Non-Voting Preferred Stock of United Bancshares, Inc., Philadelphia, PA.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
07-19-2021	Bank of Bird-in-Hand Bird-in-Hand Lancaster County	1759 West Main Street Ephrata Lancaster County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
08-19-2021	PS Bank Wyalusing Bradford County	<i>To:</i> 223 Northern Boulevard South Abington Township Lackawanna County <i>From:</i> 251 East Grove Street Clarks Green Lackawanna County	Filed

CREDIT UNIONS

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
08-17-2021	Viriva Community Credit Union Warminster Bucks County	Effective

Amendment to Article IV.7 of the institution's Articles of Incorporation provides for a change in the Credit Union's field of membership.

Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.

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. 21-1472. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Regional Housing Advisory Committee Meetings; 2022 Annual Action Plan

The Department of Community and Economic Development (Department) is preparing the Commonwealth's 2022 Annual Action Plan. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth to receive funding under HUD's housing and community development programs of Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant Program, Housing Opportunities for People with Aids and the National Housing Trust Fund.

As part of the planning process, the Department conducts meetings across this Commonwealth to discuss regional needs for housing, homelessness, economic and community development issues and develop priorities for the programs that may affect the method of distribution of the Fiscal Year 2022 funding. In addition, the Department goes over the accomplishments of the year prior (2020) in these programs and discusses if the Commonwealth is meeting its 5-year goals and objectives as listed in the 2019—2023 Consolidated Plan. The first of these meetings is the Regional Housing Advisory Committee (RHAC) meetings.

RHAC Meetings

There are six RHAC's across this Commonwealth comprised of appointed members that specifically represents certain sectors of the region. Meetings of these RHAC's are open to the public under 65 Pa.C.S §§ 701—716 (relating to Sunshine Act). These RHACs advise the Department regarding housing, homelessness, economic and community development needs as well as assisting in fair housing planning. The RHAC meetings will take place virtually by means of Microsoft Teams on the following dates and times.

Individuals who need to join any of the meetings should contact Megan Snyder at (717) 720-7404.

Southwest RHAC Meeting (Allegheny, Armstrong, Beaver, Blair, Butler, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties)

Date: Tuesday, September 14, 2021

Time: 10 a.m. to 12 p.m.

To join by phone call +1 (267) 332-8737. The dial in number is 78978295#.

Northeast RHAC Meeting (Bradford, Carbon, Columbia, Lackawanna, Luzerne, Montour, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties)

Date: Wednesday, September 15, 2021

Time: 2 p.m. to 4 p.m.

To join by phone call +1 (267) 332-8737. The dial in number is 502873210#.

Central RHAC Meeting (Adams, Bedford, Centre, Clearfield, Clinton, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Perry and York Counties)

Date: Thursday, September 16, 2021

Time: 2 p.m. to 4 p.m.

To join by phone call +1 (267) 332-8737. The dial in number is 349831848#.

Southeast RHAC Meeting (Bucks, Chester, Delaware, Lancaster, Montgomery and Philadelphia Counties)

Date: Tuesday, September 21, 2021

Time: 10 a.m. to 12 p.m.

To join by phone call +1 (267) 332-8737. The dial in number is 845578974#.

Northwest RHAC Meeting (Cameron, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties)

Date: Tuesday, September 21, 2021

Time: 2 p.m. to 4 p.m.

To join by phone call +1 (267) 332-8737. The dial in number is 950847520#.

Lehigh Valley RHAC Meeting (Berks, Lebanon, Lehigh, Monroe, Northampton, Northumberland, Snyder and Union Counties)

Date: Wednesday, September 22, 2021

Time: 2 p.m. to 4 p.m.

To join by phone call +1 (267) 332-8737. The dial in number is 249321587#.

Persons who have a disability or limited English proficiency who wish to participate in any of the RHAC meetings and require an auxiliary aid, service or other accommodation to participate should contact Megan Snyder, Department of Community and Economic Development, Center for Community and Housing Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD

(717) 346-0308, megsnyder@pa.gov at a minimum of 72 hours prior to the meeting to discuss how the Department may best accommodate their needs.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 21-1473. Filed for public inspection September 3, 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).

Section *Category*

- | | |
|-----|--|
| 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>
0621803	Joint DEP/PFBC Pesticides Permit	New	Hoak Jason 160 S Grims Mill Road Boyertown, PA 19512-8549	Earl Township Berks County	SCRO
0915812	Joint DEP/PFBC Pesticides Permit	Renewal	Toll Robert 2890 N Sугan Road New Hope, PA 18938-9636	Solebury Township Bucks County	SERO
1521829	Joint DEP/PFBC Pesticides Permit	New	Silvester Peter 2230 Creek Road Glenmoore, PA 19343-1514	Wallace Township Chester County	SERO
1521830	Joint DEP/PFBC Pesticides Permit	New	Jan Ferdous 1250 Walnut Street Honey Brook, PA 19344-1087	Honey Brook Township Chester County	SERO
2121803	Joint DEP/PFBC Pesticides Permit	New	MacNamara Paul M 960 Enola Road Carlisle, PA 17013-8793	North Middleton Township Cumberland County	SCRO
2213821	Joint DEP/PFBC Pesticides Permit	Renewal	Harrisburg Country Club 401 Fishing Creek Valley Road Harrisburg, PA 17112-9222	Middle Paxton Township Dauphin County	SCRO
PA0206016	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Lightning Properties LLC 55 Timberline Drive Washington, PA 15301-8173	South Franklin Township Washington County	SWRO

<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>
NOEXNW047	No Exposure Certification	Renewal	Corry Forge Co. 40 N First Avenue Corry, PA 16407	Corry City Erie County	NWRO
PAR703519	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Altlum Pkg 15 Lightner Road York, PA 17404-1610	Manchester Township York County	SCRO
0921403	Sewage Land Application Individual WQM Permit	New	Solebury School 6832 Phillips Mill Road New Hope, PA 18938-9682	Solebury Township Bucks County	SERO
0221402	Sewage Treatment Facilities Individual WQM Permit	New	L E Development LLC 1 Pink House Lane Sewickley, PA 15143-9472	Sewickley Heights Borough Allegheny County	SWRO
1021406	Sewage Treatment Facilities Individual WQM Permit	Transfer	Dietrich Jacob 205 Saint Joe Road Butler, PA 16002-0051	Oakland Township Butler County	NWRO
2521424	Sewage Treatment Facilities Individual WQM Permit	New	Michael Amie 9458 Fry Road McKean, PA 16426-1546	McKean Township Erie County	NWRO
2521425	Sewage Treatment Facilities Individual WQM Permit	New	Ruggiero Brenda 5420 Frederick Drive Erie, PA 16510-4806	Harborcreek Township Erie County	NWRO
3721404	Sewage Treatment Facilities Individual WQM Permit	New	Castaldi Nicholas 117 James Circle New Castle, PA 16102-2711	North Beaver Township Lawrence County	NWRO
4321411	Sewage Treatment Facilities Individual WQM Permit	New	Juergens William 153 Cowden Road New Wilmington, PA 16142-1823	Wilmington Township Mercer County	NWRO
5621404	Sewage Treatment Facilities Individual WQM Permit	New	Indian Lake Borough Somerset County 7785 Lincoln Highway Central City, PA 15926-7500	Indian Lake Borough Somerset County	SWRO
PA0289191	Single Residence STP Individual NPDES Permit	Transfer	Dietrich Jacob 205 Saint Joe Road Butler, PA 16002-0051	Oakland Township Butler County	NWRO
WQG02542101	WQG-02 WQM General Permit	Transfer	Rausch Creek Logistics Center Owner LLC 9645 Clayton Road Suite 200 St Louis, MO 63124	Frailey Township Schuylkill County	NERO
4021402	Sewer Extensions and Pump Stations Individual WQM Permit	New	Can Do Inc. One South Church Street Hazleton, PA 18201	Hazle Township Luzerne County	NERO

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

PA0233129, Sewage, SIC Code 4952, **Dwaine L & Shelby A Wilson**, 1566 Smokey Corners Road, Williamsport, PA 17701-9670. Facility Name: Dwaine L & Shelby A Wilson. This proposed facility is located in Hepburn Township, **Lycoming 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 Mill Creek (WWF, MF), is located in State Water Plan watershed 10-A and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

<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 (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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.

PA0233153, Sewage, SIC Code 4952, **Patricia L & Steven R McLoney**, 220 Norwood Drive, Williamsport, PA 17701-9671. Facility Name: Patricia L & Steven R McLoney. This proposed facility is located in Hepburn Township, **Lycoming 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 Mill Creek (WWF, MF), is located in State Water Plan watershed 10-A and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

<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 (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

PA0061123, Sewage, SIC Code 4952, **Moscow Sewer Authority Lackawanna County**, P.O. Box 525, Moscow, PA 18444-0525. Facility Name: Moscow Sewer Authority STP. This existing facility is located in Moscow Borough, **Lackawanna 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), Roaring Brook (HQ-CWF), is located in State Water Plan watershed 5-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	39.0	58.5	XXX	15.6	23.4	31.2
Biochemical Oxygen Demand (BOD ₅) Industrial Influent	Report	Report	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids	43.8	65.8	XXX	17.5	26.3	35
Total Suspended Solids Industrial Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (CFU/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
Nitrate-Nitrite as N	20.5	XXX	XXX	8.2	XXX	16.4
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo					
Nov 1 - Apr 30	11.3	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	3.7	XXX	XXX	1.5	XXX	3
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo					
(Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	1.0	XXX	XXX	0.4	XXX	0.8
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Effluent Net						
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen	XXX	9,740	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
Effluent Net		Annual				
Total Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
		Annual				
Ammonia-Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
		Annual				
Total Phosphorus	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
		Annual				
(Total Load, lbs) (lbs)	XXX	1,217	XXX	XXX	XXX	XXX
Effluent Net		Total				
		Annual				

*This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

PA0289566, Sewage, SIC Code 8800, **John & Patricia Rickert**, 2495 Jackson Avenue, Warren, PA 16365-4389. Facility Name: John & Patricia Rickert SRSTP. This proposed facility is located in Glade Township, **Warren 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 Glade Run (CWF), is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD 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.

PA0289574, Sewage, SIC Code 4952, **Michaela Harrison**, 852B Patterson School Road, Grove City, PA 16127. Facility Name: Michaela Harrison SFTF. This proposed facility is located in Worth Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Wolf Creek (CWF), is located in State Water Plan watershed 20-C 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 .0008 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD 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.

PA0289736, Sewage, SIC Code 4952, 8800, **Nicholas Castaldi**, 117 James Circle, New Castle, PA 16102-2711. Facility Name: Nicholas Castaldi SRSTP. This proposed facility is located in North Beaver Township, **Lawrence County**.

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

The receiving stream is an, unnamed tributary to Mahoning River, located in State Water Plan watershed 20-B and classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

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

PA0289825, Sewage, SIC Code 4952, 8800, **Amie Michael**, 9458 Fry Road, McKean, PA 16426-1546. Facility Name: Amie Michael 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 is an unnamed tributary of Elk Creek, located in State Water Plan watershed 15-A and classified for 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 .0004 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min XXX	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
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 814-332-6078.

The EPA Waiver is in effect.

Southcentral Regional Office

PA0010251, Industrial, SIC Code 9199, **US Army Carlisle Barracks**, United States Army Carlisle Barracks, Carlisle, PA 17013-5020. Facility Name: Carlisle Barracks Headquarters. This existing facility is located in North Middleton Township, **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), Unnamed Tributary to Letort Spring Run (CWF, MF), is located in State Water Plan watershed 7-B 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 .036 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min XXX	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Total Dissolved Solids Intake	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	2,000	3,000

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

The EPA Waiver is in effect.

PA0083364, Industrial, SIC Code 4941, **Borough of Chambersburg**, 100 S 2nd Street, Chambersburg, PA 17201-2515. Facility Name: Chambersburg Borough Water System. This existing facility is located in Greene Township, **Franklin 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), Conococheague Creek (CWF), is located in State Water Plan watershed 13-C 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 .171 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Aluminum, Total	XXX	XXX	XXX	0.9	1.8	2.25
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

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

The EPA Waiver is in effect.

PA0038415, Sewage, SIC Code 4952, **East Pennsboro Township**, 98 S Enola Drive, Enola, PA 17025-2704. Facility Name: East Pennsboro Township WWTP. This existing facility is located in East Pennsboro Township, **Cumberland 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), Conodoguinet Creek (WWF, MF), is located in State Water Plan watershed 7-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 4.4 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	917	1,467	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	1,100 Report	1,651 Report	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 (Total Load, lbs) (lbs)	XXX Report	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX Report	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
	Total Mo					

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	770	XXX	XXX	21	XXX	XXX
May 1 - Oct 31	293	XXX	XXX	8.0	XXX	16
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	61	XXX	XXX	2.0	XXX	4
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Copper, Total	1.48	2.31	XXX	0.04	0.06	0.1
		Daily Max			Daily Max	
Zinc, Total	12.0	18.6	XXX	0.32	0.50	0.81
		Daily Max			Daily Max	

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen	XXX	72,206	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
Effluent Net		Annual				
Total Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
		Annual				
Ammonia-Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
		Annual				
Total Phosphorus	XXX	9,589	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
Effluent Net		Annual				
Total Phosphorus	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total				
		Annual				

*This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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.

PA0267546, Sewage, SIC Code 8800, **Bruce & Nancy Werner**, 171 Clemson Drive, Carlisle, PA 17013-8891. Facility Name: Werner SRSTP. This proposed facility is located in Middlesex Township, **Cumberland 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 Conodoguinet Creek (WWF, MF), is located in State Water Plan watershed 7-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 .0008 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
				Avg Mo		

The proposed effluent limits for Outfall 001 are based on a design flow of .0008 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0056944, Storm Water, SIC Code 4613, **Sunoco Pipeline LP**, 100 Green Street, Marcus Hook, PA 19061. Facility Name: Sunoco Twin Oaks PS. This existing facility is located in Upper Chichester Township, **Delaware County**.

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

The receiving stream, Unnamed Tributary to Marcus Hook Creek (WWF), is located in State Water Plan watershed 3-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 an average stormwater flow—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Maximum	
Flow (MGD)	Report Avg Qrtly	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15.0	XXX	30.0

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

- A. Stormwater Outfalls
- B. BMPs
- C. Routine Inspections
- D. PPC Plan
- E. Stormwater Monitoring
- F. Other Requirements
 - (i) Acquire Necessary Property Rights
 - (ii) Proper Sludge Disposal

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.

PA0026786, Sewage, SIC Code 4952, **Pottstown Borough Authority Montgomery County**, 100 East High Street, Pottstown, PA 19464. Facility Name: Pottstown Borough Sewer System & STP. This existing facility is located in Pottstown Borough, **Montgomery County**.

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

The receiving stream, Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 12.85 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX

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<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>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	2,679	4,287	XXX	25	40	50
May 1 - Oct 31	2,143	3,215	XXX	20	30	40
Total Suspended Solids	3,215	4,823	XXX	30	45	60
Total Dissolved Solids	200,290	240,000	XXX	Report	3,000.0	XXX
		Daily Max			Daily Max	
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
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	1,714	XXX	XXX	16.0	XXX	32
May 1 - Oct 31	857	XXX	XXX	8.0	XXX	16
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	0.040	XXX	0.074
Cyanide, Free	XXX	XXX	XXX	0.0249	XXX	0.0389
Selenium, Total	XXX	XXX	XXX	0.0315	XXX	0.049
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Zinc, Total	XXX	XXX	XXX	0.325	XXX	0.507
Chloride	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Bromide	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Chlorodibromomethane	XXX	XXX	XXX	Report	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of 12.85 MGD.—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>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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	2,679	4,287	XXX	25	40	50
May 1 - Oct 31	2,143	3,215	XXX	20	30	40
Total Suspended Solids	3,215	4,823	XXX	30	45	60
Total Dissolved Solids	200,290	240,000	XXX	Report	3,000.0	XXX
		Daily Max			Daily Max	
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	1,714	XXX	XXX	16.0	XXX	32
Nov 1 - Apr 30						
May 1 - Oct 31	857	XXX	XXX	8.0	XXX	16
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	0.040	XXX	0.074
Cyanide, Free	XXX	XXX	XXX	0.0249	XXX	0.0389
Selenium, Total	XXX	XXX	XXX	0.0315	XXX	0.049
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Zinc, Total	XXX	XXX	XXX	0.325	XXX	0.507

<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>	
Chloride	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Bromide	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Chlorodibromomethane	XXX	XXX	XXX	0.0231	XXX	0.036

The proposed effluent limits for Outfall 001 are based on a design flow of 12.85 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>Average Weekly</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	Report	XXX	XXX
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 12.85 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>Average Weekly</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report Avg Mo	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report Avg Mo	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 12.85 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>Average Weekly</i>		<i>Daily Maximum</i>	<i>Daily Maximum</i>	
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Arsenic, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Boron, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Tritium, Total (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX
Bromoform	XXX	XXX	XXX	Report Avg Qrtly	XXX	Report

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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

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

- Chlorine Minimization
- Responsible Operator
- O&M Plan
- Schedule of Compliance
- Pretreatment Program Implementation
- Whole Effluent Toxicity
- Stormwater Requirements
- PCB PMP and 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 not in effect.

PA0058785, Sewage, SIC Code 6514, **Gregory A & Marian B Gans**, 196 Springton Road, Glenmoore, PA 19343-1162. Facility Name: Gans SRSTP. This existing facility is located in West Brandywine Township, **Chester 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, Unnamed Tributary to Culbertson Run (HQ-TSF, MF), is located in State Water Plan watershed 3-H and is classified for High Quality Waters—Trout Stocking 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
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			3.0			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	20.0	XXX	40.0
	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	9.0	XXX	18.0
	XXX	XXX	XXX	3.0	XXX	6.0
	XXX	XXX	XXX	3.0	XXX	6.0

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

- A. AMR Submission
- B. DMR Submission
- C. Septage and Scum Measurement
- D. Septic Tank Pumping
- E. No Stormwater Condition
- F. Acquire Necessary Property Rights
- G. Small Stream Discharge
- H. Proper Sludge Disposal
- I. Phase Out When Municipal Sewers Available
- J. Chlorine Disinfection as Backup
- K. UV 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.

PA0244180, Sewage, SIC Code 4952, **Jennifer & Dirk Quan Holden**, 2559 Wayland Road, Berwyn, PA 19312-2146. Facility Name: Holden SRSTP. This existing facility is located in Easttown Township, **Chester 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, Unnamed Tributary to Crum Creek (HQ-CWF, MF), is located in State Water Plan watershed 3-G 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 .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD 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
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	XXX	6

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

- L. AMR Submission
- M. DMR Submission
- N. Septage and Scum Measurement
- O. Septic Tank Pumping
- P. Chlorine Disinfection as Backup
- Q. No Stormwater Condition
- R. Acquire Necessary Property Rights
- S. Small Stream Discharge
- T. Proper Sludge Disposal
- U. Phase Out When Municipal Sewers Available
- V. UV 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.

PA0245305, Sewage, SIC Code 4952, **Stephen J Eldgredge & Melissa Novak Eldgredge**, 2261 S Valley Road, Berwyn, PA 19312. Facility Name: 2261 S Valley Rd Repair STP. This proposed facility is located in Easttown Township, **Chester 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 Crum Creek (HQ-CWF, MF), is located in State Water Plan watershed 3-G 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 .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD 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
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	5.0	XXX	10

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

- Sludge use and disposal description and location(s): Septic tanks cleaned out by pump and hauler.

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.

Southwest Regional Office

PA0005037, Industrial, SIC Code 4911, **NRG Homer City Services LLC**, 1750 Power Plant Road, Homer City, PA 15748. Facility Name: Homer City Generating Station. This existing facility is located in Center Township, **Indiana County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of treated industrial waste and storm water. This is a revision to draft limits published on January 30, 2021.

The receiving streams, Unnamed Tributary to Two Lick Creek (CWF), Unnamed Tributary of Blacklick Creek (CWF), Blacklick Creek (TSF), Two Lick Creek (TSF), Unnamed Tributary of Two Lick Creek (CWF), Unnamed Tributary to Blacklick Creek (CWF), Cherry Run (CWF), and Unnamed Tributary to Muddy Run (CWF), are located in State Water Plan watershed 18-D and are classified for Cold Water Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0.62 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Semi-Annual Average</i>	<i>Daily Maximum</i>	
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
Oil and Grease	XXX	XXX	XXX	Avg Mo 15.0	20.0	XXX
Arsenic, Total	XXX	XXX	XXX	Avg Mo Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	Avg Mo 2.0	4.0	XXX
Mercury, Total (mg/L)	XXX	XXX	XXX	Avg Mo Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 4.32 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	4.32	XXX	XXX	XXX	XXX
Aug 1 - Jun 30		Daily Max				
Jul 1 - 31	Report	2.736	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	XXX	110	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	85.9	XXX
Total Suspended Solids	XXX	XXX	XXX	15.0	50.0	XXX
Oil and Grease	XXX	XXX	XXX	7.5	10.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Total Aluminum (Total Load, lbs)	XXX	9,869	XXX	Annl Avg XXX	XXX	XXX
		Total Annual				

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Total Iron (Total Load, lbs)	XXX	19,739 Total Annual	XXX	Annl Avg XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	13,159 Total Annual	XXX	XXX	XXX	XXX
Zinc, Total	XXX	XXX	XXX	1.0 Annl Avg	1.0	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 4.32 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	4.32	XXX	XXX	XXX	XXX
Aug 1 - Jun 30	Report	Daily Max 2.736	XXX	XXX	XXX	XXX
Jul 1 - 31	Report	Daily Max XXX	6.0	XXX	XXX	9.0
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Aug 1 - Jun 30	XXX	XXX	XXX	XXX	85.9	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	15.0	50.0	XXX
Oil and Grease	XXX	XXX	XXX	7.5	10.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Thallium, Total	XXX	XXX	XXX	0.0021	0.0033	0.0053
Free Available Chlorine	XXX	XXX	XXX	0.2 Annl Avg	0.5	XXX
Total Aluminum (Total Load, lbs)	XXX	9,869 Total Annual	XXX	XXX	XXX	XXX
Chromium, Total	XXX	XXX	XXX	0.2 Annl Avg	0.2	XXX
Total Iron (Total Load, lbs)	XXX	19,739 Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	13,159 Total Annual	XXX	XXX	XXX	XXX
Zinc, Total	XXX	XXX	XXX	1.0 Annl Avg	1.0	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.14 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Beryllium, Total	XXX	XXX	XXX	0.8	1.6	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Free	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Lead, Total	XXX	XXX	XXX	0.1	0.2	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Mercury, Total (mg/L)	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	0.8	1.6	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
MBAS	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.14 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	149.0	306.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30
Nitrate-Nitrite as N	XXX	XXX	XXX	1.2	2.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
	XXX	4,045 Total Annual	XXX	XXX	XXX	XXX
Arsenic, Total	XXX	XXX	XXX	Report	0.005	XXX
Beryllium, Total	XXX	XXX	XXX	0.8	1.6	XXX
Boron, Total	XXX	XXX	XXX	217.0	339.0	542.5
Cyanide, Free	XXX	XXX	XXX	0.59	0.92	1.48
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
	XXX	8,091 Total Annual	XXX	XXX	XXX	XXX
Lead, Total	XXX	XXX	XXX	0.1	0.2	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(Total Load, lbs)	XXX	5,395 Total Annual	XXX	XXX	XXX	XXX
Mercury, Total (mg/L)	XXX	XXX	XXX	10.0	23.0	XXX
Selenium, Total	XXX	XXX	XXX	Report	0.010	XXX
Bromide	XXX	XXX	XXX	Report	0.2	XXX
MBAS	XXX	XXX	XXX	Report	Report	XXX

Outfall 029 is eliminated following the re-routing of its discharges to Outfall 013. The effluent limits and monitoring requirements for Internal Monitoring Points 201, 106, 406, 213, 613, and 813 and Outfalls 002, 006, 013, 017—019, 021—023, 025, 030, and 032 remain the same as those in the January 30, 2021 notice.

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.

PA0023434 A-1, Sewage, SIC Code 2211, **PA American Water Co.**, 425 Waterworks Road, Clarion, PA 16214-2343. Facility Name: Koppel Borough. This existing facility is located in Koppel Borough, **Beaver County**.

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

The receiving stream(s), Beaver River (WWF), is located in State Water Plan watershed 20-B 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 0.24 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily 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	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.24 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily 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	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	50.1	75.1	XXX	25	37.5	50
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)	60.1	90.1	XXX	30	45	60
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
Ultraviolet light intensity ($\mu\text{w}/\text{cm}^2$)	XXX	XXX	Report XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

- Restriction in accepting wastewater from oil and gas extraction
- Optimization of chlorine dosages
- Compliance with Ch. 94 requirements
- UV reporting requirements
- Solids management for non-lagoon system.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

PA0031291, Sewage, SIC Code 7032, **YMCA of Greater Pittsburgh**, 254 Deer Valley Drive, Fort Hill, PA 15540-2131. Facility Name: Deer Valley YMCA Camp. This existing facility is located in Elk Lick Township, **Somerset 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), Cove Run (CWF), is located in State Water Plan watershed 19-F 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 .015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.015	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD 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	2,000	XXX	10,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	15.0	XXX	30.0
				Nov 1 - Apr 30		
May 1 - Oct 31	XXX	XXX	XXX	5.5	XXX	11.0
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max	XXX
					Report	
					Daily Max	

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

Northeast Regional Office

PA0009911, Industrial, SIC Code 2015, **Papettis Hygrade Egg Products Inc.**, 68 Spain Road, Klingerstown, PA 17941-9656. Facility Name: Michael Foods Egg Products. This existing facility is located in Upper Mahantango 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(s), Mahantango Creek (WWF) and Pine Creek (CWF, MF), is located in State Water Plan watershed 6-C and is classified for Cold Water Fishes, 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 .295 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Max
	Average Monthly	Daily Maximum		Average Monthly	Daily Max	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	1.0	XXX	2.0
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	50.0	62
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Max</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Max</i>	
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
Nitrate-Nitrite as N	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Oct 1 - Apr 30	Report	XXX	XXX	15.0	30.0	XXX
May 1 - Sep 30	37	74	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Effluent Net	Total Mo	XXX	XXX	XXX	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>Instant. Max</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Max</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	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>Instant. Max</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Max</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	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>Instant. Max</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Max</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania’s Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Max</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Daily Max</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	8,104 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	532 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

*This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department’s Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- Chemical Additives
- Stormwater BMPs

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 not 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>
PAD150223	New	Beyond Meat, Inc. Eric Strunk 312 Devault Lane Devault, PA 19432	Charlestown Township Chester County	SERO
PAD150224	New	Pleasant View Industries, LLC 102 Reservoir Road Honey Brook, PA 19344	Honey Brook Township Chester County	SERO
PAD460067 A-1	Amendment	Corson Street Acquisition, LP 3843 West Chester Pike Newtown Square, PA 19073-2304	Conshohocken Borough Plymouth Township Montgomery County	SERO
PAD150232	New	Gary Frazee 818 N. Country Club Drive Newark, DE 19711	Franklin Township New London Township Chester County	SERO
PAD230057	New	Delaware County Regional Water Quality Control Authority (DELCORA) 100 East Fifth Street P.O. Box 999 Chester, PA 19016-0999	City of Chester Delaware County	SERO
PAD390207	New	KVH, LLC 985 N. 38th St. Allentown, PA 18104	City of Bethlehem Lehigh County	NERO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD480161	New	HH Bath View Commercial Robert J. Huratiak 416 O.W. Road Bangor, PA 18013-9380	Bath Borough Northampton County	NERO
PAD480158	Renewal	Graham & Shelby Simmons 4563 Oakwood Lane Nazareth, PA 18064	Plainfield Township Northampton County	NERO
PAD540025	New	Donald Smith Brewster Land Company 70 Eighteenth Drive Franklin, MA 02038	Kline Township Schuylkill County	NERO
PAD130034	New	Richard Henry & Sons LLC 120 Upper View Terrace Anderson, SC 29625	Kidder Township Carbon County	NERO
PAD020036-01	Major Amendment	PA Turnpike Commission 700 S Eisenhower Blvd Middletown, PA 17057	Jefferson Hills Borough West Mifflin Borough City of Clairton Allegheny County	Regional Permit Coordination Office (RPCO) Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA-EPREGIONAL PERMIT@pa.gov

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>
Michael Wilt 1408 Pointer Road Everett, PA 15537	Bedford	844.8	1,580.71	Swine	NA	Renewal
Warrior Ridge Farm 242 Caribbean Road Everett, PA 15537	Bedford	323	3,263.25	Swine	NA	Renewal

<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>
Sloat Crane Farm Rose Crane 170 Daugherty Road York, PA 17404	York	110	524.86	Poultry— Turkeys	NA	Renewal
Benner’s Swine Barn, LLC 56 Platt Hollow Road Thompsontown, PA 17094	Juniata	574	611.45	Swine	NA	Renewal
Hord Family Farms, LLC Franklin Hog Farm 8815 Dry Run Road Mercersburg, PA 17236	Franklin	0	1,588.7	Swine	None	Renewal
Heisler’s Egg Farm, Inc. 757 Valley Road Tamaqua, PA 18252	Schuylkill	175.6	1,522.90	Poultry (layers)	HQ	Renewal
Kish View Farm 4733 E. Main Street Belleville, PA 17004	Mifflin	778	1,279.63	Dairy Cows	Tea Creek— HQ CWF Kish Creek— HQ CWF	Renewal
L&W Farms LLC 4251 Fletcher Drive Greencastle, PA 17225	Franklin	233	1.68	Heifer and Poultry	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).

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

Permit No. 2821506, Public Water Supply.

Applicant	APX Enclosures Inc
Municipality	Antrim Township
County	Franklin
Responsible Official	Scott Rockmore Project Contact 9156 Molly Pitcher Highway Greencastle, PA 17225
Type of Facility	Public Water Supply
Consulting Engineer	Lee S. Zeger III, P.E. CES Engineering, LLC 7910 Sunrise Camp Road Huntingdon, PA 16652
Application Received:	March 24, 2021
Description of Action	Installation of Well No. 2 and treatment including softening, reverse osmosis, and disinfection.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

Southeast Region: Safe Drinking Water Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5887.

Contact: Kimberleigh Rivers, Clerk Typist 2, 424.250.5887.

WA-09-964 Water Allocations. Plumstead Township, 5186 Stump Road, Pipersville, PA 18947, Plumstead Township, **Bucks County**. Granting to right to purchase water from North Wales Water Authority to serve two developments in Plumstead Township.

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 previously listed person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate

Regional Office listed. TDD users may telephone the Department through the Pennsylvania 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.

402 Basin Street, 402 Basin Street, Allentown, PA 18103, Allentown City, **Lehigh County**. Pennoni, 1900 Market St, Suite 300, Philadelphia, PA 19103, on behalf of Serfass Construction, 3764 Mauch Chunk Road, Allentown, PA 18104, submitted a Notice of Intent to Remediate. Soil was contaminated with metals and benzo(a)pyrene from historic operations as an incinerator, solid waste, rock, and soil disposal facility. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Morning Call* on August 13, 2021.

Stabler Center-Parcel 12, Center Valley Parkway and Old Bethlehem Pike, Center Valley, PA 18034, Upper Saucon Township, **Lehigh County**. Pennoni, 1900 Market St, Suite 300, Philadelphia, PA 19103, on behalf of Lehigh University, 306 S New Street, Suite 428, Bethlehem, PA 18105, submitted a Notice of Intent to Remediate. Soil was contaminated with metals from historic mining operations. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Morning Call* on August 20, 2021.

Solomon Property, 20 & 24 Bastian Lane, Allentown, PA 18104, Upper Macungie Township, **Lehigh County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf Edwin & Marjorie Solomon, 24 Bastian Lane, Allentown, PA 18104, submitted a Notice of Intent to Remediate. Soil was contaminated by 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 Lehigh Valley Press* on August 18, 2021.

Former CertainTeed-compressor oil release, 1220 Oak Hill Road, Mountain Top, PA 18707 Wright Township, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Wilkes-Barre, PA 18702, on behalf of Grand Landmark Realty NY Inc., 1303 53rd St, Suite 140, Brooklyn, NY 11219, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of compressor oil. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Citizens Voice* on August 16, 2021.

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 1940, 484-250-5787, Charline Bass.

Keystone Place at East Falls, LLC, 3310 Fox Street AKA 2905 Abbottsford Avenue, Philadelphia, PA 19129, City of Philadelphia, **Philadelphia County**. Craig Herr, PG, RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of Joseph A. Felici, Keystone Place at East Falls, LLC, 930 Henrietta Avenue, Suite B, Huntingdon Valley, PA 19106 submitted a Notice of Intent to Remediate. The site has been found to contain petroleum impacted soil. The proposed future use of the property will continue to be nonresidential commercial use. The proposed cleanup standard for the site is site-specific standard. The Notice of Intent to Remediate was published in *The Local* on April 1, 2021.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability Administratively Complete Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit Application No. WMGR019SC004. R.H. Sheppard Company, Inc., 101 Philadelphia Street, Hanover, PA 17331, Hanover Borough, **York County**. General Permit WMGR019 authorizes the beneficial use of foundry wastes from (1) waste foundry sand from ferrous and nonferrous casting foundries, (2) system dust generated by ferrous metal casting foundries, or (3) slag and refractories generated by ferrous metal casting foundries for use as (1) roadway construction material, (2) a component or ingredient in the manufacturing of concrete or asphalt products, (3) a soil additive or soil substitute, and (4) non-roadway construction. The application for determination of applicability was determined to be administratively complete by the Waste Management Program on August 20, 2021.

Comments concerning the application should be directed to John Oren, Permits Section Chief, PADEP Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4706. Persons interested in obtaining more information about the general permit application may contact the Waste Management Program, 717-705-4706. 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.

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.

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

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

18-00021D: Avery Dennison Performance Polymers (171 Draketown Road, Mill Hall, PA 17751) for the construction and operation of the R-900 emulsion reactor system at their facility located in Bald Eagle Township, **Clinton County**. This is a State Only “Synthetic Minor” facility. The Department’s review of the information contained in the application submitted by Avery Dennison Performance Polymers, indicates that the sources will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the fugitive air contaminant

emission requirement of 25 Pa. Code § 123.1, the particulate matter emission limitation of 25 Pa. Code § 123.13, the sulfur oxide emission limitation of 25 Pa. Code § 123.21 and the visible emission limitation of 25 Pa. Code § 123.41. The plan approval, if issued, will subsequently be incorporated into the State Only (Synthetic Minor) operating permit via an administrative amendment in accordance with 25 Pa. Code § 127.450 once the permittee has complied with all terms and conditions of the plan approval. Based upon this finding, the Department proposes to issue a plan approval for the construction and operation of the R-900 emulsion reactor system. The following is a summary of the types of conditions the Department intends to place in the plan approval to ensure compliance with all applicable regulatory requirements. All volatile organic compounds captured from the R-900 emulsion reactor system incorporated into Source ID P102 shall be ducted to Control Device C102C. The volatile organic compound destruction efficiency of Control Device C102C shall be equal to, or greater than 99% or a VOC concentration not to exceed 20 parts per million (as propane) by volume, dry basis (ppmdv) at 3% oxygen at all times. The combustion chamber temperature of Control Device C102C shall not be less than 1,600°F at any time while controlling air contaminant emissions from the R-900 emulsion reactor system incorporated in Source ID P102. Work practice requirements to operate the sources and control devices with good air pollution control practices. Recordkeeping and Reporting conditions to verify compliance with the emission limitations and all applicable requirements. A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3636. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Program Manager, Air Quality Program, Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701.

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

09-00090: Praxair Distribution, Inc. (1 Steele Rd E, Morrisville, PA 19067-3613) for the renewal of the State-Only Operating Permit to fill and recycle gas cylinders for industry. This facility is in Falls Township, **Bucks County**. Sources of emissions include: one (1) Base Products Gas Cabinet, one (1) Acid Products Gas Cabinet, one (1) Manual Paint Spray Booth, one (1) Automated Spray Coating Booth and one (1) Shot Blaster. The permit will include monitoring, recordkeeping and reporting requirements 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 permit can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

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

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

55-00002: Pennsylvania Department of Human Services (P.O. Box 500, Selinsgrove, PA 17870) to issue an initial state only "natural minor" operating permit for their Selinsgrove Center located in Penn Township, **Snyder County**. The facility is currently operating under Title V Operating Permit 55-00002. The facility's main sources are three natural gas-fired boilers which utilize # 2 fuel oil as backup as well as several emergency generators. The facility has potential emissions of 33.7 tons per year (tpy) of NO_x, 1.2 tpy of SO_x, 5.4 tpy of PM₁₀, 10.5 tpy of CO, 3.7 tpy of VOCs, 0.5 tpy of total HAPs, and 34,482 tpy of GHGs. The proposed state only operating permit incorporates the terms and conditions of General Permit GP1-55-00002B, for the construction of two new boilers and the modification of one existing boiler to operate on # 2 fuel oil as backup, which was authorized by the Department on January 22, 2020. 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 Parts 60 and 63. 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.

Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

26-00475: Amerikohl Aggregates, Inc./Jim Mountain Quarry (1384 State Route 711, Stahlstown, PA 15687-1301). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a natural minor State Only Operating Permit for the processing of limestone aggregate at their facility located in Springfield Township, **Fayette County**.

Amerikohl operates a limestone processing plant including of three crushers, three screens, various conveyors and stockpiles, truck loading/unloading, and haul roads. This facility will be limited to 2,600 hours of operation per 12-consecutive month period (12-cmp). This facility has the potential to emit 15.04 tons of PM₁₀. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit.

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> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operat-

ing Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (26-00475) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. 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 Department is not required to hold a conference or hearing. 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. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

56-00307: Rockwood Manufacturing Company Inc. (300 Main St., P.O. Box 79, Rockwood, PA 15557). In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that they intend to issue a renewed, facility-wide, synthetic minor, State Only Operating Permit for the continued operation of a metal parts for doors fabrication facility, known as the Rockwood Plant, located in Rockwood Borough Township, **Somerset County**.

The facility's air contamination sources consist of two (2) degreasers, surface plating, etching, polishing, and painting equipment, and building heaters (2.893 MMBtu/hr total).

Annual potential emissions are 22 tons of VOC, 3 tons of PM₁₀, 3 tons of PM_{2.5}, 1 ton of NO_x, 1 ton of CO, 7 tons of toluene, and 7 tons of all HAPs combined. Sources at the Rockwood Plant are subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

The application, the DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Operating Permit (56-00307) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In

accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place, and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

63-00636: McGrew Welding & Fabricating, Inc., Donora Site (P.O. Box 87, Donora, PA 15033). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that it intends to issue a renewal natural minor State Only Operating Permit (SOOP) for the operation of McGrew Welding & Fabricating's Donora Site in the borough of Donora, **Washington County**.

Equipment at this facility includes a surface coating operation, a conveyor system, barge unloading, coal storage piles, sand/gravel storage piles, paved/unpaved roads, and material handling/truck unloading. Actual emissions from the sources at this facility are between 3.0 and 5.0 tons per year of VOC and 5.0 tons per year of particulate matter less than ten microns.

The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The proposed operating permit includes emissions limitations, monitoring, work practice standards, reporting, and recordkeeping requirements for the facility.

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 63-00636) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

24-00188: Diversified Coatings, Inc., Allegheny Coatings, Servidea Drive Facility (349 Servidea Drive, Ridgway, PA 15853). The Department intends to issue the initial State-Only Operating Permit of a metal parts coating facility located in Ridgway Township, **Elk County**. Permitted air contamination sources at the facility are four paint booths, a curing oven, two evaporators, and a parts washer. Sources at the facility were initially authorized through PA 24-188A. With respect to requirements of PA 24-188A, several changes are incorporated into the initial operating permit. The paint booths are subject to 25 Pa. Code § 129.52e, instead of § 129.52d, as elected by the facility. Subject to 25 Pa. Code § 129.63, the parts washer is incorporated as a permitted source. As required by PA 24-188A, a pressure drop operating limitation is added for the paint booths' fabric filters. For permitting purposes, the facility is Natural Minor.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated

above each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

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

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

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

Effluent Limits—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

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 acidity¹

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 Mining Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100, (Contact: Bonnie Herbert).

Permit No. 32733709 and NPDES Permit No. PA0214159. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920 to renew the permit and related NPDES Permit for Dilltown Facility in Brush Valley Township, **Indiana County**. No additional discharges. The application was considered administratively complete on August 17, 2021. Application received: June 3, 2021.

Permit No. 03801302 and NPDES Permit No. PA0235385. Consol Mining Company LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317 to renew the permit and related NPDES Permit for reclamation/water treatment only for Margaret No. 7 Mine Water Treatment Plant located in Plumcreek and Cowanshannock Townships, **Armstrong County**. No additional discharges. The application was considered administratively complete on August 17, 2021. Application received: May 27, 2021.

Permit No. 11841301 and NPDES Permit No. PA0001317. ArcelorMittal Pristine Resources, LLC, P.O. Box 36, 129 Bethlehem Road, Revloc, PA 15948 to revise the permit and related NPDES Permit for construction of an access road and a post-mining land use change for Cambria Slope Mine No. 33 located in Cambria Township, **Cambria County** affecting 1.8 proposed surface acres. No additional discharges. The application was considered administratively complete on August 18, 2021. Application received: June 4, 2021.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, (Contact: Cayleigh Boniger).

Permit No. 16140109 and NPDES No. PA0259594. K & A Mining, 119 Atwell Lane, Kennerdell, PA 16374, renewal of an existing bituminous surface mine and associated NPDES permit in Washington Township, **Clarion County**, affecting 70.0 acres. Receiving streams: Unnamed tributaries to East Sandy Creek classified for the following use: CWF. Application received: August 16, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 54851325R7. B & B Anthracite Coal Company, 225 Main Street, Joliett, PA 17981, renewal of an existing anthracite underground mine operation in Tremont Township, **Schuylkill County** affecting 5.7 acres. Receiving stream: Lorberrry Creek, classified for the following uses: cold water and migratory fishes. Application received: July 26, 2021.

Permit No. 19860101R7. Jac-Mar Coal Co. t/a L & E Coal, P.O. Box 353, Cresco, PA 18326, renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County** affecting 190.0 acres. Receiving stream: Big Mine Run, classified for the following uses: cold water and migratory fishes. Application received: July 26, 2021.

Permit No. 19860101C3. Jac-Mar Coal Co. t/a L & E Coal, P.O. Box 353, Cresco, PA 18326, correction of an existing anthracite surface mine operation to update the post-mining land use from forestland to unmanage natural habitat in Conyngham Township, **Columbia County** affecting 190.0 acres. Receiving stream: Big Mine Run, classified for the following uses: cold water and migratory fishes. Application received: July 26, 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.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, (Contact: Melanie Ford-Wigfield).

Permit No. 11060301 and PAM421007. Cambria Industrial Metals, Inc., 100 Iron Street, Johnstown, PA 15906-2610, permit transfer of a large noncoal (industrial minerals) mine (formerly Jigging Technologies, LLC dba Atoll) in East Taylor Township and the City of Johnstown, **Cambria County**, affecting 77.0 acres. Receiving stream: Hinckston Run, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 18, 2021.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, (Contact: Ashley Smith).

Permit No. 17060301 and NPDES No. PA0256307. Kinkead Aggregates, LLC, 2311 Rt. 56 Hwy East, Homer City, PA 15748, renewal of an NPDES permit for a large noncoal mining site located in Bell Township, **Clearfield County** affecting 137.4 acres. Receiving stream(s): Unnamed Tributary to Bear Run and Bear Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 16, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 09870301C20. Warner Company, 1000 New Ford Mill Road, Morrisville, PA 19067, correction to an existing quarry operation to mine deeper in Falls Township, **Bucks County** affecting 476.3 acres. Receiving streams: Van Sciver Lake to Delaware River, classified for the following uses: warm water and migratory fishes. Application received: August 4, 2021.

Permit No. 66100301C3 and NPDES Permit No. PA0224839. Meshoppen Stone, Inc., P.O. Box 127, Meshoppen, PA 18630, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Meshoppen Township, **Wyoming County** affecting 220.0 acres. Receiving stream: unnamed tributaries to Meshoppen Creek, classified for the following uses: cold water and migratory fishes. Application received: August 12, 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. PA0263010 (Mining Permit No. 56100102), PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, renewal of a NPDES permit for a bituminous surface mine in Stonycreek and Somerset Townships, **Somerset County**, affecting 448.0 acres. Receiving stream: UNT to Stonycreek River and UNTs to Wells Creek, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: April 15, 2021.

The following outfalls discharge to UNT to Stonycreek River or UNTs to Wells Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Facility)	N
002 (Treatment Facility)	N
003 (Treatment Facility)	N
004 (Treatment Facility)	N
005 (Treatment Facility)	N
006 (Treatment Facility)	N
007 (Treatment Facility)	N
008 (Treatment Facility)	N
009 (Treatment Facility)	N
010 (Treatment Facility)	N

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

<i>Outfalls: 001—010</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>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.

Knox District Mining Office: White Memorial Building, P.O. Box 669, Knox, PA 16232-0669, (814) 797.1191.

NPDES No. PA0211401 (Permit No. 10920112). State Industries, Inc., P.O. Box 1022, Kittanning, PA 16201, Renewal of an NPDES permit for a bituminous surface mine in Concord Township, **Butler County**, affecting 22.6 acres. Receiving stream(s): Unnamed tributary to Bear Creek, classified for the following use(s): CWF. TMDL: None. Application received: June 10, 2021.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

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 outfall discharges to an unnamed tributary to Bear Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Alkalinity greater than acidity¹

¹ The parameter is applicable 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)).

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

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

E0603221-001. Borough of Mount Penn, 200 North 25th Street, Reading, PA 19606, in Mount Penn Borough, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with a streambank stabilization project of a UNT to Antietam Creek (CWF, MF) adjacent to Endlich Ave:

1. To remove an existing structure and to construct and maintain a stream crossing of a UNT to Antietam Creek (CWF, MF) consisting of a 32-LF, 68-inch x 43-inch elliptical reinforced concrete culvert pipe having concrete endwalls and a 12-ft long, 4-ft wide, 2-ft deep plunge pool at the downstream end of the culvert.

2. A channel change within a UNT to Antietam Creek (CWF, MF) consisting of a 6-foot wide, 183-LF section of regraded stream channel having 2:1 side slopes and streambank benching.

3. A streambank retaining device consisting of a 60-ft long, 1.5-ft wide, R-3 riprap armoring and a 2-ft long, 1-ft high streambank benching area along the western bank of a UNT to Antietam Creek (CWF, MF).

4. A streambank retaining device consisting of a 25-ft long, 1.5-ft wide, R-3 riprap armoring and a 2-ft long, 1-ft high streambank benching area along the eastern bank of a UNT to Antietam Creek (CWF, MF).

5. To remove an existing structure and to construct and maintain a stream crossing of a UNT to Antietam Creek (CWF, MF) consisting of a 48-LF, 68-inch x 43-inch elliptical reinforced concrete culvert pipe having concrete endwalls and a 12-ft long, 4-ft wide, 2-ft deep plunge pool at the downstream end of the culvert.

6. A stormwater outfall along the western bank of a UNT to Antietam Creek (CWF, MF) consisting of an 18-inch diameter RCP.

7. A streambank retaining device consisting of a 90-ft long, 1.5-ft wide, R-3 riprap armoring and a 2-ft long, 1-ft high streambank benching area along the eastern bank of a UNT to Antietam Creek (CWF, MF).

8. A streambank retaining device consisting of a 40-ft long, 0.5-ft wide, 4-ft high block retaining wall along the eastern bank of a UNT to Antietam Creek (CWF, MF).

9. A streambank retaining device consisting of a 38-ft long, 0.5-ft wide, 4-ft high block retaining wall along the eastern bank of a UNT to Antietam Creek (CWF, MF).

10. A streambank retaining device consisting of a 48-ft long, 0.5-ft wide, 4-ft high block retaining wall along the eastern bank of a UNT to Antietam Creek (CWF, MF).

The project is located at 237 Endlich Ave, Mt. Penn, PA 19606, approximately 0.1-mile northeast of the intersection of N. 25th Street and Philmay Terrace (Reading, PA Quadrangle Latitude: 40° 19' 53.32"; Longitude: -75° 53' 10.15") in Mount Penn Borough, Berks County.

E4002221-012. Dallas Township, 105 Lt. Michael Cleary Drive, Dallas, PA 18612, in Dallas Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Dallas Township Park Project:

- A stream crossing of a UNT to Toby Creek (CWF, MF) consisting of an 8-foot long, 80-foot span steel beam pedestrian walking bridge having an underclearance of 11.2-feet and an R-5 riprap apron adjacent to the concrete abutment walls.

- A fill in the floodway of a UNT to Toby Creek (CWF, MF) consisting of grading as well as a 5-foot wide asphalt walking trail adjoining the proposed pedestrian bridge along the eastern abutment. This fill will result in a 0.01-acre impact within the floodway.

- A fill in the floodway of a UNT to Toby Creek (CWF, MF) consisting of grading as well as a 5-foot wide asphalt walking trail adjoining the proposed pedestrian bridge along the eastern abutment. This fill will result in a 0.02-acre impact within the floodway.

- A streambank retaining device consisting of 10-ft long, 12-diameter Coir Logs installed along the western bank of a UNT to Toby Creek (CWF, MF).

The project is located approximately 0.14 mile north-east of the intersection of Woodlawn Avenue and Sago Street (Kingston, PA Quadrangle Latitude: 41° 20' 21" Longitude: -75° 57' 35") in Dallas Township, Luzerne County. (Kingston, PA Quadrangle, Latitude: 41° 20' 21"; Longitude: -75° 57' 35").

E0603221-001. Borough of Mount Penn, 200 North 25th Street, Reading, PA 19606, in Mount Penn Borough, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with a streambank stabilization project of a UNT to Antietam Creek (CWF, MF) adjacent to Endlich Ave:

- To remove an existing structure and to construct and maintain a stream crossing of a UNT to Antietam Creek (CWF, MF) consisting of a 32-LF, 68-inch x 43-inch elliptical reinforced concrete culvert pipe having concrete endwalls and a 12-ft long, 4-ft wide, 2-ft deep plunge pool at the downstream end of the culvert.

- A channel change within a UNT to Antietam Creek (CWF, MF) consisting of a 6-foot wide, 183-LF section of regraded stream channel having 2:1 side slopes and streambank benching.

- A streambank retaining device consisting of a 60-ft long, 1.5-ft wide, R-3 riprap armoring and a 2-ft long, 1-ft high streambank benching area along the western bank of a UNT to Antietam Creek (CWF, MF).

- A streambank retaining device consisting of a 25-ft long, 1.5-ft wide, R-3 riprap armoring and a 2-ft long, 1-ft high streambank benching area along the eastern bank of a UNT to Antietam Creek (CWF, MF).

- To remove an existing structure and to construct and maintain a stream crossing of a UNT to Antietam Creek (CWF, MF) consisting of a 48-LF, 68-inch x 43-inch elliptical reinforced concrete culvert pipe having concrete endwalls and a 12-ft long, 4-ft wide, 2-ft deep plunge pool at the downstream end of the culvert.

- A stormwater outfall along the western bank of a UNT to Antietam Creek (CWF, MF) consisting of an 18-inch diameter RCP.

- A streambank retaining device consisting of a 90-ft long, 1.5-ft wide, R-3 riprap armoring and a 2-ft long, 1-ft high streambank benching area along the eastern bank of a UNT to Antietam Creek (CWF, MF).

- A streambank retaining device consisting of a 40-ft long, 0.5-ft wide, 4-ft high block retaining wall along the eastern bank of a UNT to Antietam Creek (CWF, MF).

- A streambank retaining device consisting of a 38-ft long, 0.5-ft wide, 4-ft high block retaining wall along the eastern bank of a UNT to Antietam Creek (CWF, MF).

- A streambank retaining device consisting of a 48-ft long, 0.5-ft wide, 4-ft high block retaining wall along the eastern bank of a UNT to Antietam Creek (CWF, MF).

The project is located at 237 Endlich Ave, Mt. Penn, PA 19606, approximately 0.1-mile northeast of the intersection of N. 25th Street and Philmay Terrace (Reading, PA Quadrangle Latitude: 40° 19' 53.32"; Longitude: -75° 53' 10.15") in Mount Penn Borough, Berks County.

E5402221-005. Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733, in Washington Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a stream restoration project in a 5,500-foot reach of the Upper Little Swatara Creek as a part of the Swatara Creek Floodplain Restoration Project Phase III, using natural stream channel design techniques for the purpose of improving channel stability, reconnecting the channel to the floodplain, water quality improvements and improving aquatic habitat. Work will include re-grading of the channel banks; re-grading floodplain; establishment of riparian buffers; restoration of wetlands and the placement of in-stream structures including log vanes, rock vanes, rock deflectors, random boulder placements, root wads, j-hooks structures, and native vegetation plantings.

The project location runs to the northeast and south of the intersection of Wolfes Road and Sweet Arrow Lake Road (Swatara Hill, PA Quadrangle Latitude: 41° 34' 45.9" Longitude: -76° 20' 40") in Washington Township, Schuylkill County. (Swatara Hill, PA Quadrangle, Latitude: 40° 34' 45.9"; Longitude: -76° 20' 40").

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

E4403221-001. Mifflin County, 20 North Wayne Street, Lewistown, PA 17044 in Lewistown Borough, **Mifflin County**, U.S. Army Corps of Engineers Baltimore District.

- 1) Construct and maintain a 3,100-foot long, 10-foot wide, pedestrian asphalt trail and parking facilities and
- 2) place and maintain two 60-inch concrete outfalls in the floodway of the Juniata River (WWF, MF), resulting in 43,650 square feet of permanent impact to the floodway of the Juniata River, in Lewistown Borough, Mifflin County (Latitude: 40.588806, Longitude: -77.596426) all for the purpose of providing Phase 2 of a planned recreational public use pedestrian trail. No wetlands will be impacted by this project.

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Dana Drake, 412-442-4000.

E0205221-014, Ross Township, 1000 Ross Municipal Drive, Pittsburgh, PA 15237, Ross Township, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Construct, operate and maintain 438 linear feet of gabion basket retaining wall along Nelson Run.

2. At another location remove the existing 33 linear foot culvert, conveying Nelson Run under Nelson Run Road, and construct and maintain a replacement, 64 linear foot 79" x 117" concrete arch culvert.

3. At another location remove the existing 49 linear feet of 54" diameter pipe that conveys Nelson Run under Nelson Run Road, and construct and maintain a replacement, 39 linear foot 77" x 12" concrete elliptical pipe connecting to 7 linear feet of manhole, which is then connected to another 6' of 54" diameter pipe.

Permanent impacts include 616 linear feet of water-course impacts, and 1.32 acres of floodway impacts.

Temporary impacts include 603 linear feet of water-course impacts and 1.62 acres of floodway impacts.

The project site is located at multiple locations along Nelson Run Road near its intersection with McKnight Road (Emsworth, Glenshaw, PA USGS topographic quadrangle; N: 40°, 30', 26"; W: -80°, 00', 20"; Sub-basin 18A; USACE Pittsburgh District), in Ross Township, Allegheny County.

E6505121-009, PennDOT District 12-0, 1620 N. Galatin Ave. Ext., Uniontown, PA 15401, Rostraver Township, **Westmoreland County**; Pittsburgh ACOE District. The applicant proposes to:

1. Remove an existing Single-Span Reinforced Concrete Slab Bridge, having a normal clear span length of 5.0-feet with a minimum under clearance of about 3.2-feet, to construct and maintain a 76" x 48" Reinforced Concrete Elliptical Pipe, with a normal clear span length at 6.33-feet, and a minimum under clearance of approximately 3.5-feet, inlet box, outlet, and grouted rock apron, having a permanent impact of 128 LF, and temporary impact of 140 LF, to an unnamed tributary (UNT) to Pollock Run (WWF)(UNT-1),

To construct and maintain an in-kind relocation of a second UNT to Pollock Run, having a permanent impact of 63 LF, and temporary impact of 53 LF, to UNT to Pollock Run (WWF) (UNT-2),

For the purpose of replacing a deficient structure, carrying SR 3008 over a UNT to Pollock Run.

The project site is located near the intersection of Valley View Drive and Willowbrook Road. (Donora, PA USGS topographic quadrangle; N: 40°, 11', 25.3440"; W: 79°, 48', 32.4440"; Sub-basin 19D; USACE Pittsburgh District), in Rostraver Township, Westmoreland County.

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

E6106221-003, Venango County, P.O. Box 831, Franklin, PA 16323. SR 0062, Section S00 Multi-modal Improvements, in the City of Franklin and Sugarcreek Borough, **Venango County**, ACOE Pittsburgh District (Franklin, PA Quadrangle N: 41°, 23', 49.9"; W: 79°, 49', 8.6").

The applicant proposes 2.84-mi of improvements along SR 0062, Section S00 (Washington Crossing/Allegheny Boulevard) from Elk Street to Front Street including a multi-modal path for pedestrians along the west side of SR 0062, drainage improvements, traffic signal upgrades and intersection radius improvements resulting in 0.11-ac of permanent PEM wetland impacts 0.01-ac of temporary PEM wetland impacts. Permanent wetland impacts will be mitigated by debiting 0.11-ac of wetland from PennDOT's Polk Wetland Bank.

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

E5929221-006: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Osceola Township, **Tioga County**, ACOE Baltimore District.

To construct, operate and maintain:

1. 53.15 acres of PFO, PSS and PEM wetland creation/enhancement and 3,300 linear feet of stream creation/enhancement will temporarily impact 23.61 acres of PEM, PSS and PFO wetlands and 2,593 linear feet of temporary stream impacts. (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°);

This project is the mitigation site for the Chesapeake Audit and Consent Decree United States, et al. v. Chesapeake Appalachia, LLC, Civil Action No. 4:21-00538-MWB, all for the purpose of establishing a mitigation site for permanent wetland and stream impacts that occurred during well pad construction for Marcellus well development.

E4129221-012 (formally E4129-116): Pennsylvania General Energy Co., LLC, 120 Market Street, Warren, PA 16365. Major Modification—Shawnee Pipeline in Plunketts Creek and Upper Fairfield Township, **Lycoming County**, ACOE Baltimore District.

These are additional impacts to be included along with pipeline impacts previously published to the *PA Bulletin*: E4129-116 published to the *Pennsylvania Bulletin* on January 20, 2018 and July 21, 2018 & E4129-116 (1) published to the *Pennsylvania Bulletin* on February 25, 2020 and March 7, 2020.

To construct, operate and maintain approximately 2.3-miles (11,911 ft) of one (1) 20-inch diameter flex steel natural gas pipeline in Plunketts Creek & Upper Fairfield Township—Lycoming County. This project consists of an existing 8-inch natural gas pipeline to be replaced with a new 20-inch natural gas pipeline. The pipeline will be placed via open cut trenching within the existing 35' permanent ROW. The purpose of this project is to provide a conveyance of low-pressure natural gas between the existing ETP meter site to a proposed pig launcher/receiver site.

The project will result in a total of 23 LF (86 SF) of permanent and 86 LF (932 SF) of temporary stream impacts, 711 SF (0.0163 acres of permanent and 13,449 SF (0.3088 acre) of temporary floodway impacts and 275 SF (0.0063 acre) of temporary wetland impacts all for the purpose of constructing a natural gas pipeline for Marcellus well development.

Stream Impact Table:

Resource Name	Munic. Quadrangle	Activity	Chapter 93	Listed Trout	Impact Area Temp. (SF)	Impact Length Temp. (LF)	Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
UNT 4 Kaiser Hollow	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	HQ-CWF; EV	Wild	52	405	8	23	41.325149° 76.866827°
Kaiser Hollow	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	HQ-CWF; EV	Wild	32	527	21	63	41.328617° 76.863805°
TOTAL IMPACTS					86	932	23	86	

Floodway Impact Table:

<i>Resource Name</i>	<i>Munic. Quadrangle</i>	<i>Activity</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
UNT 4 Kaiser Hollow	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	137	6,911	109	327	41.325149° 76.866827°
Kaiser Hollow	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	128	6,538	20	384	41.328617° 76.863805°
TOTAL IMPACTS			265	13,449	129	711	

Wetland Impact Table:

<i>Resource Name</i>	<i>Munic. Quadrangle</i>	<i>Activity</i>	<i>Cowardin Class</i>	<i>Listed Trout</i>	<i>Total Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Total Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Wetland 3	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	PEM; EV	Wild	31	275			41.341412° 76.849076°
Wetland 4 Waiver 6	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	PEM; EV	Wild	65	523			41.337073° 76.861039°
Wetland 5 Waiver 6	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	PEM; EV	Wild	48	766			41.333182° 76.864039°
Wetland 6 Waiver 6	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	PEM; EV	Wild	7	307	11	34	41.332509° 76.863865°
Wetland 7 Waiver 6	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	PEM; EV	Wild	39	387			41.331692° 76.863992°
Wetland 8	Plunketts Crk. Huntersville	20-inch Pipeline Temp. Workspace	PEM; EV	Wild	43	2,257	47	141	41.325266° 76.865370°
TOTAL WETLAND IMPACTS					74	2,532	47	141	
TOTAL WAIVER 6 IMPACTS					159	1,983	11	34	

	PEM	233	4,515	58	175	
	PSS					
	PFO					

DAM SAFETY

Central Office: Waterways Engineering & Wetlands Program, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, Telephone Number: 717-787-3411.

D04-031. Pennsylvania DCNR, Bureau of State Parks, P.O. Box 8551, Harrisburg PA 17105. To modify Group Camp Dam across Traverse Creek (TSF) to eliminate a high hazard breach potential and return the stream to a free-flowing condition (Hookstown, PA Quadrangle N: 40° 30' 39", W: -80°, 26' 27") in Hanover Township, **Beaver County**.

D46-366. Janssen Research & Development, 1400 McKean Road, CT 1044, Spring House, PA 19477. To modify, operate, and maintain Janssen Dam across a tributary to Creek Park Creek (WWF, MF), for the purpose of increasing stability of the dam and prevention of erosion. (Ambler, PA Quadrangle N: 13.1in; E: 13.2in) in Horsham Township, **Montgomery 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>
0621803	Joint DEP/PFBC Pesticides Permit	Issued	Hoak Jason 160 S Grims Mill Road Boyertown, PA 19512-8549	Earl Township Berks County	SCRO
2121803	Joint DEP/PFBC Pesticides Permit	Issued	MacNamara Paul M 960 Enola Road Carlisle, PA 17013-8793	North Middleton Township Cumberland County	SCRO
2213821	Joint DEP/PFBC Pesticides Permit	Issued	Harrisburg Country Club 401 Fishing Creek Valley Road Harrisburg, PA 17112-9222	Middle Paxton Township Dauphin County	SCRO
2915801	Joint DEP/PFBC Pesticides Permit	Issued	Smith Todd L P.O. Box 261 State Line, PA 17263-0261	Licking Creek Township Fulton County	SCRO

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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>
PA0002976	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Zippo Manufacturing, Co. 33 Barbour Street Bradford, PA 16701-1973	Bradford Township McKean County	NWRO
PA0012394	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Patterson-Kelley, LLC 155 Burson Street East Stroudsburg, PA 18301-2251	East Stroudsburg Borough Monroe County	NERO
PA0062758	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Shenandoah Borough Municipal Authority Schuylkill County P.O. Box 110 Route 4032 Shenandoah, PA 17976-0110	West Mahanoy Township Schuylkill County	NERO
PA0104370	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Arete QIS, LLC 103 Bridge Street Ridgway, PA 15853-7605	Ridgway Township Elk County	NWRO
PA0063631	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Parkland School District 2219 N Cedar Crest Boulevard Allentown, PA 18104-9665	South Whitehall Township Lehigh County	NERO
PA0022306	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Brownsville Municipal Authority Fayette County 7 Jackson Street Brownsville, PA 15417-2009	Brownsville Borough Fayette County	SWRO
PA0024686	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Mid Mon Valley Water Pollution Control Authority P.O. Box 197 1 Anderson Street Allenport, PA 15412-0197	Allenport Borough Washington County	SWRO
PA0061450	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Elmhurst Township Sewer Authority Lackawanna County 112 Municipal Lane Elmhurst Township, PA 18444-8548	Elmhurst Township Lackawanna County	NERO
NOEXNC108	No Exposure Certification	Issued	PMG PA, Corp. 187 Enterprise Drive Philipsburg, PA 16866-3172	Rush Township Centre County	NCRO
NOEXNW013	No Exposure Certification	Issued	Specialty Fabrication & Powder Coating, LLC 455 Allegheny Boulevard Franklin, PA 16323-6209	Cornplanter Township Venango County	NWRO
NOEXSE068	No Exposure Certification	Issued	Janssen Research & Development, LLC 1400 McKean Road Spring House, PA 19477	Lower Gwynedd Township Montgomery County	SERO
NOEXSE219	No Exposure Certification	Issued	Keystone Turbine Service, LLC 885 Fox Chase Suite 111 Coatesville, PA 19320-5811	Coatesville City Chester County	SERO
PAG032227	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Bethlehem Landfill, Co. 2335 Applebutter Road Bethlehem, PA 18015-6004	Lower Saucon Township Northampton County	NERO

<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>
PAR218317	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Universal Refractories, Inc. 915 Clyde Street Wampum, PA 16157-4403	Wampum Borough Lawrence County	NWRO
PAG040018	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Kevin & Maria Jackowsky 22 Jeremiah Collett Road Glen Mills, PA 19342-1416	Concord Township Delaware County	SERO
PAG123687	PAG-12 NPDES General Permit for CAFOs	Issued	Hidden Springs Farm, LLC 2916 Safe Harbor Road Millersville, PA 17551-9628	Manor Township Lancaster County	SCRO
PAG123772	PAG-12 NPDES General Permit for CAFOs	Issued	Shady Brae Farms, Inc. 29 Engle Road Marietta, PA 17547-9322	Conoy Township Lancaster County	SCRO
PAG123785	PAG-12 NPDES General Permit for CAFOs	Issued	Noah W Kreider & Sons, LLP 1461 Lancaster Road Manheim, PA 17545-9768	East Donegal Township Lancaster County	SCRO
PAG123788	PAG-12 NPDES General Permit for CAFOs	Issued	Noah W Kreider & Sons, LLP 1461 Lancaster Road Manheim, PA 17545-9768	South Annville Township Lebanon County	SCRO
PAG123823	PAG-12 NPDES General Permit for CAFOs	Issued	Barley Jeffrey S 862 Donerville Road Millersville, PA 17551-9760	Manor Township Lancaster County	SCRO
PAG123876	PAG-12 NPDES General Permit for CAFOs	Issued	Zimmerman Brendon K 2148 Deodate Road Elizabethtown, PA 17022	Conewago Township Dauphin County	SCRO
PAG123901	PAG-12 NPDES General Permit for CAFOs	Issued	BP Shirey Turkey Farm, Inc. CAFO 6359 Boyertown Pike Douglassville, PA 19518-8832	Amity Township Berks County	SCRO
PAG123913	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Brian 684 Church Road Womelsdorf, PA 19567-9481	Marion Township Berks County	SCRO
PAG124843	PAG-12 NPDES General Permit for CAFOs	Issued	Hummel Family Farms, LLC 3493 Middle Road Middleburg, PA 17842-8693	Center Township Snyder County	SCRO
PAG124870	PAG-12 NPDES General Permit for CAFOs	Issued	Cotner Farms, Inc. 970 Rushtown Road Danville, PA 17821-9292	Rush Township Northumberland County	SCRO
1021402	Sewage Treatment Facilities Individual WQM Permit	Issued	Freeland Barry E Jr. 112 Lilac Lane Valencia, PA 16059-2214	Middlesex Township Butler County	NWRO
2021405	Sewage Treatment Facilities Individual WQM Permit	Issued	Tammy & Wilburt Barickman 19126 E Cole Road Meadville, PA 16335-9668	Woodcock Township Crawford County	NWRO
PA0263788	Single Residence STP Individual NPDES Permit	Issued	James Hitchcock 5916 US 62 Tionesta, PA 16353-4922	President Township Venango County	NWRO
PA0289124	Single Residence STP Individual NPDES Permit	Issued	Freeland Barry E Jr 112 Lilac Lane Valencia, PA 16059-2214	Middlesex Township Butler County	NWRO
PA0289221	Single Residence STP Individual NPDES Permit	Issued	Tammy & Wilburt Barickman 19126 E Cole Road Meadville, PA 16335-9668	Woodcock Township Crawford County	NWRO
WQG02092116	WQG-02 WQM General Permit	Issued	Bristol Township Bucks County 2501 Bath Road Bristol, PA 19007	Bristol Township Bucks County	SERO

<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>
WQG02462117	WQG-02 WQM General Permit	Issued	Lower Salford Township Authority Montgomery County P.O. Box 243 Harleysville, PA 19438-0243	Lower Salford 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>
PAC230174	General	Permit Issuance	Fenimore Woods Park 301 Iven Avenue Wayne, PA 19087	Radnor Township Delaware County	SERO
PAC090440	PAG-02 General Permit	Issued	GBG Holdings, LLC 1240 Richlandtown Pike Richlandtown, PA 18955-1001	Richland Township Bucks County	SERO
PAC090456	PAG-02 General Permit	Issued	PPG Meetinghouse, LLC 2312 North Broad Street Colmar, PA 18915-9725	Doylestown Township Bucks County	SERO
PAC090467	PAG-02 General Permit	Issued	Kampus Klothes 64 Railroad Drive Ivyland, PA 18974-1449	Warwick Township Bucks County	SERO
PAC090471	PAG-02 General Permit	Issued	Holy Properties, LLC 324 School House Road Chalfont, PA 18914	New Britain Township Bucks County	SERO
PAG0201511610	PAG-02 General Permit	Renewal	Belmont Behavioral Hospital 4200 Monument Road Philadelphia, PA 19131	City of Philadelphia Philadelphia County	SERO
PAC510202	PAG-02 General Permit	Issued	Impact Services Corporation 1952 East Allegheny Philadelphia, PA 19134	City of Philadelphia Philadelphia County	SERO
PAC090483	PAG-02 General Permit	Issued	J. D. Eckman, Inc. 4781 Lower Valley Road Atglen, PA 19310-1767	Middletown Township Bucks County	SERO
PAC090480	PAG-02 General Permit	Issued	PV Asset Management, LLC 2711 Moorese Valley Drive Baltimore, MD 21209-1050	Middletown Township Bucks County	SERO
PAD150237	Individual NPDES	Renewal	Davlyn Manufacturing Co., Inc. 85 Mennonite Church Road P.O. Box 49 Spring City, PA 19475-1518	East Vincent Township Chester County	SERO
PAD480144	Individual NPDES	Issued	James Severn 4131 Lower Saucon Road Hellertown, PA 18055-3323	Hellertown Borough Northampton County	NERO
PAD480146	Individual NPDES	Issued	Triple Net Investments LXVI, LLC c/o Joseph Correia 171 State Route 173 Suite 201 Asbury, NJ 08802-1365	Forks Township Northampton County	NERO
PAC540107	PAG-02 General Permit	Issued	James L Miller (JLM Real Estate Investments, LLC) P.O. Box 472 950 E. Main Street Schuylkill Haven, PA 17972	Butler Township Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD480137	Individual NPDES	Issued	NP Forks Township Industrial LLC c/o Wakeel Rahman 12977 N. Outer 40 Road Suite 203 St. Louis, MO 63141	Forks Township Northampton County	NERO
PAD450132	Individual NPDES	Issued	CMBK Resort Holdings, LLC 193 Resort Drive Tannersville, PA 18372	Pocono Township Jackson Townships Monroe County	NERO
PAC400199	PAG-02 General Permit	Issued	Americold Logistics, LLC Doug Karmel 10 Glenlake Parkway South Tower 600 Atlanta, GA 30328-3421	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAD390201	Individual NPDES	Issued	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	Lower Macungie Township Lehigh County	NERO
PAD060050	Individual NPDES	Issued	Fanelli Group Properties, LLC 1 Field of Dreams Drive Pottsville, PA 17901-8419	Maxatawny Township Berks County	SCRO
PAD210069	Individual NPDES	Issued	Upper Allen Township 100 Gettysburg Pike Mechanicsburg, PA 17055	Upper Allen Township Cumberland County	SCRO
PAC050048	PAG-02 General Permit	Issued	Broad Top Township P.O. Box 57 Defiance, PA 16633	Broad Top Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900, ext. 4
PAC070095	PAG-02 General Permit	Issued	Willowbrook Associates 282 Maytown Road Suite 300 P.O. Box 386 Elizabethtown, PA 17022	Allegheny Township Blair County	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
PAC210242	PAG-02 General Permit	Issued	Lidl US, LLC 1035 Virginia Drive Suite 203 Fort Washington, PA 19034	Hampden Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC220012	PAG-02 General Permit	Issued	Commerce Drive Dauphin, LP 555 Ryan Road Suite G York, PA 17404	Susquehanna Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220002 A-1	PAG-02 General Permit	Issued	PPL Electric Utilities Corporation 2 North 9th Street—GENN4 Allentown, PA 18101	Derry Township Conewago Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220263 A-1	PAG-02 General Permit	Issued	Milton Hershey School P.O. Box 830 Hershey, PA 17033	South Hanover Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

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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>
PAC340016R	PAG-02 General Permit	Issued	Juniata County Ag Society 305 West Eighth Street Port Royal, PA 17082	Port Royal Borough Juniata County	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059-8709 717.436.8953, ext. 5
PAC360638	PAG-02 General Permit	Issued	Aaron Horning 412 East Farmersville Road New Holland, PA 17557	Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360580	PAG-02 General Permit	Issued	Ephrata Mennonite School 598 Stevens Road Ephrata, PA 17522	Ephrata Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360530 A-1	PAG-02 General Permit	Issued	Horse Creek RE, LLC 2316-F Norman Road Lancaster, PA 17601	East Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360081 A-1	PAG-02 General Permit	Issued	Alido Group, LP P.O. Box 375 Intercourse, PA 17534	Leacock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC440016	PAG-02 General Permit	Issued	Rushmore Properties, LLC 4021 Jacks Mountain Road Belleville, PA 17004	Union Township Mifflin County	Mifflin County Conservation District 20 Windmill Hill Suite 4 Burnham, PA 17009-1837 717.248.4695
PAC670496	PAG-02 General Permit	Issued	Matthew & Rachel Phillips 834 Rudytown Road New Cumberland, PA 17070	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC020693	PAG-02 General Permit	Issued	Dialysis Clinic, Inc. 1633 Church Street Suite 500 Nashville, TN 37203-2948	McCandless Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010

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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>
PAC020530 A-1	PAG-02 General Permit	Issued	Allegheny County Airport Authority Landside Terminal Fourth Floor Mezzanine P.O. Box 12370 Pittsburgh, PA 15231-0370	Findlay Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020709	PAG-02 General Permit	Issued	Coraopolis Water and Sewer 1301 Fourth Avenue Suite 1 Coraopolis, PA 15108	Coraopolis Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020731	PAG-02 General Permit	Issued	Gibsonia Road Associates, LLC 4848 Route 8 Unit 2 Allison Park, PA 15101	West Deer Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020717	PAG-02 General Permit	Issued	South Allegheny School District 2743 Washington Boulevard McKeesport, PA 15133	Liberty Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020666	PAG-02 General Permit	Issued	Bateman NFIA and Associates, LLC 285 Kappa Drive Suite 150 Pittsburgh, PA 15238	North Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020725	PAG-02 General Permit	Issued	Executive Developers, LLC 208 Crawford Court Mars, PA 16046	Pine Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020707	PAG-02 General Permit	Issued	Hutton, St 17, LLC 736 Cherry Street Chattanooga, TN 37402	Pine Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020719	PAG-02 General Permit	Issued	Ferry Electric Company 250 Curry Hollow Road Pittsburgh, PA 15236	Pleasant Hills Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020716	PAG-02 General Permit	Issued	Hampton Township School District 4591 School Drive Allison Park, PA 15101-1327	Hampton Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010

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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>
PAC020745	PAG-02 General Permit	Issued	Northside Development Group, Inc. 4377 William Flynn Highway Allison Park, PA 15101	West Deer Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020734	PAG-02 General Permit	Issued	The AM Group 51 Bridge Street Pittsburgh, PA 15223-2222	Etna Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020159	PAG-02 General Permit	Issued	Gregg Station, LP P.O. Box 453 Carnegie, PA 15106	Collier Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020661	PAG-02 General Permit	Issued	LaQuatra Bonci Associates 95 South Tenth Street Pittsburgh, PA 15203	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020766	PAG-02 General Permit	Issued	Winco Development, Co. 1920 Lincoln Road Pittsburgh, PA 15235	Harrison Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020646	PAG-02 General Permit	Issued	Markman Development, LLC 290 Northgate Drive Warrendale, PA 15086	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC040101	PAG-02 General Permit	Issued	Economy Partners, LP 534 Washington Street Carnegie, PA 15106	Economy Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701
PAC040106	PAG-02 General Permit	Issued	Bridgewater Crossing II, LLC Mulberry Street Extension Beaver, PA 15009	Bridgewater Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701
PAC650281	PAG-02 General Permit	Issued	Keith Vay 448 Mars Hill Road Irwin, PA 15643	Sewickley Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC650282	PAG-02 General Permit	Issued	City of Monessen 557 Donner Avenue Monessen, PA 15062	City of Monessen Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
PAC650284	PAG-02 General Permit	Issued	Giant Eagle, Inc. 101 Kappa Drive Pittsburgh, PA 15238	City of Greensburg Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
PAC650285	PAG-02 General Permit	Issued	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Rostraver Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
PAC030036A1	PAG-02 General Permit	Issued	Trek Development Group Century Building 130 7th Street Suite 300 Pittsburgh, PA 15222	Kittanning Borough Armstrong County	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
PAC160037	PAG-02 General Permit	Issued	Clarion Blueprint Community 141 S 2nd Avenue Clarion, PA 16214	Clarion Borough Clarion County	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
PAC430062	PAG-02 General Permit	Issued	Collin Crombie 2074 Leesburg-Grove City Road Mercer, PA 16137	Springfield Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC200080	PAG-02 General Permit	Issued	Meadville Medical Center 751 Liberty Street Meadville, PA 16335	Vernon Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAD500011	Individual	Issued	Calvin Musser 284 Blimline Road Mohnton, PA 19540	Juniata Township Perry County	Regional Permit Coordination Office (RPCO)— Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA-EPREGIONAL PERMIT@pa.gov

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).

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Permit No. 2400082, Operation Permit, Public Water Supply.

Applicant	SUEZ Water Pennsylvania, Inc. 6310 Allentown Road Harrisburg, PA 17112
Municipality	Dallas Township
County	Luzerne
Type of Facility	Public Water Supply—Permit Transfer
Consultant	Peng Chen, P.E. SUEZ Water Pennsylvania, Inc. 6310 Allentown Blvd Harrisburg, PA 17112
Permit Issued	August 23, 2021

Permit No. 2520992, Operation Permit, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 1775 North Main Street Honesdale, PA 18431
Municipality	Palmyra Township
County	Pike
Type of Facility	Public Water Supply
Consulting Engineer	Daniel Hopkins, P.E. Entech Engineering, Inc. 201 Penn Street Suite 3 P.O. Box 32 Reading, PA 19601
Permit Issued	August 23, 2021

Description of Action	Replacement of the existing Woodmont Water System well house with a new above ground well house.
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Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 0621514, Public Water Supply.	
Applicant	Christ Evangelical Lutheran Church
Municipality	Oley Township
County	Berks
Responsible Official	Gary Stufflet Sr Church Council President 325 Cover Bridge Road Oley, PA 19547
Type of Facility	Construction permit for cartridge filtration and 4-log treatment of viruses
Consulting Engineer	Jeremy S. Madaras, P.E. J.S. Madaras Consulting LLC 250 Indian Lane Boyertown, PA 19512
Permit to Construct Issued	August 2, 2021

Operation Permit No. 2821510 issued to: **Mercersburg Water Authority (PWS ID No. 7280021)**, Peters Township, **Franklin County** on August 5, 2021 for facilities submitted under Application No. 2821510.

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

Permit No. 1421506MA, Major Amendment. Public Water Supply.

Applicant	GSP Management Co. P.O. Box 677 Morgantown, PA 19543
Borough or Township	Potter Township
County	Centre County
Type of Facility	Public Water Supply
Consulting Engineer	James A Cieri Sr. Professional Engineer, LLC 914 N. Mountain Road Harrisburg, PA 17112
Permit Issued	August 18, 2021

Permit No. 4921502MA, Major Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.—Roaring Creek Division 762 West Lancaster Avenue Bryn Mawr, PA19010
Borough or Township	Conyngham Township
County	Columbia County
Type of Facility	Public Water Supply
Consulting Engineer	David R. Knapton, P.E. GHD, Inc. 4068 Mt. Royal Blvd Allison Park, PA 15101
Permit Issued	August 24, 2021

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701.

Plan Location:

Township	Township Address	County
Benner Township	1224 Buffalo Run Road Bellefonte, PA 16823	Centre

Plan Description:

The approved 537 Plan Special Study entails the University Area Joint Authority changing their Spring Creek Pollution Control Facility's final effluent disinfection from ultraviolet light to ozone disinfection. The estimated total project cost for the selected alternative is estimated at \$2,612,900.00. The project cost is to be paid with authority monies, most likely via the issuance of a bond, and is not projected to impact current user rates. The Department's review of the submitted Act 537 Plan Special Study has not identified any significant environmental impacts.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

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

Plan Location:

Borough	Borough Address	County
Newton Hamilton Borough	P.O. Box 63 Newton Hamilton, PA 17075	Mifflin

Plan Description:

The exemption from the requirement to revise the Official Plan for the Glasgow Family Trust subdivision, DEP Code No. A3-44912-002-2E, APS Id 1045577, is disapproved. The proposed subdivision consists of one new single-family residential lot to utilize an individual on-lot sewage disposal system. The proposed subdivision is located off of Front Street and Old Barn Lane in Newton Hamilton Borough. This plan is disapproved because it does not qualify as an exemption from the requirement to revise the Official Plan. It does not qualify because the subdivision proposes the use of on-lot sewage disposal systems in an area of the municipality where the Official Plan designates that area as an existing or future public sewer service area as per Chapter 71, Section 71.51(b)(1)(i). It also does not qualify because the subdivision proposes the use of on-lot sewage disposal systems in an area within a high quality or exceptional value watershed as per Chapter 71, Section 71.51(b)(1)(iii).

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5787, Charline Bass.

Booth Street and West 4th Street, Intersection of Booth Street and West 4th Street, Chester, PA 19013, City of Chester, **Delaware County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19380 on behalf of Michael Frankel, FMM QOZB, LLC, P.O. Box 67, Essington, PA 19029 submitted a Final Report concerning remediation of site groundwater contaminated with VOCs, SVOCs and metals. The report is intended to document remediation of the site to meet the Statewide health standard.

1420 Delmar Drive, 1420 Delmar Drive, Folcroft, PA 19032, Borough of Folcroft, **Delaware County**. Joseph Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Michael Vereline, 1420 Delmar Drive Associates, LP, 595 East Lancaster Avenue, Suite 203, St. Davids, PA 19087 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the site-specific standard.

Keystone Place at East Falls, LLC, 3310 Fox Street, a/k/a 2905 Abbottsford Avenue, Philadelphia, PA 19129, City of Philadelphia, **Philadelphia County**. Craig Herr,

PG, RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of Joseph A. Felici, Keystone Place at East Falls, LLC, 930 Henrietta Avenue, Suite B, Huntington Valley, PA 19106 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the site-specific standard.

Brown Residence, 2310 Rickert Road, Perkasie, PA 18944, Hilltown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Nathan Rochette, Truck Insurance Exchange, P.O. Box 268994, Oklahoma City, OK 73126 submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide health standard.

Wawa Store No. 8110, 12004 East Roosevelt Boulevard, Philadelphia, PA 19116, City of Philadelphia, **Philadelphia County**. Geoff Kristof, PG, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Joseph W. Standen, Jr., PG, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19063 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

1717 West Allegheny Avenue, 1717 West Allegheny Avenue, Philadelphia, PA 19132, City of Philadelphia, **Philadelphia County**. Stephen Huxta, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of John R. McConnell, Cristo Rey Philadelphia High School, 1717 West Allegheny Avenue, Philadelphia, PA 19132 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the site-specific standard.

GE Elmwood Avenue Facility, 6901 Elmwood Avenue, Philadelphia, PA 19142, City of Philadelphia, **Philadelphia County**. Darren Szuch, Arcadis U.S., Inc., 50 Millstone Road, Building 200, Suite 220, East Windsor, NJ 08520 on behalf of Cody Platt, General Electric Company, 1935 Redmond Circle NW, Rome, GA 30165 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs, SVOCs, PCBs and inorganics. The report is intended to document remediation of the site to meet the site-specific standard.

Wawa Store No. 8088, 101 Easton Road, Horsham, PA 19044, Horsham Township, **Montgomery County**. Geoff Kristof, PG, Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381 on behalf of Joseph Standen Jr., PG, Wawa, Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide health standard.

Dreshertown Plaza, 1650 North Limeclin Pike, Dresher, PA 19025, Upper Dublin Township, **Montgomery County**. Craig Herr, PG, RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of Jim Bladel, Dreshertown Plaza, LP & Brandolini Property Management, Inc., 1301 Lancaster Avenue, Berwyn, PA 19312 submitted a Risk Assessment

Report/Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the site-specific standard.

Wawa Store No. 8053, 8220 West Bartram Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Geoff Kristof, PG, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Joseph W. Standen, Jr., PG, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19153 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Cintas/Former RUS Facility, 164 East Main Street, Emmaus, PA 18049, Emmaus Borough, **Lehigh County**, Arcadis, 10 Friends Lane, Newtown, PA 18940, on behalf of Cintas, 27 Whitney Drive, Milford, OH 45150, submitted a revised Risk Assessment concerning remediation of soil and groundwater contaminated with chlorinated solvents from historical dry cleaning operations. The report is intended to document remediation of the site to meet site-specific standards.

Former CertainTeed-Compressor Oil Release, 1220 Oak Hill Road, Mountain Top, PA 18707 Wright Township, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Wilkes-Barre, PA 18702, on behalf of Grand Landmark Realty NY Inc, 1303 53rd St, Suite 140, Brooklyn, New York, 11219, submitted a Final Report concerning remediation of site soils contaminated with compressor oil. The report is intended to document remediation of the site to meet Statewide health standards.

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

McConnell BRA, 2111 Broschart Road, Overton, PA 18616, Overton Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, has submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet residential 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:

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Henry's Service Station, 4024 Mountain View Drive, Danielsville, PA 18038, Lehigh Township, **Northampton County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road Easton, PA 18040, on behalf of Preston Henry, 4024 Mountain View Drive, Danielsville, PA 18038, submitted a Final Report concerning remediation of soil contaminated by gasoline from a tanker truck. The final report was not acceptable to meet Statewide health standards and was disapproved by DEP on August 23, 2021.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

97 Sherrill Drive, Chesapeake Estates Mobile Home Park, 575 Kohler School Road, New Oxford, PA 17350, Mt. Pleasant Township, **Adams County**. Environmental Maintenance Co., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Cynthia Knisley-Robinson, 575 Kohler School Road, New Oxford, PA 17350 submitted Final Report concerning remediation of site soil

contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on August 11, 2021.

Morgan Automotive, 820 Lancaster Road, Manheim, PA 17545, Penn Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of 820 Holdings LLC, 820 Manheim, PA 17545, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the residential Statewide Standard and was approved by the Department on August 12, 2021.

Auto One, 1282 Manheim Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of Manheim Pike, LLC, 950 Smile Way, York, PA 17404, submitted a Final Report concerning remediation of site groundwater contaminated with VOCs, TCE, and PCE. The Final Report did not demonstrate attainment of the Background Standard and was disapproved by the Department on July 28, 2021.

Frampton Residence, 699 Piper Hollow Road, Portage, PA 15946, Greenfield Township, **Blair County**. Mountain Research LLC, 825 25th Street, Altoona, on behalf of Roy and Theresa Frampton, 699 Piper Hollow Road, Portage, PA 15946, submitted a Final Report concerning remediation of site soil contaminated with heating oil. The Final Report did not demonstrate attainment of the residential Statewide health standard and was disapproved by the Department on July 29, 2021.

Southwest Region: Environmental Cleanup & Brownfield Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Club One & Village of Eastside Property, LRP # 5-2-1-19769, 6315-6401 Penn Ave., Pittsburgh, PA 15206, Pittsburgh City, **Allegheny County**. American Geosciences, Inc., 3925 Reed Blvd., Ste. 400, Murrysville, PA 15668, on behalf of Walnut Capital Management, Inc., 5500 Walnut St., Ste. 300, Pittsburgh, PA 15232, has submitted a combined Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with lead, PAH's, unleaded gasoline, inorganics, chlorinated solvents, and used motor oil. The Remedial Investigation Report and Cleanup Plan demonstrated attainment of the site specific standard and was approved by the Department on August 12, 2021.

Former CONSOL R&D Park Site, 4000 Brownsville Rd., South Park, 15129, South Park Township, **Allegheny County**. GAI Consultants, Inc., 385 E. Waterfront Dr., Homestead, PA 15120, on behalf of MERO South Park Ventures, LLC, 3895 Stoneridge Lane, Dublin, OH 43017, has submitted a combined Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with volatiles, semi-volatiles, metals. The Remedial Investigation Report and Cleanup Plan demonstrated attainment of the site specific standard and was approved by the Department on August 12, 2021.

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401, Charline Bass, 484-250-5787.

Corona Corporation Facility, Main Street and Ninth Street, Red Hill, PA 18076, Red Hill Borough, **Montgomery County**. Andrew Markoski, Patriot Environmental Management, LLC, P.O. Box 629, Douglasville, PA 19518 on behalf of Betty Gerlach c/o Harriet R. Litz, Esq.,

598 Main Street, P.O. Box 24, Red Hill, PA 18076 submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated and petroleum VOCs. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on August 13, 2021.

Booth Street and West 4th Street, 2900 West 4th Street, Chester, PA 19013, City of Chester, **Delaware County**. Paul White, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Michael Frankel, FMM QOZB, LLC, P.O. Box 67, Essington, PA 19029 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site soil contaminated with 2-butanone, 1,2,4-trimethylbenzene, acetone, benzene, carbon disulfide, ethylbenzene, hexachloroethane, isopropyl benzene, methylcyclohexane, toluene, tetrachloroethene, xylenes, 1,1-biphenyl, 2,4-dimethylphenol, 2-methylnaphthalene, 2-methylphenol, 4-methylphenol, acenaphthene, acenaphthylene, acetophenone, anthracene, benzaldehyde, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, bis(2-ethylhexyl)phthalate, butylbenzylphthalate, carbazole, chrysene, dibenz(a,h)anthracene, dibenzofuran, diethylphthalate, di-n-butylphthalate, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, phenol, pyrene, antimony, arsenic, barium, cadmium, chromium, chromium-hexavalent, lead, mercury, selenium and silver. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on August 13, 2021.

Melody Lakes Automotive, 1113 North West End Boulevard, Quakertown, PA 18951, Richland Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464 on behalf of Andrew Chalofsky, Melody Lakes Automotive dba United Tire Quakertown, 2950 State Road, Bensalem, PA 19020 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on August 17, 2021.

Hicinbothem Residence, 326 Crabtree Drive, Levittown, PA 19055, Bristol Township, **Bucks County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Andrea Gluch, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Statewide health standard and was disapproved by the Department on August 18, 2021.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 301238. Allegheny Recovery Corp., 140 Main Street, P.O. Box 626, Irwin, PA 15642. Renewal of residual waste processing facility permit for operation of

the ARC Transfer/Processing Facility, South Linden Street, Duquesne, PA 15110 located in the City of Duquesne, **Allegheny County**. The permit renewal was issued by the Regional Office on August 20, 2021.

Persons interested in reviewing the general permit may contact Sharon Svitek, Program Manager, Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-1475, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

GP13-22-03103B: Rocky Licensing Corp. (201 Iron Valley Drive, Lebanon, PA 17042) on August 17, 2021, for the reactivation of a batch asphalt plant, under GP13, at the Fiddlers Elbow South quarry located in Lower Swatara Township, **Dauphin County**.

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

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

GP3-08-00059A: Austin Excavating & Paving, Inc. (121 Talmadge Hill West, Waverly, NY 14892) on August 16, 2021, to operate two nonmetallic mineral crushers, three vibratory screens, and three stacking conveyers and a water spray dust suppression system pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Windham Quarry located in Windham Township, **Bradford County**.

GP9-08-00059A: Austin Excavating & Paving, Inc. (121 Talmadge Hill West, Waverly, NY 14892) on August 16, 2021, to authorize the operation of one Deutz (168 bhp) and three Caterpillar (426 bhp, 415 bhp, and 131 bhp) diesel-fired engines to provide power to the portable nonmetallic mineral processing plant at the facility pursuant to the General Plan Approval and/or General Operating Permit: Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP9) at the Windham Quarry located in Windham Township, **Bradford County**.

AG5-41-00016A: Regency Marcellus Gas Gathering (101 West Third Street, Third Floor, Williamsport, PA 17701) was issued on August 16, 2021, an authorization for the continued operation of the existing sources at Ogontz East Station, pursuant to the PA DEP Air Quality Bureau's General Plan Approval and General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5). The sources are located in Cummings Township, **Lycoming County**.

GP3-08-339: M.R. Dirt, Inc. (21189 Route 187, Towanda, PA 18848) on August 20, 2021, for authorization

to operate one portable 250 tons per hour (tph) TEREX Pegson model 1165HA Premiertrak crusher, one 125 tph Parker Screen model SR105 vibratory screen (# 1), one 200 tph Powerscreen Warrior model 1800 vibratory screen (# 2), one 400 tph Powerscreen model M85 stacker (# 1), and one 300 tph Emerald Radial Stackers model 5030 stacker (# 2) with associated water spray dust suppression systems pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Camptown Quarry facility located in Wyalusing Township, **Bradford County**.

GP9-08-339: M.R. Dirt, Inc (21189 Route 187, Towanda, PA 18848) on August 20, 2021, to continue to operate one 350 bhp Caterpillar C9 diesel-fired engine, one 60 bhp John Deere model 4045TF150D diesel-fired engine, one 95 bhp Caterpillar model 3054C diesel-fired engine, one 63 bhp Cummins model B3.3 diesel-fired engine, and one 55 bhp Deutz model F4L1011F diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or No. 2 fuel-fired Internal Combustion Engines at their Camptown Quarry facility located in Wyalusing Township, **Bradford County**.

Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief—412.442.4168.

GP1-63-01045A: Heritage Environmental Services, LLC (3866 Millers Run Rd., McDonald, PA 15057-2814) on August 18, 2021, for the authorization to install and operate one (1) Cleaver Brooks, Model No. CBI-200-300-150, 12.75 MMBtu/hr; pursuant to the General Plan Approval and/or General Operating Permit for Small Gas and No. 2 Oil-Fired Combustion Units (BAQGPA/GP-1) at the Pittsburgh Service Center in Cecil Township, **Washington 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.

40-00147A: General Dynamics OTS (Wilkes-Barre), LLC (1060 Hanover Street, Hanover Township, PA 18706) issued on August 19, 2021, for a forging press operation at their facility in Hanover Township, **Luzerne County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-05092I: Starbucks Coffee Company (3000 Espresso Way, York, PA 17406) on August 18, 2021, for the installation of a new roasting train to replace the existing Roasting Train No. 3 and new chaff press cartridge collector to supplement the existing fabric collector at the facility located in East Manchester Township, **York County**. The new roasting train will include the following equipment: two preheaters, two roasters,

two cooling trays, two destoners, two regenerative thermal oxidizers (RTO), and four cyclones. The following existing equipment will be removed: two roasters, two cooling trays, two catalytic oxidizers, and two cyclones.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

09-0235A: CP Converters Inc., (181 Rittenhouse Circle, Bristol, PA 19007-1617) On August 18, 2021 an extension for the installation of a new press designated as Source ID 240, Press 24-Allstein Hydro 10-Color. The new press will be installed in the existing permanent total enclosure (PTE) and VOC emissions will exhaust to the existing Regenerative Thermal Oxider (CO1-RTO). It also addresses a modification of the post-control VOC emission limit to include the aggregate emissions from the existing Press 21 as well as the new Press 24 in Bristol Township, **Bucks County**.

23-0119E: Sunoco Partners Mkt & Term L.P., (100 Green Street, Marcus Hook, P 19061-4800) On August 18, 2021, an extension to complete construction and/or continue shakedown/temporary operation of three distillation units (two depropanizers and one debutanizer) to separate and purify the natural gas liquids and pipeline transmix into propane, butane, and C5+ products in Marcus Hook Borough, **Delaware County**.

09-0115B: Draper DBS, LLC, (1803 N 5th Street, Perkaspie, PA 18944) located in East Rockhill Township, **Bucks County**. On August 20, 2021, a modification for the allowable pressure drop across the exhaust filters for Source IDs 101, 103, 108 and 109 as well as authorization of the change in status of permit 09-00115 from Synthetic Minor to Natural Minor permit 09-00115. The following modifications have been made and will be reflected in the Operating Permit upon incorporation: 1) Sitewide VOC emission reduced from 24.9 tpy to 12.5 tpy, 2) Usage limitations of Topcoats & enamels and Sealers solids per year to 8,333 lb solids/year and 6,410 lb solids/year respectively were added and, 3) Operating hours for each paint booth of 2,000 hours per year were added.

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.

50-03007B: Atlantic Metal Industries LLC (600 Susquehanna Trail, Liverpool, PA 17045) on August 17, 2021, for the construction of an aluminum sweat/copper wire burning furnace at the metal scrap recycling facility located in Liverpool Township, **Perry County**. 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.

41-00084C: Hamilton Patriot, LLC (50 Patriot Lane Montgomery, PA 17752) on August 18, 2021, was issued a

revised plan approval to revise the Responsible Official in the plan approval for the Hamilton Patriot facility located in Clinton Township, **Lycoming County**.

Southwest Regional Office, Air Quality Program, 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 15077-1000) Plan Approval Extension effective August 28, 2021, with expiration on February 28, 2022, to allow temporary operation and submit the plan approval application for their Gold Bond facility located in Shippingport Borough, **Beaver County**.

30-00072E: CONSOL Pennsylvania Coal Company, LLC (1000 CONSOL Energy Drive, Suite 100, Canonsburg, PA 15317) plan approval extension effective on August 28, 2021, with expiration on February 28, 2022, for continued temporary operation of air contamination sources and controls associated with the Crabapple Overland Conveyor located in Richhill Township, **Greene County**.

30-00072L: CONSOL Pennsylvania Coal Company, LLC (1000 CONSOL Energy Drive, Suite 100, Canonsburg, PA 15317) plan approval extension effective on August 28, 2021, with expiration on February 28, 2022, for the Bailey Prep Plant located in Richhill Township, **Greene County**.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

63-00922D: Robinson Power Company, LLC (P.O. Box 127, 563 Route 18, Burgettstown, PA 15021) on August 23, 2021, in response to Robinson Power Company, LLC's request to withdraw authorization ID 1261667 for the proposed Beech Hollow natural gas-fired combined cycle power plant located Robinson Township, **Washington County**, the Department terminated authorization ID 1261667. This termination does not affect authorization ID 1329351, expiring on March 28, 2022.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05014: Arconic Lancaster Corp. (1480 Manheim Pike, Lancaster, PA 17601-3152) on August 17, 2021, for the secondary aluminum production facility located in Manheim Township, **Lancaster County**. The Title V permit was renewed.

36-05015: Dart Container Corp. of PA (60 East Main Street, P.O. Box 546, Leola, PA 17540-0546) on August 18, 2021, for the expandable polystyrene foam

container manufacturing facility located in Upper Leacock Township, **Lancaster County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05163: Parker Hannifin Corporation (3649 Hempland Road, Lancaster, PA 17601) on August 17, 2021, for the diesel locomotive filter manufacturing facility located in West Hempfield Township, **Lancaster County**. The State-only permit was renewed.

36-03203: Bench Dogs (10 Industrial Way, Denver, PA 17517) on August 16, 2021, for the screen printing, laminating and spray booth operations at the facility located in East Cocalico Township, **Lancaster County**. The State-Only Permit was renewed.

Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

56-00244: Pennsylvania Department of Corrections (5706 Glades Pike, Somerset, PA 15501), in accordance with 25 Pa. Code § 127.441 and 25 Pa. Code § 127.425, the Department is providing notice that, on August 17, 2021, DEP issued a GPA/GP1—Small Gas and No. 2 Oil Fired Combustion Units and a renewed, State Only Operating Permit to the Pennsylvania Department of Corrections for the continued operation of a boiler house at a prison, known as the SCI Somerset, located in Brothersvalley Township, **Somerset County**.

The GP1 is utilized to authorize the construction of four boilers. These are Boilers # 9, # 10, # 11, and # 12. Boiler # 9 is a temporary, 27.3 MMBtu/hr, NG with backup FO-fired, rental boiler. It will be inactivated when construction of the other three boilers is complete. Boilers # 10, # 11, and # 12 will be permanent additions to the facility and are described as follows.

The primary sources at the boiler house will be six boilers and two emergency engines. Five boilers (Boilers # 4, # 5, # 6, # 10, # 11, and # 12), with rated Heat Inputs of 8.4 MMBtu/hr, 8.4 MMBtu/hr, 25.1 MMBtu/hr, 25.1 MMBtu/hr, and 25.1 MMBtu/hr are natural gas-fired with distillate oil backup. The other boiler (Boiler # 7), with a rated Heat Input of 10.043 MMBtu/hr, only burns natural gas. The facility also contains two, 909-bhp, emergency, diesel generator engines.

No emission or equipment changes have been approved by this action. Emission sources at the facility are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, reporting, and recordkeeping requirements for the facility. The emission restriction, monitoring, recordkeeping, reporting, and work practice conditions of the SOOP have been derived from the applicable require-

ments of 40 CFR Part 60, Subpart A, 40 CFR Part 60, Subpart Dc and Pa. Code Title 25, Article III, Chapters 121 through 145.

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

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

46-0273: Titanium Finishing Company (248 Main St., East Greenville, PA 18041) on August 29, 2021 for renewal of a State-Only Operating Permit for a plating, polishing, anodizing, and coloring processes plant in East Greenville Borough, **Montgomery County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.

23-00052: Prospect CCMC/Crozer Chester Medical Center (1 Medical Center Blvd, Chester, PA 19013) located in Upland Borough, **Delaware County**. On August 17, 2021, Administrative Amendment of Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment incorporates a change in the responsible official and permit contact person to George Sorbino (Systems Director, Facilities & Real Estate, Crozer Health) and Terry Brida (Director, Facilities Services) respectively.

23-00053: Prospect CCMC/DCMH (501 N Lansdowne Ave, Drexel Hill, PA 19026) located in Upper Darby Township, **Delaware County**. On August 17, 2021, Administrative Amendment of Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment incorporates a change in the responsible official to George Sorbino (Systems Director, Facilities & Real Estate, Crozer Health).

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

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

41-00084: Hamilton Patriot, LLC (50 Patriot Lane, Montgomery, PA 17752) on August 18, 2021, was issued a revised Title V Operating Permit to revise the Responsible Official in the Title V Operating Permit for the Hamilton Patriot facility located in Clinton Township, **Lycoming County**.

08-00045: Hamilton Liberty, LLC (151 Liberty Lane, Towanda, PA 18848) on August 18, 2021, was issued a revised Title V Operating Permit to revise the Responsible Official and Permit Contact Person in the Title V Operating Permit for the Hamilton Liberty facility located in Asylum Township, **Bradford County**.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

65-01120: Alliance Petroleum Co., LLC (101 McQuiston Drive, Jackson Center, PA 16133) on August 23, 2021, the Department of Environmental Protection denied a natural minor State-Only Operating Permit in accordance with 25 Pa. Code § 127.422(1) for the operation of the Beaver Road natural gas compressor station located in Hempfield Township, **Westmoreland County** for failing to demonstrate compliance with best available technology requirements.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

24-00165: Elkhorn Whitetail Gas Processing (4613 E. 9th Street Tulsa, OK 74137-2852) on August 23, 2021, the State Only Operating Permit was revoked for the facility located in Jones Township, **Elk County**. This Permit was revoked because the sources were shut down and the facility is no longer in operation.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

Coal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Ford-Wigfield).

Permit No. 56140106. Mountaineer Mining Corp., 1010 Garrett Shortcut Road, Berlin, PA 15530, permit renewal for reclamation only of a bituminous surface & auger mine in Brothersvalley Township, **Somerset County**, affecting 36.0 acres. Receiving streams: unnamed tributaries to Piney Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 28, 2021. Permit issued: August 17, 2021.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191, (Contact: Cayleigh Boniger).

Permit No. 10813005 and NPDES Permit No. PA0615218. Amcord, Inc., c/o Three Rivers Management, Inc., 600 River Avenue, Suite 200, Pittsburgh, PA

15220, Transfer of an existing bituminous surface mine in Washington Township, **Butler County**, affecting 222.5 acres. Receiving stream(s): Unnamed tributaries to Slippery Rock Creek. Application received: June 29, 2020. Permit Issued: August 11, 2021.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).

Permit No. 17990102 and NPDES No. PA0238236. RES Coal, LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, permit renewal for continued operation and restoration of a bituminous surface coal and auger mine located in Decatur Township, **Clearfield County** affecting 344.2 acres. Receiving stream(s): Unnamed Tributary to Little Laurel Run and Little Laurel Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 3, 2021. Permit issued: August 18, 2021.

Permit No. 17100108 and NPDES No. PA0257362. Waroquier Coal Company, P.O. Box 128, Clearfield, PA 16830, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Beccaria Township, **Clearfield County** affecting 61.0 acres. Receiving stream(s): Dotts Hollow, Blue Run and Unnamed Tributaries to Clearfield Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 1, 2021. Permit issued: August 18, 2021.

Permit No. 17070103 and NPDES No. PA0256498. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, for addition of an NPDES outfall, construction of additional treatment facilities, revision to the permit boundary and a stream variance. The permit boundary revision consists of the addition of 5 acres for the construction of an additional treatment facility and the deletion of 5 unaffected areas for an existing coal surface mine located in Girard Township, **Clearfield County** affecting 326.1 acres. Receiving stream(s): Unnamed Tributary to Deer Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 7, 2021. Permit issued: August 19, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 54850101R7. Schuylkill Reclamation Corp., 10 Gilberton Road, Gilberton, PA 17934, renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 61.0 acres. Receiving stream: North Mahanoy Creek. Application received: January 13, 2020. Renewal issued: August 17, 2021.

Permit No. PAM115003R. Schuylkill Reclamation Corp., 10 Gilberton Road, Gilberton, PA 17934, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54850101 in Mahanoy Township, **Schuylkill County**, receiving stream: North Mahanoy Creek. Application received: January 13, 2020. Renewal issued: August 17, 2021.

Permit No. 54850201R7. Joe Kuperavage Coal Company, 325 Wilson Avenue, Port Carbon, PA 17965, renewal of an existing anthracite coal refuse reprocessing operation in Blythe Township, **Schuylkill County** affect-

ing 31.1 acres. Receiving stream: Schuylkill River. Application received: March 4, 2020. Renewal issued: August 17, 2021.

Permit No. PAM114036R. Joe Kuperavage Coal Company, 325 Wilson Avenue, Port Carbon, PA 17965, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54850201 in Blythe Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: March 4, 2020. Renewal issued: August 17, 2021.

Permit No. 40763204R7. Northampton Fuel Supply Co., Inc., 1 Horwith Drive, Northampton, PA 18067, renewal of an existing anthracite coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 61.2 acres. Receiving stream: Newport Creek. Application received: April 1, 2020. Renewal issued: August 17, 2021.

Permit No. PAM115026R. Northampton Fuel Supply Co., Inc., 1 Horwith Drive, Northampton, PA 18067, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 40763204 in Newport Township, **Luzerne County**, receiving stream: Newport Creek. Application received: April 1, 2020. Renewal issued: August 17, 2021.

Permit No. 54000103R4. Joe Kuperavage Coal Company, 325 Wilson Avenue, Port Carbon, PA 17965, renewal of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 250.8 acres. Receiving stream: Schuylkill River. Application received: February 26, 2021. Renewal issued: August 17, 2021.

Permit No. PAM111051R2. Joe Kuperavage Coal Company, 325 Wilson Avenue, Port Carbon, PA 17965, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54000103 in Blythe Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: February 26, 2021. Renewal issued: August 17, 2021.

Permit No. 40110201R2. Stell Enterprises, Inc., 16 East Ann Street, Plains, PA 18705, renewal of an existing anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation in Avoca and Dupont Boroughs, **Luzerne County** affecting 25.3 acres. Receiving stream: Mill Creek. Application received: March 19, 2021. Renewal issued: August 17, 2021.

Permit No. PAM119024R. Stell Enterprises, Inc., 16 East Ann Street, Plains, PA 18705, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 40110201 in Avoca and Dupont Boroughs, **Luzerne County**, receiving stream: Mill Creek. Application received: March 19, 2021. Renewal issued: August 17, 2021.

Permit No. GP12-40110201R. Stell Enterprises, Inc., 16 East Ann Street, Plains, PA 18705, renewal of general Operating Permit to operate a coal preparation plant on Surface Mining Permit No. 40110201 in Avoca and Dupont Boroughs, **Luzerne County**. Application received: March 19, 2021. Permit renewed: August 17, 2021.

Permit No. 54040203R3. Wheelabrator Culm Services, Inc., 100 Arboretum Drive, Suite 310, Portsmouth, NH 03801, renewal of an existing anthracite coal refuse

reprocessing operation for reclamation activities only in Mahanoy Township, **Schuylkill County** affecting 42.1 acres. Receiving stream: North Mahanoy Creek. Application received: November 4, 2019. Renewal issued: August 18, 2021.

Permit No. PAM114052R. Wheelabrator Culm Services, Inc., 100 Arboretum Drive, Suite 310, Portsmouth, NH 03801, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54040203 in Mahanoy Township, **Northumberland County**, receiving stream: North Mahanoy Creek. Application received: November 4, 2019. Renewal issued: August 18, 2021.

Permit No. 54773017R7. KK Coal, LLC, P.O. Box 8, Cumbola, PA 17930, renewal of an existing anthracite surface mine operation in East Norwegian and Blythe Townships, **Schuylkill County** affecting 259.0 acres. Receiving stream: East Branch Schuylkill River. Application received: April 23, 2020. Renewal issued: August 18, 2021.

Permit No. PAM114040R. KK Coal, LLC, P.O. Box 8, Cumbola, PA 17930, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54773017 in East Norwegian and Blythe Townships, **Schuylkill County**, receiving stream: East Branch Schuylkill River. Application received: April 23, 2020. Renewal issued: August 18, 2021.

Permit No. 54900205R6. Wheelabrator Culm Services, Inc., 100 Arboretum Drive, Suite 310, Portsmouth, NH 03801, renewal of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** 670.7 acres. Receiving stream: Mill Creek. Application received: April 30, 2021. Renewal issued: August 18, 2021.

Noncoal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Melanie Ford-Wigfield).

Permit No. 6875SM1 and PAM421005, After The Wire, LLC, 363 Park Drive, Reedsville, PA 17084, permit transfer of a large noncoal (industrial minerals) mine (formerly New Enterprise Stone & Lime Co., Inc.) in Derry Township, **Mifflin County**, affecting 67.6 acres. Receiving stream: unnamed tributary to Kishacoquillas Creek, classified for the following uses: Trout Stocked Fishes, Migratory Fishes. The first downstream potable water supply intake from the point of discharge is Fairview Water Association source 001, 6.25 mi, site ID 796441. Application received: October 15, 2020. Permit issued: August 19, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 09890301C21 and NPDES Permit No. PA0594466. Naceville Materials, 350 S. Main Street, Suite 207, Doylestown, PA 18901, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in West Rockhill Township, **Bucks County**. Receiving stream: unnamed tributary to Ridge Valley Creek. Application received: June 27, 2019. Renewal issued: August 20, 2021.

Permit No. 48750401T and NPDES Permit No. PA0225916. Holcim (US), Inc., 5160 Main Street, Whitehall, PA 18052, transfer of an existing quarry

operation and NPDES Permit for discharge of treated mine drainage in Allen Township and Northampton Borough, **Northampton County** affecting 292.7 acres. Receiving stream: Hokendauqua Creek. Application received: July 11, 2018. Transfer issued: August 23, 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. 08214109. Hayduk Enterprises Inc., 257 Riverside Dr., Factoryville, PA 18419. Blasting for construction of a pipeline located in Leroy Township, **Bradford County** with an expiration date of December 30, 2021. Permit issued: August 23, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 23214106. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Project Frost in Middletown Township, **Delaware County** with an expiration date of July 29, 2022. Permit issued: August 17, 2021.

Permit No. 35214107. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Bell Mountain Land Development in Dickson City, **Lackawanna County** with an expiration date of August 6, 2022. Permit issued: August 17, 2021.

Permit No. 46214111. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Core 5 Park 31 in Towamencin Township, **Montgomery County** with an expiration date of July 16, 2022. Permit issued: August 17, 2021.

Permit No. 52214102. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting for Richard Lavanant Commercial use in Delaware Township, **Pike County** with an expiration date of August 16, 2022. Permit issued: August 19, 2021.

Permit No. 52214103. Holbert Explosives, Inc., 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, construction blasting for Hemlock Farms in Blooming Grove Township, **Pike County** with an expiration date of August 18, 2022. Permit issued: August 19, 2021.

Permit No. 54214102. Holbert Explosives, Inc., 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, construction blasting for Little Leaf Farms in Kline Township, **Schuylkill County** with an expiration date of August 16, 2022. Permit issued: August 19, 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. § 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.

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. E1501221-002, PECO Energy Company, 2301 Market Street, N3-3, Philadelphia, PA 19103, New Garden Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain about 680 LF of three 0.72-inch diameter electrical cables along Penn Green Road and the aerial crossing above the East Branch White Clay Creek and to its UNT (CWF-MF) associated with the improved current electrical services to the properties along Penn Green Road. East Branch White Clay Creek is designated as a Wild and Scenic River.

The site is located along Penn Green Road between Laurel Wood and Laurel Bridge Roads (West Grove, PA, USGS Quadrangle, Latitude: 39.783194; Longitude: -75.774933) in New Garden Township, Chester County. Permit issued August 11, 2021.

Permit No. E2301221-007, Chester Water Authority, P.O. Box 467, Chester, PA 19016-0467, Concord Township, **Delaware County**, ACOE Philadelphia District.

To perform the following-listed water obstruction and encroachment activities associated with the Air Release Valve Replacement A55A, Site AA87 over Concord (Webb) Creek. The proposed project involves the replacement of a water main air release valves east of Temple Road and adjacent to Concord (Webb) Creek (TSF). The project proposes 0.001 acre of permanent wetland impacts, 0.175 temporary wetland impacts, and 0.043 acre of temporary floodway impact and no permanent or temporary stream impacts and no permanent floodway impacts. There are no impacts to the floodplain.

The site is approximately located at Concord (Webb Creek) and Temple Road, Glen Mills, PA 19342 (Wilmington North, PA/DE Latitude: 39° 52' 26.523"; Long.-75° 31' 18.762") in Concord Township, Delaware County. Permit issued August 18, 2021.

Permit No. E2301221-008, Chester Water Authority, P.O. Box 467, Chester, PA 19016, Concord Township, **Delaware County**, ACOE Philadelphia District.

To replace and maintain the existing air release valves of 42-inch and 48-inch water transmission main lines for the site AA217, impacting approximately 0.299 acre of wetland for the purpose of preventing potential failure and catastrophic release of water.

The site is located near Air Release Valve A60, which is located along the water main between the West Branch of Chester Creek and Ivy Mills Road (Media, PA, USGS Map, Latitude: 39.885293; Longitude: -75.487760) in Concord Township, Delaware County. Permit issued August 13, 2021.

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

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

E4502221-004. Michael J. Morelli, 1890 Blattner Road, Lansdale, PA 19446. Tobyhanna Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an L-shaped aluminum dock, supported by posts and pads, with a total square footage of approximately 248-feet in Arrowhead Lake (EV, MF). The project is located at 106 Rock Court (Thornhurst, PA Quadrangle Latitude: 41.151105; Longitude: -75.572377) in Tobyhanna Township, Monroe County.

E5402221-004. Richard Hardy, 2034 Wynonah Drive, Auburn, PA 17922-9366, South Manheim Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Richard Hardy Property:

1. To maintain an existing 3.5-foot high, 174-LF wooden bulkhead within the normal pool elevation of Lake Wynonah (CWF, MF).
2. To maintain an existing 104 ft², floating wooden dock and gangway within the normal pool elevation of Lake Wynonah (CWF, MF).
3. To maintain an existing 128 ft², floating wooden dock and gangway within the normal pool elevation of Lake Wynonah (CWF, MF).
4. To maintain an existing 176 ft², floating wooden dock and gangway within the normal pool elevation of Lake Wynonah (CWF, MF).
5. To construct and maintain a 110 ft², pile-supported aluminum boat lift within the normal pool elevation of Lake Wynonah (CWF, MF).

The project is located at 2034 Wynonah Drive, directly south of the intersection of Moccasin Drive and Wynonah Drive (Friedensburg, PA Quadrangle, Latitude: 40° 35' 49.58"; Longitude: -76° 10' 3.31") in South Manheim Township, Schuylkill County.

Southcentral Region: Waterways & Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

E0503221-001. Bedford Joint Municipal Authority, P.O. Box 148, Bedford, PA 15522 in Bedford Borough & Bedford Township, **Bedford County**, Army Core of Engineers Baltimore District.

To construct and maintain (1) a 165 foot single span pedestrian truss bridge over the Raystown Branch of the Juniata River (WWF, MF), and (2) a 18.5 foot wide 40 foot long aluminum structural plate box culvert in an Unnamed Tributary to the Raystown Branch of the Juniata River (WWF, MF) for the purpose of constructing a 1.7 mile northern extension of the existing Shuster Way Heritage Recreational Trail. The project will permanently impact 173 feet of stream, temporarily impact 426 feet of stream and 0.71 acre of floodway, and permanently impact 0.33 acre of wetlands. The project is located in Bedford Township and Bedford Borough, Bedford County (Latitude: 40° 01' 32.5"; Longitude: -78° 30' 37.9"). To compensate for wetland impacts, the permittee will purchase 0.426 acre of wetland credits from the Tunnel Road Mitigation Bank located in Somerset County, PA. Permit issued August 24, 2021.

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101; Email: RA-EPREGIONAL PERMIT@pa.gov.

E3603220-021. Landis Valley Holdings, LP, 616 Paxton Place, Suite 100, Lititz, PA 17543. Manheim Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Landis Valley, LLC Brooklawn Phase II project:

1) Construct and maintain an approximately 33-foot wide, two span bridge across an unnamed tributary to Landis Run (WWF, MF) and palustrine emergent/scrub shrub wetlands, having a total span of approximately 141-feet and an underclearance of approximately 3-feet, impacting 0.01 acre of palustrine emergent/scrub shrub wetlands.

2) Regrade and maintain the overbank along approximately 1,226 feet of an unnamed tributary to Landis Run (WWF, MF), impacting approximately 0.63 acre of floodway and 0.12 acre of palustrine emergent/scrub shrub wetlands.

3) Install and maintain a concrete encased 8-inch diameter PVC sanitary sewer line across an unnamed tributary to Landis Run (WWF, MF), impacting 10 linear feet of stream.

The project is located at the intersection of Trena Avenue and Bonnie Drive (Lancaster, PA Quadrangle Latitude: 40.0882°; Longitude: -76.2948°) in Manheim Township, Lancaster County. Permit issued August 3, 2021.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

EA2203221-003. First Pennsylvania Resource, LLC, 33 Terminal Way, Pittsburgh, PA 15219. Susque-

hanna Township, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To the re-grading and maintenance of 1.) 903-feet of an unnamed tributary to Paxton Creek (WWF, MF); and 2.) 0.36 acre of the floodway of an unnamed tributary to Paxton Creek (WWF, MF) for the purpose of reducing sediment loading to the stream. The project is located immediately east of the intersection of Crooked Hill Road and Shutt Mill Road (Latitude: 40.3120°N, Longitude 76.8737°W) in Susquehanna Township, Dauphin County. No wetlands will be impacted by this project. Permit issued August 23, 2021.

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.

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.

ESCGP-3 # ESG076321006-00

Applicant Name EQM Gathering Opco, LLC

Contact Person Stephanie Frazier

Address 2200 Energy Drive

City, State, Zip Canonsburg, PA 15317

County Washington

Township(s) Amwell

Receiving Stream(s)and Classification(s) UNT to Redd Run (TSF), Redd Run (TSF)

Secondary Receiving Waters Redd Run (TSF), Tenmile Creek (TSF)

ESCGP-3 # ESX17-059-0040

Applicant Name EQM Gathering OPco, LLC

Contact Person Erin Debias

Address 2200 Energy Drive

City, State, Zip Canonsburg, PA 15317

County Greene

Township(s) Franklin Twp

Receiving Stream(s)and Classification(s) UNT to South Fork Tenmile Creek (WWF)/South Fork Tenmile Creek (WWF)

ESCGP-3 # ESG076320015-00
 Applicant Name CNX Gas Co, LLC
 Contact Person Sarah Weigand
 Address 1000 Consol Energy Drive
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) East Finely Twp
 Receiving Stream(s) and Classification(s) UNT to Rocky Run (TSF), UNT to Enlow Fork (WWF), UNT to Long Run (WWF)

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

ESCGP-3 # ESG084221001-00 DO8 M ESG
 Applicant Name Seneca Resources Co., LLC
 Contact Person Benjamin Williams
 Address 51 Zents Boulevard
 City, State, Zip Brookville, PA 15825
 County McKean County
 Township(s) Norwich Township
 Receiving Stream(s) and Classification(s) UNT to Elk Fork (EV, MF), South Fork West Branch Potato Creek (HQ-CWF).
 Secondary; Driftwood Branch Sinnemahoning Creek (HQ-CWF, MF), Potato Creek (HQ-CWF, MF).

ESCGP-3 # ESG082420002-01 Clermont D09 M Pipeline Major Modification
 Applicant Name National Fuel Midstream (NFG)
 Contact Person Michael Kaspizak
 Address 6363 Main Street
 City, State, Zip Williamsville, NY 14221
 County Armstrong
 Township(s) Jones Township
 Receiving Stream(s) and Classification(s) Windfall Run EV (MF), Driftwood Branch Sinnemahoning Creek EV (MF), Straight Creek EV, South Fork Straight Creek EV.
 Secondary: Sinnemahoning Creek WWF and East Branch Clarion River EV.

ESCGP-3 # ESX160050003-01 Kuhns Well Pad—Renewal
 Applicant Name Snyder Brothers, Inc.
 Contact Person Carl Rose
 Address P.O. Box 1022
 City, State, Zip Kittanning, PA 16201
 County Armstrong
 Township(s) Boggs
 Receiving Stream(s) and Classification(s) Trib 47265 to Scrubgrass Creek (CWF), Trib 47267 of Scrubgrass Creek (CWF) and Scrubgrass Creek (CWF)
 Secondary Waters Trib 47266 to Scrubgrass Creek (CWF), Scrubgrass Creek (CWF) and Mahoning Creek (WWF)

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

ESCP # ESG003321001
 Applicant Name Columbia Gas Transmission
 Address 1700 MacCorkle Avenue SE
 P.O. Box 1273
 City, State, Zip Charleston, WV 25314
 County(s) Jefferson and Clarion
 Township(s) Rose Township
 , Knox Township
 , Clover Township
 , Beaver Township (Jefferson)
 , Redbank Township (Clarion)

Contact Clarion County Conservation District
 217 S 7th Avenue
 Room 106A
 Clarion, PA 16214
 814-297-7813

Receiving Water/Use UNT Swamp Run CWF, Eckler Run CWF, UNT Smathers Run CWF, UNT Beaver Run CWF, Beaver Run CWF, Redbank Creek TSF, Patton Run CWF, UNT Patton Run CWF, UNT Pine Creek CWF, Pine Creek CWF, UNT Town Run CWF, Town Run CWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

ESCGP-3 # ESG290821048-00
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Adam Weightman
 Address 30531 Route 6
 City, State, Zip Wysox, PA 18854
 County Bradford
 Township(s) Wilmot
 Receiving Stream(s) and Classification(s) Sugar Run Creek (CWF-MF)
 Secondary: Susquehanna River (WWF-MF)

ESCGP-3 # ESG294121016-00
 Applicant Name
 Pennsylvania General Energy Co., LLC
 Contact Person David Straub
 Address 120 Market St
 City, State, Zip Warren, PA 16365-2510
 County Lycoming
 Township(s) Plunketts Creek
 Receiving Stream(s) and Classification(s) Loyalsock Creek (EV), Little Painter Run (EV)
 Secondary: West Branch Susquehanna River (WWF), West Branch Susquehanna River (WWF)

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 post remediation 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 DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

DEP 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.

Elias Auto Sales-Former Greenie's Service Station, Storage Tank ID # 39-28192, 1034 West Emaus Avenue, Allentown, PA 18103, Allentown City, **Lehigh County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of 1030 West Emaus Ave Land Corp, LLC, 1034 West Emaus Avenue, Allentown, PA 18103, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet site-specific standards.

Stroudsburg C Store Holdings, Storage Tank ID # 45-29830, 1229 West Main Street, Stroudsburg, PA 18360, Stroudsburg Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Stroudsburg C Store Holdings, LLC, 808 Main Street, Moosic, PA 18507, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide health standards.

Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Robin L. Yerger, LPG.

Sunoco 0870 0239, Storage Tank Primary Facility ID # 67-31862, 1340 Baltimore Street, Hanover, PA 17331, Penn Township, **York County**. Buchart Horn, P.O. Box 15040, York, PA 17405, on behalf of Shipley Energy submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide health standard.

Rutter's Farm Store No. 34, Storage Tank Primary Facility ID # 67-26966, 2210 Old Trail Road, Newberrytown, PA 17319, Newberry Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide health standard.

Southwest Region: Environmental Cleanup & Brownfields Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Smithton Truck Stop, Primary Facility ID # 65-21940, 138-168 Motordrome Rd., South Huntingdon

Township, PA 15479, Smithton Borough, **Westmoreland County**. Cribbs & Associates Inc., P.O. Box 44, Delmont, PA 15626, on behalf of EL-Do Inc., 700 Atlantic Ave., McKeesport, PA 15132, submitted a combined Site Characterization Report and Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

Former BP Service Station No. 09131, Primary Facility ID # 11-14138, 1133 Scalp Ave., Johnstown, PA 15904, Richland Township, **Cambria County**. Antea USA, Inc., 535 Rt. 38, Ste. 203, Cherry Hill, NJ 08002, on behalf of BP Products North America, Inc., 201 Helios Way, Floor 6, Houston, TX 77079, submitted a combined Site Characterization Report, Remedial Action Plan, and Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site specific standard.

Former Sunoco 0364-1602, Primary Facility ID # 65-32519, 99 Tarentum Bridge Rd., New Kensington, PA 15068, New Kensington City, **Westmoreland County**. EnviroTrac Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sunoco, Inc., 2 Righter Parkway, Ste. 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site specific standard.

Former Sunoco 0364-3914, Primary Facility ID # 65-24185, 3963 State Rt. 30, Latrobe, PA 15650, Latrobe Borough, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Dr., Cranberry Township, PA 16066, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Ste. 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

Former Pennzoil-Quaker State Fac. No. 3112, Primary Facility ID # 65-01194, 731 South Main St., Greensburg, PA 15601, Southwest Greensburg Borough, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Dr., Cranberry Township, PA 16066, on behalf of Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810, submitted a revised Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

BFS Foods Connellsville, Primary Facility ID # 26-31699, 1014 Morrell Ave., Connellsville, PA 15425, Connellsville City, **Fayette County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of Brucecon Farm Service, Inc., 116 Shannon Dr., Morgantown, WV 26508, submitted a combined Site Characterization Report and Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site specific standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The Department of Environmental Protection (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 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 post remediation 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.

DEP may approve or disapprove plans and reports submitted. This notice provides 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 DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

DEP 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.

Lehighon Fuel & Fill, Storage Tank ID # 13-50392, 7435 Interchange Road, Lehighon, PA 18235, Towamensing Township, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Lehighon Fuel & Fill, LLC, 9 Bonham Drive, Edison, NJ 08837, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved by DEP on July 24, 2021.

Convenient Food Mart 3029, Storage Tank ID # 35-08517, 330 Northern Boulevard, Clarks Summit PA 18411, South Abington Township, **Lackawanna County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Convenient Food Marts of Pennsylvania, 215 Clark Avenue, Clarks Summit PA 18411, submitted a revised Remedial Action Plan concerning remediation of

soil and groundwater contaminated with gasoline. The Remedial Action Plan was acceptable to meet Statewide health standards and was approved by DEP on August 19, 2021.

8523 Hensingersville Road Property, Storage Tank ID # 39-97898, 8523 Hensingersville Road, Macungie, PA 18062, Lower Macungie Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of 8523 Hensingersville Road, LLC, 4528 Reservoir Hill Road, Macungie, PA 18062, submitted a combined Site Characterization Report and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report was not acceptable to meet Statewide health standards and was disapproved by DEP on August 24, 2021.

Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Michael Stefanic, P.G., Project Officer.

Bethel Mart, Storage Tank Facility ID # 06-06917, 8555 Lancaster Avenue, Bethel, PA 19507, Bethel Township, **Berks County**. MIG Consulting, LLC, 707 Riritan Avenue, Suite 203, Highland Park, NJ 08904, on behalf of Mr. Sukhvinder Singh Longia, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of the site-specific standards and was approved by DEP on August 9, 2021.

Contact: Robin L. Yerger, LPG.

Rutter's Farm Store No. 34, Storage Tank Primary Facility ID # 67-26966, 2210 Old Trail Road, Newberrytown, PA 17319, Newberry Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was not acceptable to meet the Statewide health standard and was disapproved by the DEP on August 12, 2021.

Sunoco 0870 0239, Storage Tank Primary Facility ID # 67-31862, 1340 Baltimore Street, Hanover, PA 17331, Penn Township, **York County**. Buchart Horn, P.O. Box 15040, York, PA 17405, on behalf of Shipley Energy submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report was acceptable to meet the Statewide health standard and was approved by the DEP on August 24, 2021.

Southwest Region: Environmental Cleanup & Brownfields Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.

GetGo 3487, Primary Facility ID # 02-32168, 801 Mt. Royal Blvd., Pittsburgh, PA 15223, Shaler Township, **Allegheny County**. BJAAM Environmental, Inc., P.O. Box 523, Canal Fulton, OH 44614, on behalf Giant Eagle, Inc., 701 Alpha Dr., Pittsburgh, PA 15238, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved by DEP on July 29, 2021.

F&E Rentals, Primary Facility ID # 11-32072, 830 W. High St., Ebensburg, PA 15931, Ebensburg Borough, **Cambria County**. P. Joseph Lehman, Inc., P.O. Box 419,

Holidaysburg, PA 16648, on behalf of Frank Falchini, 840 High St., Ebensburg, PA 15931, resubmitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the site specific standard and was approved by DEP on July 29, 2021.

Northwest Regional Office: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Big Dave's Service Center, Storage Tank Facility ID # 32-07987, 402 Salt Street, Saltsburg, PA 15681-1124, Conemaugh Township, **Indiana County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Pam Ramsden, 4035 Route 981, Saltsburg, PA 15681, submitted a combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, total xylenes, cumene, naphthalene, and methyl tert-butyl ether. The combined Remedial Action Plan and Remedial Action Completion Report did not demonstrate attainment of the Statewide health standard and was disapproved by DEP on August 19, 2021.

Kwik Fill M175, Storage Tank Facility ID # 61-14854, 3670 State Route 257, Seneca, PA 16346, Cranberry Township, **Venango County**. ATC Group Services, LLC, 270 William Pitt Way, Pittsburgh, PA 1528 on behalf of United Refining Company, 15 Bradley Street, Warren, PA 16365 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on August 20, 2021.

Country Fair 59, Storage Tank Facility ID # 25-90128, 4526 Pine Avenue, Erie, PA 16504, City of Erie, **Erie County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Country Fair, Inc., 2251 E. 30th Street, Erie, PA 16510, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, methyl tertiary butyl ether (MTBE), xylenes, 1,2,4-trimethylbenzene (TMB) and 1,3,5-TMB. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on August 20, 2021.

SPECIAL NOTICES

WASTE MANAGEMENT

Notice of Plan Revision Approval Under The Municipal Waste Planning

Northcentral Region: Waste Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Pursuant to 25 Pa. Code § 287.101(b)(2), the Department of Environmental Protection (DEP) approved an **Alternative Best Management Practice Proposal** for **Nicholas Meat, LLC** on August 19, 2021.

The Department's approval constitutes an agreement for the methods Nicholas Meat, LLC may use to land apply Food Processing Residual (FPR) under specific weather conditions in compliance with the additional restrictions that are set forth in the proposal.

This approval is an action of the Department authorized and issued pursuant to § 602 of the SWMA, (35 P.S. § 6018.602) and Section 1917-A of the Administrative Code, 71 P.S. § 510-17.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board (Board) within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 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.

The proposal is a public document and may be viewed at the DEP Northcentral Regional Office, 208 West Third Street, Williamsport, PA 17701.

Questions concerning this approval should be directed to Patrick Brennan, Environmental Program Manager, Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Williamsport, PA 17701.

WATER PROGRAMS REQUEST FOR COMMENT

Proposed Total Maximum Daily Loads (TMDLs) for the UNT South Branch Conewago Creek Watershed in Adams 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 an Unnamed Tributary to (UNT) the South Branch Conewago Creek 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 due to agriculture.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the UNT South Branch Conewago Creek Watershed. The "TMDLs" included allocations for nonpoint sources, reserves for future point sources, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land and streambank

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 loadings within the watershed, the prescribed "TMDL" values, and % reductions needed under annual average conditions.

<i>Summary of "TMDL" -Based Load Reductions (expressed as annual averages) in the UNT South Branch Conewago Creek Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>"TMDL" (lbs/yr)</i>	<i>% Reduction</i>
UNT South Branch Conewago Creek	Sediment	1,835,010	543,517	70

The following table shows the estimated current sediment loading within the watershed, the prescribed "TMDL" values, and % reductions needed under 99th percentile daily loading conditions.

<i>Summary of "TMDL" -Based Load Reductions (expressed as 99th percentile daily loading) in the UNT South Branch Conewago Creek Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/d)</i>	<i>TMDL (lbs/d)</i>	<i>% Reduction</i>
UNT South Branch Conewago Creek	Sediment	99,336	33,321	66

The proposed TMDL document can be viewed at: <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/UNTSouthBranchConewagoTMDL.pdf>

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov, (717) 772-5670.

Written/typed comments will be accepted at the above email address. While emailed comments are preferable, written comments may also be sent by mail to:

Michael Morris, Water Program Specialist
Bureau of Clean Water
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Comments must be submitted within 30 days after publication of this notice in the September 4, 2021, issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL document to EPA for approval.

[Pa.B. Doc. No. 21-1474. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.depgreenport.state.pa.us/elibrary/. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Draft TGD: New Guidance

DEP ID: 310-2100-002. **Title:** Chapter 105 Alternatives Analysis Technical Guidance Document. **Description:** This TGD provides guidance on the preparation of a Chapter 105 alternatives analysis. This TGD consolidates existing guidance and expands upon that guidance as follows:

- Clarifies the appropriate level of analysis required for evaluating alternatives for projects requiring an Individual Water Obstruction and Encroachment Permit under 25 Pa. Code Chapter 105 (relating to dam safety and waterway management).
- Provides guidelines for determining if an alternative should be considered practicable.
- Establishes a common, complete and consistent level of understanding of the information needed by the Department to adequately review alternatives analyses for Water Obstruction and Encroachment Permit applications proposing impacts to aquatic resources.

Written Comments: Interested persons may submit written comments on this draft TGD through Monday, October 4, 2021. Comments, including comments submitted by e-mail must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Andy Klinger at anklinger@pa.gov or (717) 772-5975.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

Final TGD

DEP ID: 800-0810-001. *Title:* Guidelines for Implementing Area of Review Regulatory Requirement for Unconventional Wells. *Description:* This final TGD informs unconventional well operators engaged in hydraulic fracturing activities how to comply with the requirements of The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the 2012 Oil and Gas Act (58 Pa.C.S. §§ 2301—3504), 25 Pa. Code Chapter 78a (relating to unconventional wells) and other applicable laws. The Department developed this final guidance to facilitate appropriate risk mitigation for unconventional well operators. The final TGD includes a risk-based classification scheme for offset well locations and commensurate levels of monitoring;

communication incident management, reporting and resolution; and operational alternatives and technical considerations for different anticipated incident scenarios. This final guidance also provides an overview of the Department's well adoption permitting process.

The Department published the interim final guidance document in the *Pennsylvania Bulletin* at 46 Pa.B. 6392 (October 8, 2016). Based on the approximately 55 comments from 10 commenters received during the 60-day comment period, the Department made several editorial and substantive changes to the guidelines. These changes included clarifying the ability for operators to survey an area that extends beyond the prescriptive area of review regulatory language, removing language assigning responsibility for recently plugged offset wells to the operator who had completed the plugging, relocating language pertaining to briefing the hydraulic fracturing operations team about adjacent operator coordination, updating incident reporting language and modifying operator coordination with Department field inspection staff ahead of hydraulic fracturing.

Contact: Questions regarding this TGD can be directed to Seth Pelepkko at mipelepkko@pa.gov or (717) 772-2199.

Effective Date: September 4, 2021

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1475. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program; Certification Requests

The Department of Environmental Protection (Department) provides notice of the following certification requests that have been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed).

Credit Certification Requests

The following requests are being reviewed by the Department.

<i>Applicant</i>	<i>Pollutant Reduction Activity Description</i>
Lycoming Conservation District (Lycoming County) on behalf of Barbour Farms.	This certification is for riparian forest buffer, off-stream watering with stream fencing, off-stream watering without fencing and precision grazing.
Lycoming Conservation District (Lycoming County) on behalf of Bischoff Farm.	This certification is for Continuous No-Till (CNT), conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Charles Bosch.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Ernie Brown.	This certification is for riparian forest buffer, off-stream watering with stream fencing, off-stream watering without fencing and precision grazing.
Lycoming Conservation District (Lycoming County) on behalf of Evan Brown.	This certification is for riparian forest buffer, off-stream watering with stream fencing, off-stream watering without fencing and precision grazing.
Lycoming Conservation District (Lycoming County) on behalf of Bernard Dincher.	This certification is for riparian forest buffer and off-stream watering with stream fencing.
Lycoming Conservation District (Lycoming County) on behalf of Wayne Fogleman/Glade Run Farm.	This certification is for CNT, conservation tillage and cover crops.

<i>Applicant</i>	<i>Pollutant Reduction Activity Description</i>
Lycoming Conservation District (Lycoming County) on behalf of Brad Gavitt.	This certification is for riparian forest buffer, off-stream watering with stream fencing and rotational grazing, CNT, conservation tillage and cover crops.
Lycoming Conservation District (Sullivan County) on behalf of John Harvey.	This certification is for CNT and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of JRT Farms.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Nancy Jarrett/Lost Brook Farm.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Cameron Koons.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Harold London.	This certification is for CNT, conservation tillage, cover crops, riparian forest buffers, off-stream watering with fencing and precision grazing.
Lycoming Conservation District (Lycoming County) on behalf of Jim McCoy.	This certification is for CNT, conservation tillage, cover crops, riparian forest buffers, off-stream watering with fencing, precision grazing and horse pasture management.
Lycoming Conservation District (Lycoming County) on behalf of Richard Mowery.	This certification is for CNT and conservation tillage.
Lycoming Conservation District (Lycoming County) on behalf of Russell Reitz.	This certification is for horse pasture management, precision grazing and off-stream watering with fencing.
Lycoming Conservation District (Lycoming County) on behalf of Harry Rogers III.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Schrack Farms.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Mike Sherman.	This certification is for riparian forest buffer, off-stream watering with fencing, precision grazing, CNT and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Jeremie Snyder Farms.	This certification is for CNT, conservation tillage, cover crops and riparian forest buffer.
Lycoming Conservation District (Lycoming County) on behalf of Tom Styer.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Charles Ulmer.	This certification is for CNT, conservation tillage and cover crops.
Lycoming Conservation District (Lycoming County) on behalf of Vandine Dairy Farms.	This certification is for CNT, conservation tillage and cover crops.

Written Comments

The Department will accept written comments on this notice for credit certification through Monday, October 4, 2021. Comments, including comments submitted by e-mail must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "2021 LCCD Certification Request" as the subject line in written communication.

For further information about this action or the Department's Trading Program, contact the Division of Data Management, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, RA-EPPANutrientTrad@pa.gov, (717) 787-6744, or visit the Department's Trading Program web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1476. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Board for Certification of Sewage Enforcement Officers Meeting

The State Board for Certification of Sewage Enforcement Officers (Board) will meet on Wednesday, October

13, 2021, at 10 a.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Amy Forney at aforney@pa.gov or (717) 772-2186.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the

Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water," then "State Board for Certification of Sewage Enforcement Officers").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Persons with questions concerning the October 13, 2021, meeting can be directed to Amy Forney at aforney@pa.gov or (717) 772-2186.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-2186 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1477. Filed for public inspection 2314-37, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Board for Certification of Sewage Enforcement Officers; Update to Examination Schedule for 2021

The State Board for Certification of Sewage Enforcement Officers (Board) has updated the certification examination schedule for the remainder of 2021.

To qualify to sit for the certification examination, all Sewage Enforcement Officer (SEO) candidates must successfully complete the Precertification Soils Course and the Precertification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct, by close of business on the dates indicated. Applications received after those dates will not be considered for examination. Applications that do not contain all the required information will be returned and will not be considered eligible for the examination. The examination schedule for the remainder of 2021 is as follows:

<i>Examination Date:</i>	Monday, October 4, 2021 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
<i>Examination Application Deadline:</i>	Friday, September 24, 2021
<i>Location:</i>	Department of Environmental Protection Southcentral Regional Office 909 Elmerton Avenue Harrisburg, PA 17110
<i>Examination Date:</i>	Friday, November 5, 2021 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
<i>Examination Application Deadline:</i>	Wednesday, October 20, 2021
<i>Location:</i>	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025

Individuals are encouraged to visit the Board's webpage to confirm date, time and location prior to each examination.

The SEO written examination contains 100 multiple-choice questions covering sewage planning requirements, administration and enforcement of the onlot sewage permitting program and technical criteria for soils and onlot sewage disposal systems. The examination must be completed within a 3 1/2-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection at RA-SEOTrng@pa.gov, (717) 772-2186.

Applicants will receive a confirmation e-mail from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-2186 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss their request. This request must be submitted with the application form.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1478. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Home Health Agencies; Requests for Exception

The following home health agencies are seeking exceptions to 28 Pa. Code § 601.31 (relating to acceptance of patients, plan of treatment and medical supervision):

Aveanna Healthcare
507 Seven Bridge Road
Suite 202
East Stroudsburg, PA 18301
LIC # 02920501

Jefferson Health Home Care and Hospice
2510 Maryland Road
Suite 250
Willow Grove, PA 19090
LIC # 714505

Wellspan VNA Home Care
300 West Chestnut Street
Ephrata, PA 17522
LIC # 747105

Wellspan VNA Home Care
1503 Quentin Road
Lebanon, PA 17042
LIC # 702605

Wellspan VNA Home Care
540 South George Street
York, PA 17405
LIC # 700405

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379, fax (717) 787-3188, ra-communityprogramlicensure@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-1479. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Colonial Manor Nursing Home
970 Colonial Avenue
York, PA 17403
FAC ID # 033402

Hanover Hall
267 Frederick Street
Hanover, PA 17331
FAC ID # 590102

Misericordia Nursing and Rehabilitation Center
998 South Russell Street
York, PA 17402
FAC ID # 133302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

Chambers Pointe Health Care Center
1425 Philadelphia Avenue
Chambersburg, PA 17201
FAC ID # 064902

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number listed previously, 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. 21-1480. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Rare Disease Advisory Council Virtual Public Meeting

The Rare Disease Advisory Council, established under the Rare Disease Advisory Council Act (35 P.S. §§ 6261—6268), will hold a virtual public meeting on Thursday, September 9, 2021, from 11 a.m. to 11:30 a.m. The purpose of the virtual public meeting is to review progress in areas to coordinate Statewide efforts for the study of the incidence and prevalence of rare diseases in this Commonwealth; advise the General Assembly and relevant State and private agencies that provide services to, or are charged with the care of, individuals with rare diseases; and coordinate communication with relevant organizations within this Commonwealth to ensure

greater cooperation between entities regarding the research, diagnosis and treatment of rare diseases. The call-in number for the virtual public meeting is (347) 991-7132 and the phone conference ID number is 753586809#. Contact Kristen Rodack, Department of Health, at (717) 547-3276 for information regarding the virtual public meeting.

For additional information or for persons with a disability who wish to attend the virtual public meeting and require an auxiliary aid, service or other accommodation to do so, contact Kristen Rodack, Executive Policy Specialist, Department of Health, Harrisburg, PA, (717) 547-3276, 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 public meeting is subject to cancellation without notice.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-1481. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments and Supplemental Hospital Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2020-2021 for a class of inpatient disproportionate share payments and a class of inpatient supplemental payments to Medical Assistance (MA) enrolled and qualifying inpatient acute care general hospitals. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 51 Pa.B. 2360 (April 24, 2021). The Department received no comments during the 30-day comment period. The Department will implement the total payment set forth in the notice of intent and as previously noted.

Fiscal Impact

The FY 2020-2021 impact, as a result of the funding allocation for these payments, is \$6.826 million in total funds.

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1459. (1) General Fund; (2) Implementing Year 2020-21 is \$1,679,000; (3) 1st Succeeding Year 2021-22 through 5th Succeeding Year 2025-26 are \$0; (4) 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; 2017-18 Program—\$477,690,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 21-1482. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share and Supplemental Hospital Payments

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2021-2022 inpatient disproportionate share hospital (DSH) payments to qualifying inpatient acute care general, psychiatric and rehabilitation hospitals and qualifying psychiatric and rehabilitation units of acute care general hospitals, outpatient supplemental payments to qualifying inpatient acute care general hospitals, and direct medical education payments to qualifying inpatient acute care general hospitals.

The Department is not otherwise changing the State Plan provisions addressing the qualifying criteria or payment methodology for these payments. All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2021-2022 impact, as a result of the funding allocation for these payments, is \$255.556 million in total funds, upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1461. (1) General Fund; (2) Implementing Year 2021-22 is \$107,300,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 21-1483. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Inpatient Hospitals Qualifying for Medical Assistance Disproportionate Share Payments

On July 1, 1988, the Department of Human Services (Department) implemented a disproportionate share pay-

ment system. The Department is required to annually publish the names of each inpatient acute care general hospital, rehabilitation hospital and private psychiatric hospital qualifying for a disproportionate share payment and their respective disproportionate share payment percentage as set forth in 55 Pa. Code §§ 1151.54(i), 1163.67(k) and 1163.459(j) (relating to disproportionate share payments).

A. Disproportionate Share for Acute Care General Hospitals, Rehabilitation Hospitals and Private Psychiatric Hospitals.

The following lists identify the inpatient acute care general hospitals, psychiatric units, drug and alcohol units and rehabilitation units of acute care general hospitals, rehabilitation hospitals, private psychiatric hospitals and private drug and alcohol hospitals eligible for disproportionate share payments for the period of July 1, 2020, through June 30, 2021, and their respective payment percentages. For all inpatient facilities, disproportionate share payments are calculated as a percentage of projected Medical Assistance (MA) inpatient income.

Payment period July 1, 2020, to June 30, 2021, disproportionate share payment percentages:

ALBERT EINSTEIN MEDICAL CENTER	4.92%
ALFRED DUPONT HOSPITAL FOR CHILDREN	7.64%
BARNES-KASSON HOSPITAL	1.43%
BRADFORD REGIONAL MEDICAL CENTER	10.00%
CHILDREN'S HOSPITAL OF PHILADELPHIA	7.19%
CROZER-CHESTER MEDICAL CENTER	3.10%
DELAWARE COUNTY MEMORIAL HOSPITAL	2.18%
GEISINGER MEDICAL CENTER	6.84%
HIGHLANDS HOSPITAL	4.56%
KENSINGTON HOSPITAL	14.00%
LEHIGH VALLEY HOSPITAL SCHUYLKILL	6.68%
MERCY FITZGERALD	2.69%
MERCY PHILADELPHIA	5.19%
MILLCREEK COMMUNITY HOSPITAL	5.00%
PENN HIGHLANDS DUBOIS	9.00%
PENN HIGHLANDS HUNTINGTON	4.18%
PENN PRESBYTERIAN MEDICAL CENTER	2.88%
PENNSYLVANIA HOSPITAL	3.66%
ROBERT PACKER HOSPITAL TOWANDA CAMPUS	3.36%
ST. CHRISTOPHER'S HOSPITAL FOR CHILDREN	15.00%
TEMPLE UNIVERSITY HOSPITAL	6.66%
THOMAS JEFFERSON UNIVERSITY HOSPITAL	2.60%
TITUSVILLE HOSPITAL	2.84%
TROY COMMUNITY HOSPITAL	3.98%
UNIONTOWN HOSPITAL	1.84%
UNIVERSITY OF PENNSYLVANIA HOSPITAL	3.13%
UPMC BEDFORD MEMORIAL	2.96%

UPMC CHILDREN'S HOSPITAL OF PITTSBURGH	9.14%
UPMC COLE	1.00%
UPMC LOCK HAVEN HOSPITAL	3.16%
UPMC MAGEE WOMEN'S HOSPITAL	5.55%
UPMC MERCY	1.65%
UPMC PRESBYTERIAN SHADYSIDE	2.48%
UPMC WELLSBORO	8.75%
UPMC WILLIAMSPORT	5.54%
VALLEY FORGE MEDICAL CENTER & HOSPITAL	5.05%
WEST VIRGINIA UNIVERSITY HOSPITAL	5.76%
WPAHS ALLEGHENY GENERAL HOSPITAL	1.37%
WPAHS WESTERN PENNSYLVANIA HOSPITAL	2.44%

Psychiatric Units of Inpatient Hospitals

ALBERT EINSTEIN MEDICAL CENTER	2.97%
BRADFORD REGIONAL MEDICAL CENTER	2.81%
CROZER CHESTER MEDICAL CENTER	2.02%
EAGLEVILLE HOSPITAL	1.74%
GEISINGER MEDICAL CENTER	2.06%
GIRARD MEDICAL CENTER	2.98%
HAHNEMANN UNIVERSITY HOSPITAL	2.76%
HIGHLANDS HOSPITAL	2.78%
LEHIGH VALLEY HOSPITAL SCHUYLKILL	2.03%
MERCY FITZGERALD	1.80%
MERCY PHILADELPHIA	3.11%
MILLCREEK COMMUNITY HOSPITAL	3.02%
PENN HIGHLANDS DUBOIS	2.52%
PENN HIGHLANDS HUNTINGTON	1.63%
PENN PRESBYTERIAN MEDICAL CENTER	1.90%
PENNSYLVANIA HOSPITAL	2.31%
TEMPLE UNIVERSITY HOSPITAL	3.89%
THOMAS JEFFERSON UNIVERSITY HOSPITAL	1.75%
UPMC MERCY	1.26%
UPMC PRESBYTERIAN SHADYSIDE	1.69%
UPMC WILLIAMSPORT	3.30%

Drug and Alcohol Units of Acute Care Hospitals

PENN PRESBYTERIAN MEDICAL CENTER	1.95%
VALLEY FORGE MEDICAL CENTER & HOSPITAL	3.63%

Medical Rehabilitation Units of Acute Care Hospitals

ALBERT EINSTEIN MEDICAL CENTER	3.53%
ALFRED I. DUPONT HOSPITAL FOR CHILDREN	5.65%
CHILDREN'S HOSPITAL OF PHILADELPHIA	5.29%
CROZER CHESTER MEDICAL CENTER	2.12%
DELAWARE COUNTY MEMORIAL HOSPITAL	1.41%

MERCY FITZGERALD	1.80%
PENN HIGHLANDS DUBOIS	2.87%
TEMPLE UNIVERSITY HOSPITAL	4.88%
THOMAS JEFFERSON UNIVERSITY HOSPITAL	1.73%
UNIVERSITY OF PENNSYLVANIA HOSPITAL	2.14%
UPMC MERCY	1.00%
UPMC PRESBYTERIAN SHADYSIDE	1.64%

Freestanding Rehabilitation Hospitals

THE CHILDREN'S HOME OF PITTSBURGH	10.00%
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Private Psychiatric Hospitals

BELMONT BEHAVIORAL HOSPITAL	3.97%
BROOKE GLEN BEHAVIORAL HOSPITAL	3.09%
CLARION PSYCHIATRIC CENTER	5.81%
DEVEREUX FOUNDATION DCBHC	10.00%
FAIRMOUNT BEHAVIORAL HEALTH SYSTEM	4.70%
FOUNDATIONS BEHAVIORAL HEALTH	5.27%
FRIENDS BEHAVIORAL HEALTH SYSTEM	4.01%
HORSHAM CLINIC	4.15%
KIDSPEACE HOSPITAL	7.48%
MEADOWS PSYCHIATRIC CENTER	5.95%
MONTGOMERY COUNTY EMERGENCY SERVICES	4.90%
ROXBURY PSYCHIATRIC HOSPITAL	1.00%
SOUTHWOOD PSYCHIATRIC HOSPITAL	9.00%
WELLSPAN PHILHAVEN	4.04%
WILKES BARRE BEHAVIORAL HOSPITAL COMPANY	4.73%

Private Drug and Alcohol Hospitals

EAGLEVILLE HOSPITAL	1.72%
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B. Additional Disproportionate Share Payments

Additional disproportionate share payments are made to inpatient facilities with a Medicaid inpatient utilization rate of not less than 1%, which have provided services to Title XIX beneficiaries 21 years of age or older but under 65 years of age, who have been determined to be low income by meeting the income and resource standards for the Commonwealth's MA Program. The payment adjustments are paid directly proportional to the payment received for services rendered by institutions for mental diseases under the fee-for-service and capitation programs.

The following hospitals are eligible for this payment adjustment:

Acute Care General Hospitals

ABINGTON MEMORIAL HOSPITAL
 ALBERT EINSTEIN MEDICAL CENTER
 ALFRED DUPONT HOSPITAL FOR CHILDREN
 ALLE KISKI MEDICAL CENTER
 AMERICAN ONCOLOGIC HOSPITAL
 ARIA HEALTH
 ARMSTRONG COUNTY MEMORIAL HOSPITAL
 BARNES-KASSON HOSPITAL
 BERWICK HOSPITAL CENTER

BRADFORD REGIONAL MEDICAL CENTER
 BRANDYWINE HOSPITAL
 BRYN MAWR HOSPITAL
 BUCKTAIL MEDICAL CENTER
 BUTLER MEMORIAL HOSPITAL
 CANONSBURG GENERAL HOSPITAL
 CHESTER COUNTY HOSPITAL
 CHESTNUT HILL HOSPITAL
 CHILDREN'S HOSPITAL OF PHILADELPHIA
 CLARION HOSPITAL
 CONEMAUGH MEMORIAL MEDICAL CENTER
 CONEMAUGH MEYERSDALE MEDICAL CENTER
 CONEMAUGH MINERS MEDICAL CENTER
 CONEMAUGH NASON MEDICAL CENTER
 CORRY MEMORIAL HOSPITAL
 CROZER CHESTER MEDICAL CENTER
 DELAWARE COUNTY MEMORIAL HOSPITAL
 DOYLESTOWN HOSPITAL
 EINSTEIN MEDICAL CENTER MONTGOMERY
 ELLWOOD MEDICAL CENTER
 ENDLESS MOUNTAINS HEALTH SYSTEM
 EVANGELICAL COMMUNITY HOSPITAL
 FRICK HOSPITAL
 FULTON COUNTY MEDICAL CENTER
 GEISINGER BLOOMSBURG HOSPITAL
 GEISINGER COMMUNITY MEDICAL CENTER
 GEISINGER JERSEY SHORE HOSPITAL
 GEISINGER LEWISTOWN HOSPITAL
 GEISINGER MEDICAL CENTER
 GEISINGER WYOMING VALLEY MEDICAL CENTER
 GRAND VIEW HOSPITAL
 GROVE CITY MEDICAL CENTER
 HAHNEMANN UNIVERSITY HOSPITAL
 HERITAGE VALLEY BEAVER
 HERITAGE VALLEY KENNEDY
 HERITAGE VALLEY SEWICKLEY
 HIGHLANDS HOSPITAL
 HOLY REDEEMER HOSPITAL
 HOLY SPIRIT HOSPITAL
 INDIANA REGIONAL MEDICAL CENTER
 JEFFERSON REGIONAL MEDICAL CENTER
 JENNERSVILLE HOSPITAL
 KENSINGTON HOSPITAL
 LANCASTER GENERAL HOSPITAL
 LANSDALE HOSPITAL
 LATROBE AREA HOSPITAL
 LEHIGH VALLEY HOSPITAL
 LEHIGH VALLEY HOSPITAL HAZLETON
 LEHIGH VALLEY HOSPITAL POCONO
 LEHIGH VALLEY HOSPITAL SCHUYLKILL
 MAIN LINE HOSPITAL LANKENAU
 MEADVILLE MEDICAL CENTER
 MERCY FITZGERALD
 MERCY PHILADELPHIA
 MILLCREEK COMMUNITY HOSPITAL
 MONONGAHELA VALLEY HOSPITAL
 MOUNT NITTANY MEDICAL CENTER
 NAZARETH HOSPITAL
 PAOLI MEMORIAL HOSPITAL
 PENN HIGHLANDS BROOKVILLE
 PENN HIGHLANDS CLEARFIELD
 PENN HIGHLANDS DUBOIS
 PENN HIGHLANDS ELK
 PENN HIGHLANDS HUNTINGTON
 PENN PRESBYTERIAN MEDICAL CENTER
 PENN STATE HEALTH HOLY SPIRIT MEDICAL CENTER
 PENNSYLVANIA HOSPITAL
 PHOENIXVILLE HOSPITAL
 PHYSICIANS CARE SURGICAL HOSPITAL

POTTSTOWN HOSPITAL
 PUNXSUTAWNEY AREA HOSPITAL
 PRIME HEALTHCARE SERVICES LOWER BUCKS
 PRIME HEALTHCARE SERVICES ROXBOROUGH
 READING HOSPITAL
 RIDDLE MEMORIAL HOSPITAL
 ROBERT PACKER HOSPITAL
 ROBERT PACKER HOSPITAL TOWANDA CAMPUS
 SAINT VINCENT HEALTH CENTER
 SCRANTON HOSPITAL COMPANY
 SCRANTON QUINCY HOSPITAL COMPANY
 SHARON REGIONAL MEDICAL CENTER
 SHRINERS HOSPITALS FOR CHILDREN
 ST. CHRISTOPHER'S HOSPITAL FOR CHILDREN
 ST. CLAIR MEMORIAL HOSPITAL
 ST. JOSEPH REGIONAL HEALTH NETWORK
 ST. LUKE'S HOSPITAL ANDERSON CAMPUS
 ST. LUKE'S HOSPITAL BETHLEHEM
 ST. LUKES HOSPITAL EASTON CAMPUS
 ST. LUKE'S HOSPITAL GNADEN HUETTEN
 ST. LUKE'S MINERS MEMORIAL HOSPITAL
 ST. LUKE'S HOSPITAL MONROE CAMPUS
 ST. LUKE'S HOSPITAL QUAKERTOWN
 ST. LUKE'S SACRED HEART
 ST. MARY MEDICAL CENTER
 SUBURBAN COMMUNITY HOSPITAL
 SURGERY CENTER AT EDGEWOOD PLACE
 TEMPLE UNIVERSITY HOSPITAL
 THE CHAMBERSBURG HOSPITAL
 THE GOOD SAMARITAN HOSPITAL
 THE MILTON S. HERSHEY MEDICAL CENTER
 THOMAS JEFFERSON UNIVERSITY HOSPITAL
 TITUSVILLE HOSPITAL
 TROY COMMUNITY HOSPITAL
 TUNKHANNOCK HOSPITAL COMPANY
 TYRONE HOSPITAL
 UNIONTOWN HOSPITAL
 UNIVERSITY OF PENNSYLVANIA HOSPITAL
 UPMC ALTOONA
 UPMC BEDFORD MEMORIAL
 UPMC CARLISLE
 UPMC CHILDREN'S HOSPITAL OF PITTSBURGH
 UPMC COLE
 UPMC EAST
 UPMC HAMOT
 UPMC HANOVER
 UPMC HORIZON
 UPMC JAMESON
 UPMC KANE
 UPMC LITITZ
 UPMC LOCK HAVEN HOSPITAL
 UPMC MAGEE WOMEN'S HOSPITAL
 UPMC MCKEESPORT
 UPMC MEMORIAL
 UPMC MERCY
 UPMC MUNCY
 UPMC NORTHWEST
 UPMC PASSAVANT HOSPITAL
 UPMC PINNACLE
 UPMC PRESBYTERIAN SHADYSIDE
 UPMC SOMERSET
 UPMC ST. MARGARET
 UPMC WELLSBORO
 UPMC WILLIAMSPORT
 VALLEY FORGE MEDICAL CENTER & HOSPITAL
 WARREN GENERAL HOSPITAL
 WASHINGTON HEALTH SYSTEM GREENE
 WASHINGTON HOSPITAL
 WAYNE MEMORIAL HOSPITAL
 WAYNESBORO HOSPITAL

WELLSPAN EPHRATA COMMUNITY HOSPITAL
 WELLSPAN GETTYSBURG HOSPITAL
 WEST VIRGINIA UNIVERSITY HOSPITALS
 WESTMORELAND REGIONAL HOSPITAL
 WILKES BARRE GENERAL HOSPITAL
 WILLS EYE HOSPITAL
 WPAHS ALLEGHENY GENERAL HOSPITAL
 WPAHS FORBES REGIONAL CAMPUS
 WPAHS WESTERN PENNSYLVANIA HOSPITAL
 YORK HOSPITAL

Psychiatric Units of Inpatient Hospitals

ABINGTON MEMORIAL HOSPITAL
 ALBERT EINSTEIN MEDICAL CENTER
 ALLE KISKI MEDICAL CENTER
 ARMSTRONG COUNTY MEMORIAL HOSPITAL
 BERWICK HOSPITAL CENTER
 BRADFORD REGIONAL MEDICAL CENTER
 BRANDYWINE HOSPITAL
 BRYN MAWR HOSPITAL
 BUTLER MEMORIAL HOSPITAL
 CONEMAUGH MEMORIAL MEDICAL CENTER
 CROZER-CHESTER MEDICAL CENTER
 EAGLEVILLE HOSPITAL
 GEISINGER BLOOMSBURG HOSPITAL
 GEISINGER COMMUNITY MEDICAL CENTER
 GEISINGER LEWISTOWN HOSPITAL
 GEISINGER MEDICAL CENTER
 GIRARD MEDICAL CENTER
 HAHNEMANN UNIVERSITY HOSPITAL
 HERITAGE VALLEY BEAVER
 HERITAGE VALLEY SEWICKLEY
 HERITAGE VALLEY KENNEDY
 HIGHLANDS HOSPITAL
 INDIANA REGIONAL MEDICAL CENTER
 JEFFERSON REGIONAL MEDICAL CENTER
 LANCASTER GENERAL HOSPITAL
 LATROBE AREA HOSPITAL
 LEHIGH VALLEY HOSPITAL
 LEHIGH VALLEY HOSPITAL POCONO
 LEHIGH VALLEY HOSPITAL SCHUYLKILL
 MEADVILLE MEDICAL CENTER
 MERCY FITZGERALD
 MERCY PHILADELPHIA
 MILLCREEK COMMUNITY HOSPITAL
 MONONGAHELA VALLEY HOSPITAL
 MOUNT NITTANY MEDICAL CENTER
 PENN HIGHLANDS CLEARFIELD
 PENN HIGHLANDS DUBOIS
 PENN HIGHLANDS ELK
 PENN HIGHLANDS HUNTINGTON
 PENN PRESBYTERIAN MEDICAL CENTER
 PENN STATE HEALTH HOLY SPIRIT MEDICAL CENTER
 PENNSYLVANIA HOSPITAL
 POTTSTOWN HOSPITAL
 PRIME HEALTHCARE SERVICES LOWER BUCKS
 READING HOSPITAL
 ROBERT PACKER HOSPITAL
 SAINT VINCENT HEALTH CENTER
 SCRANTON QUINCY HOSPITAL COMPANY
 SHARON REGIONAL MEDICAL CENTER
 ST. CLAIR MEMORIAL HOSPITAL
 ST. LUKE'S HOSPITAL BETHLEHEM
 ST. LUKE'S HOSPITAL GNADEN HUETTEN
 ST. LUKE'S HOSPITAL QUAKERTOWN
 ST. LUKE'S SACRED HEART
 TEMPLE UNIVERSITY HOSPITAL
 THE CHAMBERSBURG HOSPITAL
 THOMAS JEFFERSON UNIVERSITY HOSPITAL

UPMC ALTOONA
 UPMC MCKEESPORT
 UPMC MERCY
 UPMC NORTHWEST
 UPMC PRESBYTERIAN SHADYSIDE
 UPMC SOMERSET
 UPMC WILLIAMSPORT
 WARREN GENERAL HOSPITAL
 WASHINGTON HEALTH SYSTEM GREENE
 WASHINGTON HOSPITAL
 WELLSPAN EPHRATA COMMUNITY HOSPITAL
 WESTMORELAND REGIONAL HOSPITAL
 WPAHS FORBES REGIONAL CAMPUS
 YORK HOSPITAL

Drug and Alcohol Units of Inpatient Hospitals

BUTLER MEMORIAL HOSPITAL
 MEADVILLE MEDICAL CENTER
 PENN PRESBYTERIAN MEDICAL CENTER
 VALLEY FORGE MEDICAL CENTER AND HOSPITAL

Medical Rehabilitation Units of Inpatient Hospitals

ABINGTON MEMORIAL HOSPITAL
 ALBERT EINSTEIN MEDICAL CENTER
 ALFRED DUPONT HOSPITAL FOR CHILDREN
 CANONSBURG GENERAL HOSPITAL
 CHILDREN'S HOSPITAL OF PHILADELPHIA
 CONEMAUGH MEMORIAL MEDICAL CENTER
 CROZER CHESTER MEDICAL CENTER
 DELAWARE COUNTY MEMORIAL HOSPITAL
 GEISINGER WYOMING VALLEY MEDICAL CENTER
 HERITAGE VALLEY BEAVER
 HERITAGE VALLEY SEWICKLEY
 HERITAGE VALLEY KENNEDY
 INDIANA REGIONAL MEDICAL CENTER
 JEFFERSON REGIONAL MEDICAL CENTER
 LEHIGH VALLEY HOSPITAL HAZLETON
 MERCY FITZGERALD
 MONONGAHELA VALLEY HOSPITAL
 NAZARETH HOSPITAL
 PENN HIGHLANDS DUBOIS
 PHOENIXVILLE HOSPITAL
 READING HOSPITAL
 SAINT VINCENT HEALTH CENTER
 ST. LUKE'S HOSPITAL EASTON CAMPUS
 ST. LUKE'S HOSPITAL GNADEN HUETTEN
 ST. LUKE'S HOSPITAL BETHLEHEM
 TEMPLE UNIVERSITY HOSPITAL
 THE CHAMBERSBURG HOSPITAL
 THE GOOD SAMARITAN HOSPITAL
 THOMAS JEFFERSON UNIVERSITY HOSPITAL
 UNIVERSITY OF PENNSYLVANIA HOSPITAL
 UPMC CARLISLE
 UPMC CHILDREN'S HOSPITAL OF PITTSBURGH
 UPMC EAST
 UPMC HORIZON
 UPMC JAMESON
 UPMC MCKEESPORT
 UPMC MERCY
 UPMC NORTHWEST
 UPMC PASSAVANT HOSPITAL
 UPMC PRESBYTERIAN SHADYSIDE
 UPMC ST. MARGARET
 UPMC WILLIAMSPORT
 WASHINGTON HOSPITAL
 WELLSPAN SURGERY AND REHABILITATION HOSPITAL
 WESTMORELAND HOSPITAL
 WPAHS FORBES REGIONAL CAMPUS
 WPAHS WESTERN PENNSYLVANIA HOSPITAL

Freestanding Rehabilitation Hospitals

ALLIED SERVICES INSTITUTE OF REHABILITATION MEDICINE
 ENCOMPASS HEALTH REHABILITATION HOSPITAL OF ALTOONA
 ENCOMPASS HEALTH REHABILITATION HOSPITAL OF ERIE
 ENCOMPASS HEALTH REHABILITATION HOSPITAL OF HARMARVILLE
 ENCOMPASS HEALTH REHABILITATION HOSPITAL OF MECHANICSBURG
 ENCOMPASS HEALTH REHABILITATION HOSPITAL OF NITTANY VALLEY
 ENCOMPASS HEALTH REHABILITATION HOSPITAL OF READING
 ENCOMPASS HEALTH REHABILITATION HOSPITAL OF YORK
 GOOD SHEPHERD REHABILITATION HOSPITAL
 JOHN HEINZ INSTITUTE OF REHABILITATION MEDICINE
 LANCASTER REHABILITATION FACILITY
 MAGEE MEMORIAL HOSPITAL
 ST. MARY REHABILITATION HOSPITAL
 THE CHILDREN'S HOME OF PITTSBURGH

Private Psychiatric Hospitals

BELMONT BEHAVIORAL HOSPITAL
 BROOKE GLEN BEHAVIORAL HOSPITAL
 CLARION PSYCHIATRIC CENTER
 DEVEREUX FOUNDATION DCBHC
 FAIRMOUNT BEHAVIORAL HEALTH SYSTEM
 FOUNDATIONS BEHAVIORAL HEALTH
 FRIENDS BEHAVIORAL HEALTH SYSTEM
 HORSHAM CLINIC
 KIDSPACE HOSPITAL
 MEADOWS PSYCHIATRIC CENTER
 MONTGOMERY COUNTY EMERGENCY SERVICES
 PENNSYLVANIA PSYCHIATRIC INSTITUTE
 ROXBURY PSYCHIATRIC HOSPITAL
 SOUTHWOOD PSYCHIATRIC HOSPITAL
 WELLSPAN PHILHAVEN
 WILKES BARRE BEHAVIORAL HOSPITAL COMPANY

Private Drug and Alcohol Hospitals

EAGLEVILLE HOSPITAL

C. Additional Class of Disproportionate Share Payments

Effective March 1, 1998, the Department established a new class of disproportionate share payments to hospitals which render uncompensated care and which the Department has determined are experiencing significant revenue loss as a result of MA Program revisions under the act of May 16, 1996 (P.L. 175, No. 35).

Effective January 15, 1999, the Department established a new class of disproportionate share payments to include a Charity Care component of the Community Access Fund. A disproportionate share payment will be made to qualifying hospitals based on each hospital's percentage of charity care cost to the total charity care costs of all qualifying hospitals. The Department also established a disproportionate share payment for those hospitals which the Department has determined advanced its goal of enhanced access to multiple types of medical care in economically distressed areas of this Commonwealth.

The following hospitals qualify for this payment:

ABINGTON MEMORIAL HOSPITAL
 ALBERT EINSTEIN MEDICAL CENTER
 ALFRED DUPONT HOSPITAL FOR CHILDREN

ARIA HEALTH
 BARNES-KASSON HOSPITAL
 CHILDREN'S HOSPITAL OF PHILADELPHIA
 CLARION HOSPITAL
 CROZER-CHESTER MEDICAL CENTER
 DOYLESTOWN HOSPITAL
 EAGLEVILLE HOSPITAL
 EVANGELICAL COMMUNITY HOSPITAL
 FULTON COUNTY MEDICAL CENTER
 GEISINGER MEDICAL CENTER
 HAHNEMANN UNIVERSITY HOSPITAL
 INDIANA REGIONAL MEDICAL CENTER
 LEHIGH VALLEY HOSPITAL
 LEHIGH VALLEY HOSPITAL HAZLETON
 MAIN LINE HOSPITAL LANKENAU
 MEADVILLE MEDICAL CENTER
 MERCY FITZGERALD
 MERCY PHILADELPHIA
 PENN HIGHLANDS CLEARFIELD
 PENN HIGHLANDS DUBOIS
 PENN HIGHLANDS HUNTINGTON
 PENN PRESBYTERIAN MEDICAL CENTER
 PENNSYLVANIA HOSPITAL
 PUNXSUTAWNEY AREA HOSPITAL
 READING HOSPITAL
 ROBERT PACKER HOSPITAL TOWANDA CAMPUS
 ST. LUKE'S HOSPITAL BETHLEHEM
 ST. LUKE'S HOSPITAL EASTON CAMPUS
 TEMPLE UNIVERSITY HOSPITAL
 THE MILTON S. HERSHEY MEDICAL CENTER
 THOMAS JEFFERSON UNIVERSITY HOSPITAL
 TITUSVILLE HOSPITAL
 UNIVERSITY OF PENNSYLVANIA HOSPITAL
 UPMC ALTOONA
 UPMC BEDFORD MEMORIAL

UPMC COLE
 UPMC HAMOT
 UPMC JAMESON
 UPMC LOCK HAVEN
 UPMC MAGEE WOMEN'S HOSPITAL
 UPMC MERCY
 UPMC PRESBYTERIAN SHADYSIDE
 UPMC WELLSBORO
 VALLEY FORGE MEDICAL CENTER & HOSPITAL
 WAYNE MEMORIAL HOSPITAL
 WEST VIRGINIA UNIVERSITY HOSPITAL
 WPAHS ALLEGHENY GENERAL HOSPITAL
 WPAHS WESTERN PENNSYLVANIA HOSPITAL
 YORK HOSPITAL

Public Comment

Interested persons are invited to submit written comments regarding these payments to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1460. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 21-1484. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Updates to the Medical Assistance Program Fee Schedule: Procedure Codes for the Administration of SARS-CoV-2 Vaccines to Beneficiaries who are Homebound

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the addition of a procedure code and updates to procedure codes on the Medical Assistance (MA) Program Fee Schedule for the administration of vaccines for the novel coronavirus (SARS-CoV-2).

The MA Program Fee Schedule is being revised to pay providers \$75 per dose to administer SARS-CoV-2 vaccines to MA beneficiaries who are homebound, effective April 1, 2021, through June 7, 2021, subject to the approval of the Centers for Medicare & Medicaid Services (CMS). This rate was developed to account for the additional costs associated with traveling and administering SARS-CoV-2 vaccines to MA beneficiaries who are homebound.

The Department added pricing modifier AT and place of service 12 (Home) to the following SARS-CoV-2 administration codes to indicate the vaccine was administered to a beneficiary who is homebound.

<i>Vaccine Manufacturer</i>	<i>Code</i>	<i>Code Description</i>	<i>MA Fee</i>
Pfizer, Inc.	0001A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 30 mcg/0.3mL dosage, diluent reconstituted; first dose	\$75
	0002A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 30 mcg/0.3mL dosage, diluent reconstituted; second dose	\$75

<i>Vaccine Manufacturer</i>	<i>Code</i>	<i>Code Description</i>	<i>MA Fee</i>
Moderna, Inc.	0011A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 100 mcg/0.5mL dosage; first dose	\$75
	0012A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 100 mcg/0.5mL dosage; second dose	\$75
Janssen Biotech, Inc.	0031A	Immunization administration by intramuscular injection of severe acute syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease (COVID-19)) vaccine, DNA, spike protein, adenovirus type 26 (Ad26) vector, preservative free, 5x1010 viral particles/0.5mL dosage, single dose	\$75

On June 8, 2021, CMS announced the Medicare program will provide an additional payment of \$35 for SARS-CoV-2 vaccines administered to individuals in their homes. This payment will be made in addition to the current \$40 SARS-CoV-2 administration fee when the vaccine is administered to an individual in their home. To facilitate this additional payment, CMS established a new procedure code, M0201, to utilize when SARS-CoV-2 vaccines are administered to individuals in their homes. This procedure code was added to the MA Program Fee Schedule, effective for dates of service on and after June 8, 2021.

The Department updated the MA Program Fee Schedule to include the procedure code for the administration of SARS-CoV-2 vaccines to beneficiaries who are homebound as set forth as follows:

<i>Code</i>	<i>Code Description</i>	<i>MA Fee</i>
M0201	COVID-19 Vaccine Administration at Home	\$35

The Department issued an MA Bulletin to providers enrolled in the MA Program advising of the addition and updates to these procedure codes on the MA Program Fee Schedule.

Fiscal Impact

The estimated cost for Fiscal Year 2021-2022 is \$1.024 million in Total funds for Fee-for-Service.

Public Comment

Interested persons are invited to submit written comments regarding the change to the MA Program Fee Schedule to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1445. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 21-1485. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Workers' Compensation Appeal Board 2022 Hearing Schedule

<i>Date</i>	<i>Location</i>	<i>Time</i>
Tuesday, January 4, 2022	Virtual/Teams	TBD
Thursday, January 6, 2022	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, January 19, 2022	Virtual/Teams	TBD
Thursday, January 20, 2022	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, February 1, 2022	Virtual/Teams	TBD
Wednesday, February 2, 2022	Virtual/Teams	TBD

<i>Date</i>	<i>Location</i>	<i>Time</i>
Thursday, February 3, 2022	Virtual/Teams	TBD
Tuesday, February 8, 2022	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Tuesday, February 15, 2022	Virtual/Teams	TBD
Thursday, February 17, 2022	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, March 1, 2022	Virtual/Teams	TBD
Thursday, March 3, 2022	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, March 15, 2022	Virtual/Teams	TBD
Thursday, March 17, 2022	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, March 29, 2022	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Tuesday, April 5, 2022	Virtual/Teams	TBD
Wednesday, April 6, 2022	Virtual/Teams	TBD
Thursday, April 7, 2022	Virtual/Teams	TBD
Tuesday, April 19, 2022	Virtual/Teams	TBD
Thursday, April 21, 2022	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, May 3, 2022	Virtual/Teams	TBD
Wednesday, May 4, 2022	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Thursday, May 5, 2022	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, May 17, 2022	Virtual/Teams	TBD
Wednesday, May 18, 2022	Virtual/Teams	TBD
Thursday, May 19, 2022	Virtual/Teams	TBD
Wednesday, May 25, 2022	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, June 1, 2022	Virtual/Teams	TBD
Wednesday, June 8, 2022	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, June 21, 2022	Virtual/Teams	TBD
Thursday, June 23, 2022	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, July 5, 2022	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Wednesday, July 6, 2022	Virtual/Teams	TBD
Thursday, July 7, 2022	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, July 19, 2022	Virtual/Teams	TBD
Thursday, July 21, 2022	319 Eastgate Center Harrisburg, PA 17102	TBD
Monday, August 1, 2022	Virtual/Teams	TBD
Tuesday, August 2, 2022	Virtual/Teams	TBD
Wednesday, August 3, 2022	Virtual/Teams	TBD
Thursday, August 4, 2022	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, September 1, 2022	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD

<i>Date</i>	<i>Location</i>	<i>Time</i>
Wednesday, September 7, 2022	Virtual/Teams	TBD
Wednesday, September 14, 2022	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, September 21, 2022	Virtual/Teams	TBD
Thursday, September 29, 2022	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, October 6, 2022	Virtual/Teams	TBD
Wednesday, October 12, 2022	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, October 19, 2022	Virtual/Teams	TBD
Wednesday, October 26, 2022	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Wednesday, November 2, 2022	Virtual/Teams	TBD
Wednesday, November 9, 2022	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, November 10, 2022	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Tuesday, November 15, 2022	Virtual/Teams	TBD
Thursday, November 17, 2022	319 Eastgate Center Harrisburg, PA 17102	TBD
Thursday, December 1, 2022	Virtual/Teams	TBD
Wednesday, December 7, 2022	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, December 8, 2022	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, December 20, 2022	Virtual/Teams	TBD

Note that the Workers' Compensation Appeal Board may add hearing dates for electronic hearings (telephonic or video, or both) to the previously listed dates.

JENNIFER BERRIER,
Secretary

[Pa.B. Doc. No. 21-1486. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania A Wee Bit Wicked Fast Play Game 5134

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 A Wee Bit Wicked (hereinafter "A Wee Bit Wicked"). The game number is PA-5134.

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) *INGREDIENTS*: The symbols found within the play area that, when matched according to the instructions, determine whether the player wins a prize of \$13.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” 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 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 an A Wee Bit Wicked ticket is \$1.

4. *Description of an A Wee Bit Wicked Fast Play lottery game*:

(a) A Wee Bit Wicked is an instant win lottery game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. A Wee Bit Wicked 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) A Wee Bit Wicked is played by matching the play symbols located in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. A player correctly matching a “YOUR NUMBERS” play symbol to a “WINNING NUMBERS” play symbol wins the prize shown under the matching “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) A Wee Bit Wicked tickets contain a “SPELLBOOK BONUS” area. When the player matches two like “INGREDIENTS” in the “SPELLBOOK BONUS” area, the player wins \$13 instantly. The “SPELLBOOK BONUS” is played separately.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) A Wee Bit Wicked 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 an A Wee Bit Wicked 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 an A Wee Bit Wicked ticket and select the A Wee Bit Wicked 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. *A Wee Bit Wicked ticket characteristics*:

(a) A Wee Bit Wicked tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: A Wee Bit Wicked tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “SPELLBOOK BONUS” area. The play symbols and their captions, located in the “WINNING

NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The “INGREDIENTS” play symbols associated with the “SPELLBOOK BONUS,” located in the play area, are: Rat symbol, Spider symbol, Eye symbol, Bones symbol, Pumpkin symbol, Black Cat symbol, Bat symbol and a Spiderweb symbol.

(c) *Prize Symbols*: The prizes symbols and their captions, located in the play area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$13⁰⁰ (THIRTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN) and \$1,300 (THRTNHUN).

(d) *Prizes*: The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$10, \$13, \$20, \$30, \$50, \$100, \$300 and \$1,300. The prize that can be won in the “SPELLBOOK BONUS” is \$13. A player can win up to seven times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 600,000 tickets will be available for sale for the A Wee Bit Wicked lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Haunted House Second-Chance Drawing for which non-winning A Wee Bit Wicked lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All A Wee Bit Wicked prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,300 (THRTNHUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,300.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$300 (THR HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) 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.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the

“WINNING NUMBERS” play symbols and a prize symbol of \$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.

(h) 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 \$13⁰⁰ (THIRTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$13.

(i) Holders of tickets upon which two like “INGREDIENTS” play symbols appear in the “SPELLBOOK BONUS” area, on a single ticket, shall be entitled to a prize of \$13.

(j) 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 \$10⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) 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 \$3⁰⁰ (THR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of FREE (TICKET) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one A Wee Bit Wicked Fast Play Game Ticket.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“SPELLBOOK BONUS”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
FREE		FREE \$1 TICKET	10	60,000
\$1		\$1	20	30,000
\$1 × 2		\$2	38.46	15,600
\$2		\$2	39.84	15,060
\$1 × 3		\$3	163.93	3,660
\$2 + \$1		\$3	166.67	3,600
\$3		\$3	142.86	4,200
(\$2 × 2) + \$1		\$5	500	1,200
\$3 + \$2		\$5	476.19	1,260
\$5		\$5	500	1,200
\$5 × 2		\$10	5,000	120
(\$2 × 4) + (\$1 × 2)		\$10	3,333	180
(\$3 × 2) + (\$1 × 4)		\$10	3,333	180
(\$3 × 2) + (\$2 × 2)		\$10	3,333	180
\$5 + \$3 + \$2		\$10	5,000	120
\$10		\$10	3,333	180
(\$1 × 3) + \$5 + \$3 + \$2		\$13	1,000	600
(\$2 × 3) + (\$1 × 2) + \$5		\$13	500	1,200
(\$3 × 3) + (\$2 × 2)		\$13	1,000	600
\$10 + \$3		\$13	1,000	600
	\$13 w/ SYMBOL MATCH	\$13	500	1,200

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"SPELLBOOK BONUS":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$13		\$13	1,000	600
\$10 × 2		\$20	4,000	150
(\$2 × 2) + (\$1 × 3)	\$13 w/ SYMBOL MATCH	\$20	1,714	350
(\$2 × 3) + \$1	\$13 w/ SYMBOL MATCH	\$20	1,714	350
(\$3 × 2) + \$1	\$13 w/ SYMBOL MATCH	\$20	1,714	350
\$5 + \$2	\$13 w/ SYMBOL MATCH	\$20	1,714	350
\$20		\$20	4,000	150
\$10 × 3		\$30	3,000	200
(\$3 × 3) + \$5 + \$2 + \$1	\$13 w/ SYMBOL MATCH	\$30	2,400	250
(\$5 × 2) + (\$2 × 3) + \$1	\$13 w/ SYMBOL MATCH	\$30	2,400	250
\$10 + \$5 + \$2	\$13 w/ SYMBOL MATCH	\$30	2,000	300
\$30		\$30	2,400	250
(\$10 × 2) + (\$5 × 3) + \$2	\$13 w/ SYMBOL MATCH	\$50	12,000	50
(\$10 × 3) + \$5 + \$2	\$13 w/ SYMBOL MATCH	\$50	6,000	100
(\$10 × 3) + \$13 + \$5 + \$2		\$50	6,000	100
\$50		\$50	12,000	50
\$50 × 2		\$100	24,000	25
(\$30 × 3) + \$5 + \$3 + \$2		\$100	24,000	25
\$100		\$100	24,000	25
\$300		\$300	60,000	10
\$1,300		\$1,300	120,000	5

SPELLBOOK BONUS: When you match two like ingredients in the play area above, win \$13 instantly! SPELLBOOK BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") Haunted House Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5132 Carving for Cash (\$5), PA-5133 Full Moon \$50s (\$2) and PA-5134 A Wee Bit Wicked (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Haunted House Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. September 7, 2021, through 11:59:59 p.m. November 4, 2021, will be entered into the Drawing to be held between November 8, 2021 and November 17, 2021.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 13 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5132 Carving for Cash (\$5) = five entries, PA-5133 Full Moon \$50s (\$2) = two entries and PA-5134 A Wee Bit Wicked (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of 13X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 13X Multiplier Are 1 In:</i>
PA-5132 Carving for Cash	217,808	2
PA-5133 Full Moon \$50s	151,430	3
PA-5134 A Wee Bit Wicked	151,707	3

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$31,000, less required income tax withholding.

(ii) The second through the eleventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$2,500.

(iii) The twelfth through the twenty-first entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,300.

(iv) The twenty-second through the seventy-first entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the 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.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play A Wee Bit Wicked lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play A Wee Bit Wicked lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which 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.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote A Wee Bit Wicked or through normal communications methods.

21. *Applicability:* This notice applies only to the A Wee Bit Wicked lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1487. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Carving for Cash Fast Play Game 5132

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 Carving for Cash (hereinafter "Carving for Cash"). The game number is PA-5132.

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) *CARVE FOR CASH BONUS:* The area at the bottom of a Carving for Cash ticket containing four play symbols that, when played according to the instructions, determines whether the player wins a prize.

(d) *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.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" 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 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 Carving for Cash ticket is \$5.

4. *Description of Carving for Cash Fast Play lottery game*:

(a) A Carving for Cash lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Carving for Cash tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Carving for Cash is played by matching the play symbols located in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A player correctly matching a "YOUR NUMBERS" play symbol to a "WINNING NUMBERS" play symbol wins the prize shown under the matching "YOUR NUMBERS" play symbol. A bet slip is not used to play this game.

(c) Carving for Cash tickets contain a "CARVE FOR CASH BONUS" area. When a Fully Carved Pumpkin (CARVED) symbol appears in the "CARVE FOR CASH BONUS" area, the player wins the prize shown under that Fully Carved Pumpkin (CARVED) symbol instantly. The "CARVE FOR CASH BONUS" is played separately.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Carving for Cash 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 Carving for Cash 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 Carving for Cash ticket and select the Carving for Cash option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Carving for Cash ticket characteristics*:

(a) Carving for Cash tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Carving for Cash tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "CARVE FOR CASH BONUS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22, (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN)

and 30 (THIRT). The "CARVE FOR CASH BONUS" play symbols, located in the play area, are: Mouthless Pumpkin (NO MOUTH) symbol, Eyeless Pumpkin (NO EYES) symbol, Noseless Pumpkin (NO NOSE) symbol, One Eyed Pumpkin (ONE EYE) symbol, Stemless Pumpkin (NO STEM) and a Fully Carved Pumpkin (CARVED) symbol.

(c) *Prize Symbols*: The prizes symbols and their captions, located in the play area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$31,000 (THRONETHO). The prize symbols and their captions, located in the "CARVE FOR CASH BONUS" area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY) and \$50⁰⁰ (FIFTY).

(d) *Prizes*: The prizes that can be won in this game, are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$300, \$1,000, \$5,000 and \$31,000. The prizes, that can be won in the "CARVE FOR CASH BONUS" are: \$5, \$10, \$15, \$20, \$30 and \$50. A player can win up to 16 times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 600,000 tickets will be available for sale for the Carving for Cash lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Haunted House Second-Chance Drawing for which non-winning Carving for Cash lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Carving for Cash prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$31,000 (THRONETHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$31,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols 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.

(e) 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 \$300 (THR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$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.

(h) Holders of tickets upon which a Fully Carved Pumpkin (CARVED) symbol appears in the “CARVE FOR CASH BONUS” area, and a prize symbol of \$50⁰⁰ (FIFTY) appears below that Fully Carved Pumpkin (CARVED) symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) 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.

(j) Holders of tickets upon which a Fully Carved Pumpkin (CARVED) symbol appears in the “CARVE FOR CASH BONUS” area, and a prize symbol of \$30⁰⁰ (THIRTY) appears below that Fully Carved Pumpkin (CARVED) symbol, on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(l) Holders of tickets upon which a Fully Carved Pumpkin (CARVED) symbol appears in the “CARVE FOR CASH BONUS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears below that Fully Carved Pumpkin (CARVED) symbol, on a single ticket, shall be entitled to a prize of \$20.

(m) 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 \$15⁰⁰ (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which a Fully Carved Pumpkin (CARVED) symbol appears in the “CARVE FOR CASH BONUS” area, and a prize symbol of \$15⁰⁰ (FIFTEEN) appears below that Fully Carved Pumpkin (CARVED) symbol, on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which a Fully Carved Pumpkin (CARVED) symbol appears in the “CARVE FOR CASH BONUS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears below that Fully Carved Pumpkin (CARVED) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets upon which a Fully Carved Pumpkin (CARVED) symbol appears in the “CARVE FOR CASH BONUS” area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears below that Fully Carved Pumpkin (CARVED) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“CARVE FOR CASH BONUS”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
	\$5	\$5	16.13	37,200
\$5		\$5	15.38	39,000
\$5 × 2		\$10	50	12,000
\$5	\$5	\$10	33.33	18,000
	\$10	\$10	200	3,000
\$10		\$10	50	12,000
\$5 × 3		\$15	333.33	1,800
\$5	\$10	\$15	100	6,000
\$10	\$5	\$15	90.91	6,600
	\$15	\$15	166.67	3,600
\$15		\$15	500	1,200
\$10 × 2		\$20	1,000	600
\$5	\$15	\$20	166.67	3,600
\$10	\$10	\$20	200	3,000
\$15	\$5	\$20	166.67	3,600

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"CARVE FOR CASH BONUS":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
	\$20	\$20	500	1,200
\$20		\$20	1,000	600
\$15 × 2		\$30	333.33	1,800
\$20	\$5 × 2	\$30	166.67	3,600
\$30		\$30	333.33	1,800
\$10 × 5		\$50	2,000	300
\$5	\$15 × 3	\$50	1,200	500
\$10	\$10 × 4	\$50	1,200	500
\$15	\$20 + \$15	\$50	1,200	500
\$20	(\$10 × 2) + (\$5 × 2)	\$50	1,200	500
\$30	\$5 × 4	\$50	1,200	500
\$50		\$50	1,714	350
\$50 × 2		\$100	6,000	100
(\$10 × 5) + (\$5 × 5)	\$20 + \$5	\$100	4,000	150
(\$15 × 2) + (\$10 × 2) + (\$5 × 2)	\$20 × 2	\$100	4,000	150
(\$20 × 2) + (\$15 × 2)	(\$10 × 2) + (\$5 × 2)	\$100	4,000	150
\$50	(\$20 × 2) + (\$5 × 2)	\$100	4,000	150
\$100		\$100	6,000	100
\$100 × 3		\$300	12,000	50
(\$30 × 3) + (\$20 × 2) + (\$15 × 2) + (\$10 × 3) + (\$5 × 2)	\$50 + \$30 + \$15 + \$5	\$300	6,000	100
\$300		\$300	24,000	25
(\$100 × 2) + (\$50 × 4) + (\$20 × 5) + \$300	\$50 × 4	\$1,000	24,000	25
\$1,000		\$1,000	24,000	25
\$5,000		\$5,000	120,000	5
\$31,000		\$31,000	120,000	5

CARVE FOR CASH BONUS: When a Fully Carved "Pumpkin" (CARVED) symbol appears, win prize shown under that symbol automatically. CARVE FOR CASH BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing*: The Pennsylvania Lottery's (hereafter, the "Lottery") Haunted House Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-5132 Carving for Cash (\$5), PA-5133 Full Moon \$50s (\$2) and PA-5134 A Wee Bit Wicked (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Haunted House Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. September 7, 2021, through 11:59:59 p.m. November 4, 2021, will be entered into the Drawing to be held between November 8, 2021 and November 17, 2021.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 13 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5132 Carving for Cash (\$5) = five entries, PA-5133 Full Moon \$50s (\$2) = two entries and PA-5134 A Wee Bit Wicked (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of 13X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 13X Multiplier Are 1 In:</i>
PA-5132 Carving for Cash	217,808	2
PA-5133 Full Moon \$50s	151,430	3
PA-5134 A Wee Bit Wicked	151,707	3

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$31,000, less required income tax withholding.

(ii) The second through the eleventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$2,500.

(iii) The twelfth through the twenty-first entries selected in the Drawing will be winning entries and the

entrants who submitted those winning entries shall each be entitled to a prize of \$1,300.

(iv) The twenty-second through the seventy-first entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and Fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the 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.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent

residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Carving for Cash lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Carving for Cash lottery game tickets.

19. *Retailer CARVE FOR CASH BONUS:* The Lottery may offer a retailer CARVE FOR CASH BONUS in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer CARVE FOR CASH BONUS is offered, a Lottery retailer shall be eligible for a CARVE FOR CASH 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 CARVE FOR CASH 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 CARVE FOR CASH 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 CARVE FOR CASH BONUS of \$10,000. A Lottery retailer is entitled only to the largest CARVE FOR CASH BONUS for which they qualify on a winning ticket. A CARVE FOR CASH BONUS will be initiated for payment after the Fast Play game ticket is claimed and validated. A CARVE FOR CASH BONUS will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Carving for Cash or through normal communications methods.

21. *Applicability:* This notice applies only to the Carving for Cash lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1488. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Full Moon \$50s Fast Play Game 5133

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 Full Moon \$50s (hereinafter "Full Moon \$50s"). The game number is PA-5133.

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) *BONUS PLAY SYMBOLS:* The symbols found within the play area that, when matched according to the instructions, determine whether the player wins a prize of \$50.

(d) *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.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” 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 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 Full Moon \$50s ticket is \$2.

4. *Description of Full Moon \$50s Fast Play lottery game*:

(a) A Full Moon \$50s 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. Full Moon \$50s 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) Full Moon \$50s is played by matching the play symbols located in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. A player correctly matching a “YOUR NUMBERS” play symbol to a “WINNING NUMBERS” play symbol wins the prize shown under the matching “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Full Moon \$50s tickets contain a “BONUS” area. When a Full Moon (FULLMOON50) symbol appears in the “BONUS” area, the player wins \$50 instantly. The “BONUS” is played separately.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Full Moon \$50s 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 Full Moon \$50s 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 Full Moon \$50s ticket and select the Full Moon \$50s 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. *Full Moon \$50s ticket characteristics*:

(a) Full Moon \$50s tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Full Moon \$50s tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BONUS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21

(TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The “BONUS” play symbols, located in the play area, are: Waxing Moon (NOBONUS) symbol, Waning Moon (NOBONUS) symbol, First Quarter Moon (NOBONUS) symbol, Last Quarter Moon (NOBONUS) symbol and a Full Moon (FULLMOON50) symbol.

(c) *Prize Symbols*: The prizes symbols and their captions, located in the play area, are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$13,000 (THRTNTHO).

(d) *Prizes*: The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$50, \$100, \$200, \$500 and \$13,000. The prize that can be won in the “BONUS” is \$50. A player can win up to ten times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 600,000 tickets will be available for sale for the Full Moon \$50s lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Haunted House Second-Chance Drawing for which non-winning Full Moon \$50s lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Full Moon \$50s prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$13,000 (THRTNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$13,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which a Full Moon (FULLMOON50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol

of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) 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 \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(j) 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 \$4.⁰⁰ (FOR DOL) appears in the “Prize” area under the match-

ing “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“BONUS”:</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	7.69	78,000
\$2 × 2		\$4	35.09	17,100
\$4		\$4	34.48	17,400
\$5		\$5	22.73	26,400
\$5 × 2		\$10	1,000	600
(\$4 × 2) + \$2		\$10	1,000	600
\$10		\$10	1,000	600
\$10 × 5		\$50	1,000	600
(\$10 × 2) + (\$5 × 4) + (\$4 × 2) + \$2		\$50	1,000	600
(\$10 × 3) + (\$5 × 2) + (\$4 × 2) + \$2		\$50	1,000	600
(\$10 × 4) + (\$4 × 2) + \$2		\$50	1,000	600
	\$50 w/ FULL MOON	\$50	333.33	1,800
\$50		\$50	1,000	600
\$10 × 5	\$50 w/ FULL MOON	\$100	60,000	10
\$50 × 2		\$100	12,000	50
(\$10 × 2) + (\$5 × 4) + (\$4 × 2) + \$2	\$50 w/ FULL MOON	\$100	24,000	25
(\$10 × 3) + (\$5 × 2) + (\$4 × 2) + \$2	\$50 w/ FULL MOON	\$100	24,000	25
(\$10 × 4) + (\$4 × 2) + \$2	\$50 w/ FULL MOON	\$100	24,000	25
\$50	\$50 w/ FULL MOON	\$100	24,000	25
\$100		\$100	120,000	5
\$50 × 3	\$50 w/ FULL MOON	\$200	60,000	10
\$100 + \$50	\$50 w/ FULL MOON	\$200	60,000	10
\$200		\$200	120,000	5
\$100 × 5		\$500	120,000	5
(\$100 × 4) + \$50	\$50 w/ FULL MOON	\$500	120,000	5
\$500		\$500	120,000	5
\$13,000		\$13,000	120,000	5

BONUS: When a “Full Moon” (FULLMOON50) symbol appears, win \$50 instantly! BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing*: The Pennsylvania Lottery's (hereafter, the "Lottery") Haunted House Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-5132 Carving for Cash (\$5), PA-5133 Full Moon \$50s (\$2) and PA-5134 A Wee Bit Wicked (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one Haunted House Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. September 7, 2021, through 11:59:59 p.m. November 4, 2021, will be entered into the Drawing to be held between November 8, 2021 and November 17, 2021.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 13 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5132 Carving for Cash (\$5) = five entries,

PA-5133 Full Moon \$50s (\$2) = two entries and PA-5134 A Wee Bit Wicked (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) Prizes available to be won, determination of winners and odds of winning:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of 13X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 13X Multiplier Are 1 In:</i>
PA-5132 Carving for Cash	217,808	2
PA-5133 Full Moon \$50s	151,430	3
PA-5134 A Wee Bit Wicked	151,707	3

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$31,000, less required income tax withholding.

(ii) The second through the eleventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$2,500.

(iii) The twelfth through the twenty-first entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,300.

(iv) The twenty-second through the seventy-first entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The

Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery

Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the 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.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Full Moon \$50s lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Full Moon \$50s lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which 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.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Full Moon \$50s or through normal communications methods.

21. *Applicability:* This notice applies only to the Full Moon \$50s lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1489. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania WILLY WONKA GOLDEN TICKET™ Fast Play Game 5131

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 WILLY WONKA GOLDEN TICKET™ (hereinafter "WILLY WONKA GOLDEN TICKET™"). The game number is PA-5131.

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) *CHOCOLATE RIVER BONUS*: The area at the bottom of a WILLY WONKA GOLDEN TICKET™ lottery game ticket containing two play symbols, a “START” area and a “FINISH” area that, when matched according to the instructions, determine whether the player wins the prize shown above the “FINISH” area.

(d) *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.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *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.

(k) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *VIOLET MULTIPLIER*: The area at the top of the play area of a WILLY WONKA GOLDEN TICKET™ lottery game ticket that contains either a 1X (NOMULT), 2X (2TIMES), 3X (3TIMES) or 5X (5TIMES) multiplier symbol that is applied to any prize won in the main play area. The “CHOCOLATE RIVER BONUS” prize is not multiplied.

(m) *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.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *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 WILLY WONKA GOLDEN TICKET™ lottery game ticket is \$10.

4. *Description of WILLY WONKA GOLDEN TICKET™ Fast Play lottery game*:

(a) The WILLY WONKA GOLDEN TICKET™ 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. WILLY WONKA GOLDEN TICKET™ lottery game 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) WILLY WONKA GOLDEN TICKET™ lottery game 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. A bet slip is not used to play this game.

(c) WILLY WONKA GOLDEN TICKET™ lottery game tickets contain a “VIOLET MULTIPLIER” area. When a 2X (2TIMES) symbol appears in the “VIOLET MULTIPLIER” area, multiply any prize won in the “YOUR NUMBERS” area by two. When a 3X (3TIMES) symbol appears in the “VIOLET MULTIPLIER” area, multiply any prize won in the “YOUR NUMBERS” area by three. When a 5X (5TIMES) symbol appears in the “VIOLET MULTIPLIER” area, multiply any prize won in the “YOUR NUMBERS” area by five. When a 1X (NOMULT) symbol appears in the “VIOLET MULTIPLIER” area, any prize won in the “YOUR NUMBERS” area is not multiplied.

(d) WILLY WONKA GOLDEN TICKET™ lottery game tickets contain a “CHOCOLATE RIVER BONUS” area. When the symbol at the “START” area matches the symbol at the “FINISH” area, win prize shown above the “FINISH” area.

(e) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(f) WILLY WONKA GOLDEN TICKET™ lottery game tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a WILLY WONKA GOLDEN TICKET™ lottery game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) 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 WILLY WONKA GOLDEN TICKET™ lottery game ticket and select the WILLY WONKA GOLDEN TICKET™ 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. *WILLY WONKA GOLDEN TICKET™ lottery game ticket characteristics*:

(a) WILLY WONKA GOLDEN TICKET™ lottery game tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: WILLY WONKA GOLDEN TICKET™ lottery game tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, a “VIOLET MULTIPLIER” area and a “CHOCOLATE RIVER BONUS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV),

26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ) and 30 (THIRT). The play symbols and their captions, located in the "VIOLET MULTIPLIER" area, are: 1X (NOMULT) symbol, 2X (2TIMES) symbol, 3X (3TIMES) symbol and a 5X (5TIMES) symbol. The play symbols and their captions, located in the "CHOCOLATE RIVER BONUS" area, are: Wonkatania (WONKATANIA) symbol, Wonka Bar (WONKA BAR) symbol, Wonkavator (WONKAVATOR) symbol, Everlasting Gobstopper (GOBSTOPPER) symbol, Factory (FACTORY) symbol, Shrink (SHRINK) symbol, Willy Wonka (WILLYWONKA) symbol, Golden Egg (GOLDEN EGG) symbol and a Golden Ticket (TICKET) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$1,000 (ONE THO). The prize symbols and their captions, located in the "CHOCOLATE RIVER BONUS" area, are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and PROG (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game, are: \$10, \$15, \$20, \$30, \$40, \$50, \$100, \$500 and \$1,000. The prizes that can be won in the "CHOCOLATE RIVER BONUS" area, are: \$10, \$15, \$20, \$30, \$40, \$50, \$100, \$500 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$100,000 and increases by \$1⁰⁰ every time a WILLY WONKA GOLDEN TICKET™ lottery game ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$100,000. A player can win up to 16 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 WILLY WONKA GOLDEN TICKET™ lottery game.

6. *Second Chance Drawing:* The Pennsylvania Lottery will conduct an EVERLASTING MILLION Second-Chance Drawing for which non-winning WILLY WONKA GOLDEN TICKET™ lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All WILLY WONKA GOLDEN TICKET™ prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which a Golden Ticket (TICKET) play symbol appears in both the "START" area and the "FINISH" area within the "CHOCOLATE RIVER BONUS" area, and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area above the "FINISH" area, 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 \$100,000.

(c) 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, and a 1X (NOMULT) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$1,000.

(d) 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, and a 1X (NOMULT) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which the same play symbol appears in both the "START" area and the "FINISH" area within the "CHOCOLATE RIVER BONUS" area, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area above the "FINISH" area, on a single ticket, shall be entitled to a prize of \$500.

(f) 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, and a 5X (5TIMES) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$500.

(g) 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, and a 5X (5TIMES) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$250.

(h) 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, and a 2X (2TIMES) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$200.

(i) 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, and a 5X (5TIMES) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$200.

(j) 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 \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and a 5X (5TIMES) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$150.

(k) 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, and a 1X (NOMULT) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which the same play symbol appears in both the "START" area and the "FINISH" area within the "CHOCOLATE RIVER BONUS" area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area above the "FINISH" area, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING

within the "CHOCOLATE RIVER BONUS" area, and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area above the "FINISH" area, on a single ticket, shall be entitled to a prize of \$15.

(gg) 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 \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and a 1X (NOMULT) symbol appears in the "VIOLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$10.

(hh) Holders of tickets upon which the same play symbol appears in both the "START" area and the "FINISH" area within the "CHOCOLATE RIVER BONUS" area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area above the "FINISH" area, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>VIOLET MULTIPLIER:</i>	<i>CHOCOLATE RIVER 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>
		\$10 w/ SYMBOL MATCH	\$10	18.18	66,000
\$10			\$10	20	60,000
		\$15 w/ SYMBOL MATCH	\$15	28.57	42,000
\$15			\$15	32.26	37,200
\$10 × 2			\$20	100	12,000
\$10	2X		\$20	50	24,000
\$10		\$10 w/ SYMBOL MATCH	\$20	66.67	18,000
		\$20 w/ SYMBOL MATCH	\$20	66.67	18,000
\$20			\$20	100	12,000
\$15 × 2			\$30	1,000	1,200
\$10	3X		\$30	55.56	21,600
\$15	2X		\$30	200	6,000
\$10	2X	\$10 w/ SYMBOL MATCH	\$30	200	6,000
\$10		\$20 w/ SYMBOL MATCH	\$30	200	6,000
\$15		\$15 w/ SYMBOL MATCH	\$30	200	6,000
		\$30 w/ SYMBOL MATCH	\$30	333.33	3,600
\$30			\$30	1,000	1,200
\$10 × 4			\$40	2,000	600
(\$10 × 2) + \$20			\$40	2,000	600
(\$15 × 2) + \$10			\$40	2,000	600
\$20 × 2			\$40	2,000	600
\$30 + \$10			\$40	2,000	600
\$10 × 2	2X		\$40	2,000	600
\$20	2X		\$40	1,000	1,200
\$10	3X	\$10 w/ SYMBOL MATCH	\$40	333.33	3,600

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>VIOLET MULTIPLIER:</i>	<i>CHOCOLATE RIVER 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>
\$10		\$30 w/ SYMBOL MATCH	\$40	1,000	1,200
\$15 × 2		\$10 w/ SYMBOL MATCH	\$40	1,000	1,200
\$20		\$20 w/ SYMBOL MATCH	\$40	1,000	1,200
\$30		\$10 w/ SYMBOL MATCH	\$40	1,000	1,200
		\$40 w/ SYMBOL MATCH	\$40	1,000	1,200
\$40			\$40	1,000	1,200
\$10 × 5			\$50	12,000	100
(\$15 × 2) + (\$10 × 2)			\$50	12,000	100
(\$15 × 2) + \$20			\$50	12,000	100
\$10	5X		\$50	480	2,500
\$15 + \$10	2X		\$50	1,500	800
\$10	3X	\$20 w/ SYMBOL MATCH	\$50	800	1,500
\$15	2X	\$20 w/ SYMBOL MATCH	\$50	4,000	300
\$10 × 2		\$30 w/ SYMBOL MATCH	\$50	6,000	200
\$15 × 2		\$20 w/ SYMBOL MATCH	\$50	6,000	200
\$20 × 2		\$10 w/ SYMBOL MATCH	\$50	6,000	200
\$20		\$30 w/ SYMBOL MATCH	\$50	6,000	200
\$40		\$10 w/ SYMBOL MATCH	\$50	6,000	200
		\$50 w/ SYMBOL MATCH	\$50	6,000	200
\$50			\$50	24,000	50
\$20 × 5			\$100	24,000	50
\$50 × 2			\$100	24,000	50
(\$20 × 2) + (\$15 × 2) + (\$10 × 3)			\$100	24,000	50
(\$30 × 2) + (\$20 × 2)			\$100	24,000	50
(\$40 × 2) + (\$10 × 2)			\$100	24,000	50
\$10 × 2	5X		\$100	1,200	1,000
\$20	5X		\$100	1,200	1,000
\$20	3X	\$40 w/ SYMBOL MATCH	\$100	1,200	1,000
\$30	3X	\$10 w/ SYMBOL MATCH	\$100	2,400	500
\$50	2X		\$100	12,000	100

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>VIOLET MULTIPLIER:</i>	<i>CHOCOLATE RIVER 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>
(\$15 × 2) + (\$10 × 3)		\$40 w/ SYMBOL MATCH	\$100	12,000	100
(\$20 × 2) + (\$15 × 2)		\$30 w/ SYMBOL MATCH	\$100	12,000	100
(\$30 × 2) + (\$10 × 2)		\$20 w/ SYMBOL MATCH	\$100	12,000	100
\$40 + \$30 + \$20		\$10 w/ SYMBOL MATCH	\$100	12,000	100
\$50		\$50 w/ SYMBOL MATCH	\$100	12,000	100
		\$100 w/ SYMBOL MATCH	\$100	12,000	100
\$100			\$100	12,000	100
\$100 × 5			\$500	120,000	10
(\$20 × 2) + (\$15 × 2) + (\$10 × 3)	5X		\$500	24,000	50
\$20 × 5	5X		\$500	24,000	50
\$40 + \$30 + \$20 + \$10	5X		\$500	24,000	50
\$50 × 2	5X		\$500	24,000	50
(\$100 × 2) + \$50	2X		\$500	60,000	20
\$100	5X		\$500	24,000	50
(\$50 × 2) + (\$40 × 2) + (\$20 × 5) + (\$10 × 2) + \$100		\$100 w/ SYMBOL MATCH	\$500	120,000	10
(\$100 × 2) + (\$40 × 2) + (\$20 × 5) + (\$10 × 5) + \$20		\$50 w/ SYMBOL MATCH	\$500	120,000	10
		\$500 w/ SYMBOL MATCH	\$500	120,000	10
\$500			\$500	120,000	10
\$50 × 4	5X		\$1,000	240,000	5
\$500		\$500 w/ SYMBOL MATCH	\$1,000	240,000	5
\$1,000			\$1,000	240,000	5
		\$100,000 w/ GOLDEN TICKET SYMBOL MATCH	\$100,000*	400,000	3

VIOLET MULTIPLIER: Multiply any prize won in the play area below by the multiplier shown in the VIOLET MULTIPLIER area. CHOCOLATE RIVER BONUS prize is not multiplied.

CHOCOLATE RIVER BONUS: When the symbol at the START matches the symbol at the FINISH, win prize shown above FINISH automatically!

***PROGRESSIVE TOP PRIZE:** The minimum value of the PROGRESSIVE TOP PRIZE is \$100,000. The PROGRESSIVE TOP PRIZE increases by \$1⁰⁰ every time a ticket is purchased and resets to \$100,000 whenever a top prize-winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery’s (hereafter, the “Lottery”) EVERLASTING MILLION Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the “Drawing”).

(a) *Qualifying Tickets:* Non-winning PA-5131 WILLY WONKA GOLDEN TICKET™ (\$10) Fast Play lottery game tickets (“Qualifying Tickets”) are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Lottery’s official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one EVERLASTING MILLION Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. September 6, 2021, through 11:59:59 p.m. December 2, 2021, will be entered into the Drawing to be held between December 6, 2021 and December 14, 2021.

(3) The entry period for the Drawing will be posted to the Lottery’s publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by five (hereafter the “Entry Multiplier Prize”). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5131 WILLY WONKA GOLDEN TICKET™ (\$10) = ten entries.

(6) Players may review prizes won and their entries for the Drawing via the Drawing’s promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in sections 9(f), 9(g) and 9(h), or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Ticket:</i>	<i>Approximate Number of 5X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 5X Multiplier Are 1 In:</i>
PA-5131 WILLY WONKA GOLDEN TICKET™	277,354	3

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(4) The first through the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of one EVERLASTING MILLION CHALLENGE™ Trip Prize Package, as described in section 9(e) (relating to EVERLASTING MILLION CHALLENGE™ trip prize package description) of these rules.

(5) The number of winning entries to be selected for the Drawing will be posted to the Lottery’s publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *EVERLASTING MILLION CHALLENGE™ Trip Prize Package Description:*

(1) Each EVERLASTING MILLION CHALLENGE™ Trip Prize Package (hereafter “Trip Prize Package”) shall consist of a four day, three-night trip for the Trip Prize Package winner and up to one guest to Las Vegas, NV during the Summer of 2022.

(2) The specific date and location of the Trip Prize Package events are subject to change and will be confirmed during the fulfillment process. Each Trip Prize Package shall include:

(i) Round trip airfare, if required, for up to two coach class tickets on a major airline, as defined by the Federal Aviation Administration, from a United States international airport to McCarran International Airport in Las Vegas, NV (inclusive of all security fees, taxes and surcharges). It is the responsibility of the Trip Prize Package Winner to comply with the REAL ID Act to the extent that the Act is applicable to the Trip Prize Package Winner’s air travel.

(ii) Ground transfers between McCarran International Airport and the assigned destination hotel and, if necessary, between the hotel and Scientific Games International, Inc. hosted events (hereafter “SGI”).

(iii) One double occupancy room accommodation (room and room tax only), at a three star or better hotel in Las Vegas, Nevada, for three nights.

(iv) \$1,000 spending money for the winner, provided in the form of a check issued one to two weeks prior to the scheduled trip departure date.

(v) State income tax withholding in the amount of \$88.68 and federal income tax withholding of \$1,800.⁰⁰ (excluding any additional prizes won during the EVERLASTING MILLION CHALLENGE™ Event Package).

(f) *EVERLASTING MILLION CHALLENGE™ Event Package* (hereinafter, "CHALLENGE Event") Description:

(1) Each Trip Prize Package Winner shall receive the chance to participate in the CHALLENGE Event.

(2) The CHALLENGE Event shall afford each Trip Prize Package Winner or Proxy one chance to win a cash prize from \$1,000 up to and including a lifetime prize of \$1,000,000 per year, as described below.

(3) *The CHALLENGE Event Package shall consist of:*

(i) Admission to the CHALLENGE Event venue for the Trip Prize Package Winner and one guest.

(ii) Participation in three ROUNDS of the CHALLENGE Event, as described below.

(A) *ROUND 1. GOLDEN EGG* shall involve the participation of all Trip Prize Package Winners as GOLDEN EGG Finalists. ROUND 1 reduces the number of GOLDEN EGG Finalists down to five. The five remaining GOLDEN EGG Finalists will each become EVERLASTING GOBSTOPPER Finalists and proceed to ROUND 2. The eliminated GOLDEN EGG Finalists may each win a cash prize between \$1,000 and \$25,000 during ROUND 1.

(B) *ROUND 2. EVERLASTING GOBSTOPPER* reduces the five EVERLASTING GOBSTOPPER Finalists down to one GOLDEN TICKET Finalist, who will proceed to ROUND 3. The eliminated EVERLASTING GOBSTOPPER Finalists may each win a cash prize between \$30,000 and \$1,000,000 during ROUND 2.

(C) *ROUND 3. GOLDEN TICKET* involves the GOLDEN TICKET Finalist playing for the chance to win a prize between \$1,000,000 and a lifetime annuity prize of \$1,000,000 per year for the lifetime of the Prize Winner.

(g) *Prize Package restrictions:*

(1) There is no cash option for the Trip Prize Package.

(2) The Lottery is not responsible for injury, loss or damage to person or property in connection with the Trip Prize Package. A Trip Prize Package winner and guest participate solely at their own risk and responsibility.

(3) Lottery is not responsible for Trip Prize Package fulfillment. Lottery disclaims any responsibility for any and every occurrence with respect to fulfillment or enjoyment of the Trip Prize Package.

(4) All Trip Prize Package winners must be 18 years of age or older at the time of the scheduled Trip Prize. If the Trip Prize Package winner is not 18 years of age or older at the time of the scheduled Trip Prize Package, they may designate a Proxy to participate in the Program. A designated Proxy must be 18 years of age or older at the time of the scheduled Trip Prize Package. If a Trip Prize Package winner is under the age of 21, any guest must be at least the age of majority in the guest's state of residence. If a Trip Prize Package winner is 21 years of age or older, a guest may be under 18 years of age, but not younger than 13 years of age on the first travel date. If the guest is a minor in the Trip Prize Package winner's home state, the winner must be a parent or legal guardian of the guest.

(5) All expenses involved with or related to the Trip Prize Package not specifically included in the Trip Prize Package Description, as described in section 9(e), above, including, without limitation, ground transportation, transfers, additional hotel amenities (i.e. spa services, internet access, phone calls, laundry services, room service, fees and gratuities), airline change fees, airline premium seat fees, airline baggage fees, both checked and carry on, travel insurance and personal expenses such as laundry, valet service, photos, souvenirs and other incidentals are the responsibility of Trip Prize Package winner and guest.

(6) Trip Prize Package winners will be required to submit a valid major credit card to the hotel to cover all expenses not specifically awarded as part of the Trip Prize Package.

(7) Travel and hotel accommodations are subject to availability.

(8) The date and location of any events included within the Trip Prize Package may be subject to change. The Lottery is not responsible if any event is delayed, postponed, or cancelled for any reason, in whole or in part, and in such event, the Lottery's only obligation is to award the other elements of the Trip Prize Package. No compensation will be paid in lieu of any cancelled event or any other element of the Trip Prize Package.

(9) Trip Prize Package winners and guests must comply with all rules and regulations of the venues where the events are held and all applicable federal, state and local government and/or agency laws, rules, orders, and regulations as well as any rules, regulations and safety guidelines. Trip Prize Package winners acknowledge that if winners or guests behave in a disorderly or disruptive manner or with intent to annoy, abuse, threaten, or harass any other person at any event, winners and/or guests may be removed from the venue or denied entry as determined by SGI or its designee or designees in their sole and absolute discretion.

(10) Trip Prize Package winners who do not elect to take a guest, or whose guest, for any reason, does not actually take the trip, are still subject to the full amount of any taxes due on the total value of the Trip Prize Package.

(11) By accepting any ticketed portion of the Trip Prize Package, the Trip Prize Package winner agrees to abide by any terms, conditions and restrictions provided by the ticket. Lost, mutilated, or stolen tickets, vouchers, certificates or pre-paid gift cards will not be replaced.

(12) A Trip Prize Package winner must travel during Summer 2022 to participate in the Trip Prize Package.

(13) In the event that a Trip Prize Package winner misses their flight, reasonable efforts will be used to reschedule the flight at the Trip Prize Package winner's expense. If the flight is not able to be rescheduled in a reasonable time for the Trip Prize Package winner's participation in the elements of the Trip Prize Package, the Trip Prize Package winner shall forfeit and not participate in the travel portion of the Trip Prize Package, including the events, as described in section 9(g)(19).

(14) In the event that a Trip Prize Package winner is unable to travel in connection with the Trip Prize Package for any reason after tickets have been booked, that Trip Prize Package winner shall forfeit the Trip Prize Package and an alternate Trip Prize Package Winner shall be selected according to Lottery procedure.

(15) If a Trip Prize Package winner fails to attend the event at which the \$1,000,000 per year for life prize drawing occurs, that Trip Prize Package winner will remain eligible for the drawing prize.

(16) If a Trip Prize Package winner chooses not to travel or becomes ineligible for any reason, that winner may appoint a Proxy during the fulfillment process.

(17) If a Trip Prize Package winner or designated Proxy fails to book the trip by March 31, 2022, that Trip Prize Package shall be forfeited, as described in section 9(g)(19).

(18) If, after travel is booked, a Trip Prize Package designated Proxy is unable to travel, the Trip Prize Package is forfeited, as described in section 9(g)(19).

(19) The forfeiture of any Trip Prize Package includes forfeiture of attendance at any of the events or activities included in the Trip Prize as described in section 10(e), above. In the event that a Trip Prize Winner must forfeit a Trip Prize Package, an alternate winner will be selected according to Lottery procedure.

(20) Except as set forth above, no prize element substitution, cash substitution, assignment or transfer of the Trip Prize Package or any elements thereof is permitted. Any unused elements of the Trip Prize Package will be forfeited, will not be redeemable for cash and may not reduce the prize value awarded for tax purposes.

(21) In the event that a \$1,000,000 per year, for life annuity is won during the CHALLENGE Event, it will be paid as a lifetime annuity, specifically in the form of an upfront payment of \$1,000,000 with annual payments of \$1,000,000 made thereafter on the anniversary of the initial upfront installment payment date for the life of the GOLDEN TICKET Finalist winner. The lifetime annuity prize payments will terminate upon the death of the GOLDEN TICKET Finalist winner; provided, however, that if the GOLDEN TICKET Finalist winner dies before receiving at least \$20,000,000 in total payments, then the remaining balance (i.e. \$20,000,000 less the total amount already paid) will be paid to the winner's estate, heir or heirs in a one lump-sum payment upon presentation of valid proof of death by the executor of the estate, heir or heirs.

(h) *Delinquent Support Offset:*

(1) If the Department of Human Services, pursuant to 23 Pa.C.S.A. § 4308, the Department of Revenue or the Administrative Office of Pennsylvania Courts, pursuant to 72 P.S. § 215, determines that a prize winner is a delinquent support obligor as provided in 23 Pa.C.S.A. § 4308 or 72 P.S. § 215, and if the amount of any arrearages shall be \$1,000 or less, the amount of any arrearages shall be deducted from the spending money portion of the Trip Prize Package. After the delinquent support obligation is met, the Prize Package winner will receive the remaining portion of the Prize Package spending money, if any, which shall be fulfilled according to Lottery procedure.

(2) If the Department of Human Services, pursuant to 23 Pa.C.S.A. § 4308, the Department of Revenue or the Administrative Office of Pennsylvania Courts, pursuant to 72 P.S. § 215, determines that a prize winner is a delinquent support obligor, as provided in 23 Pa.C.S.A. § 4308 or 72 P.S. § 215, and if the amount of any arrearages shall be greater than \$1,000, the prize winner shall forfeit the prize and shall be considered to have waived their right to receive the prize under section 9(i).

In this event, the Lottery will select another entry to replace the forfeited entry in accordance with these rules and Lottery procedure.

(i) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(10) A winner is responsible for all taxes arising from or in connection with any prize won.

(11) Winners of the EVERLASTING MILLION CHALLENGE™ Trip Prize Package will be contacted by email by the Pennsylvania Lottery to initiate the prize claim procedure. Winners will have ten business days from the date they are notified by the Pennsylvania Lottery to claim their prizes. In order to claim their prizes, winners must respond to the Pennsylvania Lottery's email regarding prize claim procedure, and must submit a properly completed prize claim form within ten business days from the date they are notified by the Pennsylvania Lottery. Failure to comply with the prize claim requirements as set forth herein, for any reason, shall result in the winner

forfeiting their right to receive the prize. An alternate winner will be awarded the respective Prize Package, according to Lottery procedure.

(12) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(13) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the 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.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$1⁰⁰ from the sale of each WILLY WONKA GOLDEN TICKET™ lottery game 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 WILLY WONKA GOLDEN TICKET™ lottery 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. \$1.00 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 “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

17. *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 WILLY WONKA GOLDEN TICKET™ 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.

18. *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.

19. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play WILLY WONKA GOLDEN TICKET™ lottery game tickets.

20. *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.

21. *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 WILLY WONKA GOLDEN TICKET™ or through normal communications methods.

22. *Applicability:* This notice applies only to the WILLY WONKA GOLDEN TICKET™ lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1490. Filed for public inspection September 3, 2021, 9:00 a.m.]

DEPARTMENT OF STATE

Elections for the Offices of Judge of the Court of Common Pleas of Philadelphia County and Judge of the Philadelphia Municipal Court; Revised Notice

The Acting Secretary of the Commonwealth (Acting Secretary) previously received, and published notice thereof in the *Pennsylvania Bulletin*, written notice of three revocations of declarations of candidacy for retention for the Court of Common Pleas of Philadelphia County, and written notice of one revocation of declaration of candidacy for retention for the Philadelphia Municipal Court. These notices were published in the *Pennsylvania Bulletin* as follows:

<i>Judge’s Name</i>	<i>Court</i>	<i>Pa. Bulletin Citation</i>
Gerald A. Kosinski	Municipal	51 Pa.B. 3948 (July 17, 2021)
Robert J. Rebstock	Common Pleas	51 Pa.B. 4034 (July 24, 2021)
Gary S. Glazer	Common Pleas	51 Pa.B. 5320 (August 21, 2021)
James Murray Lynn	Common Pleas	51 Pa.B. 5499 (August 28, 2021)

The previously published notices are being revised to include the Working Families Party—under it being a certified minor political party within Philadelphia County—as being permitted to file nomination certificates for the vacancies created by the aforementioned revocations of declarations of candidacy for retention. In all other respects the notices remain unchanged. Accordingly, the Acting Secretary revises her previous notices as follows:

In the Municipal Election to be held on November 2, 2021, the electors of Philadelphia County will now elect 11 Judges of the Court of Common Pleas of Philadelphia County and 4 Judges of the Philadelphia Municipal Court. Each elector will be entitled to vote for up to 11 candidates for the Court of Common Pleas of Philadelphia County and up to 4 candidates for Philadelphia Municipal Court, with the 11 candidates receiving the largest number of valid votes for the Court of Common Pleas for

Philadelphia County, and the 4 candidates receiving the largest number of votes for Philadelphia Municipal Court, being elected.

By law, each of the certified Statewide political parties of the Commonwealth—the Democratic Party, the Republican Party, the Libertarian Party and the Green Party—and each of the certified minor political parties in Philadelphia County—the Working Families Party—will be permitted to nominate three additional candidates for Court of Common Pleas of Philadelphia County and one additional candidate for Philadelphia Municipal Court by submitting to the Acting Secretary, no later than September 13, 2021, a nomination certificate in the form prescribed by law and prepared in accordance with the applicable rules of the political party. See 25 P.S. §§ 2938.3, 2953 and 2954. Political bodies will be permitted to nominate three additional candidates for the Court of Common Pleas of Philadelphia County, and one candidate for Philadelphia Municipal Court, by filing with the Acting Secretary, no later than September 13, 2021, nomination papers prepared and submitted in accordance with the requirements of the Pennsylvania Election Code (25 P.S. §§ 2600—3591).

Additional information is available on the Department of State’s publicly accessible web site at www.dos.pa.gov.
VERONICA DEGRAFFENREID,
Acting Secretary

[Pa.B. Doc. No. 21-1491. Filed for public inspection 2314-58, 2021, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Aviation Advisory Committee Virtual Meeting

The Aviation Advisory Committee (Committee) will hold a meeting on Thursday, September 9, 2021. Due to the circumstances surrounding the novel coronavirus (COVID-19), this virtual meeting will be held by means of Microsoft Teams starting at 10 a.m. For more information, contact the Bureau of Aviation, (717) 705-1200, RA-pdMultimodalAsst@pa.gov. The dial-in number is (267) 332-8737. The meeting code is 579573249#. To view the meeting agenda visit the Department of Transportation’s web site at www.penndot.gov (click on “About PennDot” then select “Aviation Advisory Commission” from the list of links under Commissions & Committees).

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 21-1492. Filed for public inspection September 3, 2021, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Cambria Township Sewer Authority v. Department of Environmental Protection; EHB Doc. No. 2021-081-L

Cambria Township Sewer Authority has appealed the issuance by the Department of Environmental Protection

of NPDES Permit No. PA0024163 for discharge from a facility located in Cambria Township, Cambria County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board’s web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Center at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board’s rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 21-1493. Filed for public inspection September 3, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates or redesignates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations and redesignations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission’s guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Board of Commissioners.

At the next Commission meeting on October 25 and 26, 2021, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication in the *Pennsylvania Bulletin*.

58 Pa. Code § 65.9. Big bass waters program

The Commission will consider adding the following water to its list of “Big Bass Regulation” waters regulated and managed under 58 Pa. Code § 65.9 (relating to big bass):

County	Water
Lehigh	Leaser Lake

The Commission will consider removing the following water from its list of “Big Bass Regulation” waters regulated and managed under 58 Pa. Code § 65.9:

County	Water
Somerset	Somerset Lake

58 Pa. Code § 65.11. Panfish enhancement

The Commission will consider adding the following water to its list of "Panfish Enhancement" waters regulated and managed under 58 Pa. Code § 65.11 (relating to panfish enhancement):

County	Water	Species
Lehigh	Leaser Lake	Crappie and Yellow Perch

58 Pa. Code § 65.17. Catch and release lakes

The Commission will consider removing the following water from the catch and release lakes program:

County	Water
Beaver	Raccoon Creek State Park Upper Pond (Group Camping Area Lake)

58 Pa. Code § 65.19. Stocked trout waters open to year-round fishing

The Commission will consider adding the following waters to its list of "stocked trout waters open to year-round fishing" waters:

County	Water
Huntingdon	Lake Perez

County	Water
Lehigh	Leaser Lake
Cumberland	Opossum Lake

At this time, the Commission is soliciting public input concerning the previously listed designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 21-1494. Filed for public inspection September 3, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

Triploid Grass Carp Permit Application

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined, consistent with 58 Pa. Code § 71.7(e)(3), to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

The following applications to stock triploid grass carp in waters having a surface area of greater than 5 acres are currently undergoing staff review:

Applicant	Water	Location of Water	Description of Water	Nature of Vegetation to be Controlled
Eric Saxman	Saxman Pond 41° 45' 01" -75° 09' 29"	Sullivan County Cherry Township	6.48-acre pond unnamed tributary to Beaver Lake to Beaverdam Creek to Delaware River	<i>Elodea canadensis</i> <i>Utricularia spp.</i>

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 21-1495. Filed for public inspection September 3, 2021, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, July 15, 2021, and announced the following:

Action Taken—Regulation Disapproved:

Department of Drug and Alcohol Programs # 74-4: Standards for Drug and Alcohol Recovery House Licensure (amends 28 Pa. Code §§ 701.1, 701.11 and 701.12 and adds 28 Pa. Code Chapter 717)

Disapproval Order

Public Meeting Held
July 15, 2021

Order Issued
August 24, 2021

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq., dissenting; Dennis A. Watson, Esq.

*Department of Drug and Alcohol Programs—
Standards for Drug and Alcohol Recovery House
Licensure Regulation No. 74-4 (# 3294)*

On June 14, 2021, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Drug and Alcohol Programs (Department). This rulemaking amends 28 Pa. Code §§ 701.1, 701.11, and 701.12 and adds 28 Pa. Code Chapter 717. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*, with the exception of 28 Pa. Code § 717.14 that shall take effect 180 days after publication in the *Pennsylvania Bulletin*.

Section 2313-A of the act of December 19, 2017 (P.L. 1187, No. 59) (Act 59) directs the Department to “promulgate final-omitted regulations for the licensure or certification of drug and alcohol recovery houses that receive funds or referrals from the department, or a Federal, State or other county agency, to ensure that a drug and alcohol recovery house provides a safe environment for residents.” 71 P.S. § 613.13. This final-omitted regulation adopts requirements for drug and alcohol recovery houses (DARH) in Chapter 717 (relating to standards for drug and alcohol recovery house licensure) as follows: General provisions; Exceptions; Licensure; Fines; Financial auditing; Staff and volunteers; Residents; Physical plant standards; Safety and emergency procedures; Unusual incident reporting; and Complaint management.

The final-omitted regulatory package was first submitted to this Commission on March 1, 2021, and withdrawn and resubmitted on March 15, 2021 to include additional forms. In response to public comments submitted on the earlier versions of the rulemaking, the Department withdrew the regulation on April 9, 2021 to review and address commentators’ concerns. The Department submitted a revised final-omitted regulatory package on June 14, 2021.

After a review of the final-omitted regulation, consideration of the comments from the regulated community, the public, and the discussion at our July 15, 2021 public meeting, we find that the rulemaking is not in the public interest because it does not meet the following criteria: statutory authority; possible conflict with statute; consistency with the intent of the General Assembly; economic and fiscal impacts of the regulation; protection of the public health, safety and welfare; clarity and lack of ambiguity; reasonableness; implementation procedures and timetable for compliance; and compliance with the provisions of the Regulatory Review Act. 71 P.S. § 745.5b(a) and (b)(1)—(3) and (6).

Implementation procedures and timetable for compliance; Protection of the public health, safety and welfare; Clarity and lack of ambiguity; Economic and fiscal impacts; Compliance with provisions of the Regulatory Review Act

Our main concern is that there are numerous provisions where the regulatory language in the regulation and/or the description in the Preamble do not provide the regulated community with sufficient information or direc-

tion to ensure compliance with the DARH standards. The rulemaking establishes two levels of licensure: full and provisional. The regulatory language for the provisional licensure process and its accompanying fee structure is less clear than those provisions for initial licensure and license renewal.

The Department notes that six commentators asked for a definition of “provisional license.” It responded that the provisional licensure process is described in the regulation under Section 717.8 (relating to provisional licensure). We concur with commentators that the regulation would be made clear if “provisional license” were defined. We also suggest that along with defining “provisional license,” the term “full licensure” and the definition of “license” be revised to include both levels.

Based on the nature of the comments received, the rulemaking should be rewritten so that the regulated community fully understands the fee structure for applying for licensure, including the issuance of a provisional license and extensions. The Preamble and the regulation should address the following questions: whether a provisional licensure fee is assessed each time it is extended under Section 717.8; and whether a fee is assessed when a “regular” (full) license is issued under Section 717.8(d)? A clearly stated fee schedule is essential information that every licensee and applicant should understand as they navigate the licensure process.

The Preamble explains that license renewal is on an annual basis, but Section 717.6 (relating to application) does not state the length of time of the initial license and it is also unspecified whether the renewal of a license is to occur on the date of issuance or calendar year (Section 717.6(b)).

Under Section 717.9 (relating to restriction on license), Subsection (a) states that licensure applies to the named DARH and the designated premises and is nontransferable. Subsection (b) provides for notification of change of ownership, name, location, maximum capacity, and the closing of the DARH. Failure to notify the Department leads to automatic expiration under Subsection (c). What is the purpose of Subsection (a) if the license is transferable with notification? If the license is specific and not transferable, how does the license not automatically expire if the DARH is moved to a different place? If saying that the license is transferable is a misstatement, what is the process to approve a transfer?

The final-omitted rulemaking does not address the visitation and inspection process. Section 717.10 (relating to right to enter and inspect) authorizes a representative of the Department to enter, visit, and inspect a DARH that is licensed or applying for a license. Section 717.11(a) (relating to notification of deficiencies) provides that a Department representative will leave forms with the applicant or licensee “to address areas of noncompliance with regulations.” This notification process is not explained in the Preamble.

Protection of the public health, safety and welfare; Clarity and lack of ambiguity; Reasonableness; Implementation procedures and timetable for compliance

The Department states that it neither wants to create confusion nor give the impression that DARHs are treatment facilities. Earlier versions of this regulation, which

were subsequently withdrawn, amended Chapter 709 (relating to standards for licensure of freestanding treatment facilities) to include the DARH regulation. To alleviate commentators' concerns that placement of these standards in Chapter 709 could lead to discriminatory zoning, the Department moved the DARH standards out of Chapter 709 and into their own Chapter 717.

The Department also includes DARHs in Sections 701.11 and 701.12 (relating to exceptions to this part; and revocation of exceptions) which adds them to the lists of entities that may seek regulatory exceptions and may have regulatory exceptions revoked. We asked the Department why these exceptions are necessary when exceptions are included in Chapter 717. Does this not add another layer of exceptions to already existing exceptions? To expect licensees and applicants to comprehend how these provisions intersect and are to be applied is not reasonable. According to the Department, these updates to Chapter 701 were necessary because the chapter applies to the entire part, including Chapter 717. We disagree and believe that this approach actually detracts from the Department's stated goal of eliminating confusion or creating the misperception that DARHs are treatment facilities.

The Department explains in the Preamble that in order to maintain consistency in its internal processes for the handling of licensure, inspections, and approvals of all the entities it regulates, it adopts a regulatory structure for DARH licensure that is akin to the structure for licensure of freestanding drug and alcohol treatment facilities. This approach, while it may provide uniformity in how the Department operates, has not entirely eliminated the regulated community's confusion or concerns. The regulated community acknowledges the Department's efforts to eliminate misperceptions. But certain terms and phrases that are typically affiliated with medical treatment facilities such as "discharge" (Section 717.20(c)), "intake and admission" (Section 717.22) and a reference to "maximum capacity" (Section 717.9(b)(4)) remain in Chapter 717.

The Department states that it has developed these regulations to ensure that DARHs provide individuals with substance abuse disorders with a safe environment that promotes recovery. However, the lack of clarity as it pertains to implementation procedures and timetables for compliance of key provisions is a concern to this Commission. A regulation is not in the public interest if members of the regulated community or public cannot discern, based upon their reading of the regulation, what a term means, how a procedure is to be implemented or the timeline for compliance.

Clarity and lack of ambiguity; Protection of the public health, safety and welfare

Section 717.28(2) (relating to resident requirements) includes the term "illicit drugs." We asked the Department at the public meeting what the term encompasses. The Department's response was that the term has, in the absence of a specific definition, its common understanding, which would be a drug that the person uses or possesses unlawfully. Regulations have the full force and effect of law and establish a binding norm that is applicable to all that fall under its jurisdiction. Therefore, regulations must be clear and unambiguous. If residents are being evicted for use of an illicit drug, could they make a claim that the term is too vague and did not realize that the provision had been violated? We believe so. The regulated community is entitled to guidance, as are residents who are not only paying rent, but are also

challenged by substance abuse disorders. The term "illicit drugs" is also used in Sections 717.17(b)(5) and 717.31(a)(2) (relating to personnel management; and unusual incidents). The Department should define this term and not rely on its common understanding to enforce residency and licensure requirements.

Protection of the public health, safety and welfare; Implementation procedures and timetable for compliance; Clarity and lack of ambiguity

Section 2315-A of Act 59 requires the Department to create and maintain a registry on its publicly accessible website of all licensed or certified DARHs within the Commonwealth, which must be updated annually by the Department. 71 P.S. § 613.15. In order to receive and maintain licensure or certification, a DARH must be in compliance with all Federal, State, and local laws, including, but not limited to, the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327), as required under Section 2318-A of Act 59. 71 P.S. § 613.18. Further, failure to comply or remain in compliance shall result in loss of licensure or certification and *removal from the registry*. (Emphasis added.)

In the Preamble to final-omitted rulemaking, the Department addresses questions raised by commentators regarding whether the application fees would be assessed per house or per organization if the entity operates more than one DARH. Knowing that an organization may have multiple DARHs operating under a common name and that some premises may be licensed and others not, we asked the Department at the public meeting if there was any consideration given to requiring unique names for licensed and unlicensed houses. Our concern is that the public may be misled when it visits the Department's website registry. The Department indicated that no consideration was given to requiring different names because it would cause administrative burdens to DARHs, such as registering fictitious names. However, the Department explains that the registry on the website will include the address of the DARH and each location will have its own specific and unique license. The Preamble states that to avoid confusion about which houses may accept public funding and referrals, it will include street address locations in the registry. The rulemaking does not specifically address how the registry will be managed. Act 59 requires DARHs to be removed from the registry for failure to comply or remain in compliance. Will those DARHs that are operating with a provisional license have their own designation on the registry? We reiterate our concern that the public, upon visiting the Department's website, should be able to easily determine which DARHs are licensed from those that are not.

Implementation procedures and timetable for compliance; Reasonableness; Protection of the public health, safety and welfare

Section 717.31 requires licensees to develop and implement written policies and procedures to respond to unusual incidents. Subsection (a)(8) requires a licensee to respond to an outbreak of a contagious disease requiring Centers for Disease Control and Prevention notification. What diseases will be required to be reported? We asked at the public meeting whether the Department gave consideration to including the diseases reportable to the Pennsylvania Department of Health. It stated that even though the Pennsylvania Department of Health is not

listed, it does not excuse anyone who is required to report to the Department under the Disease Prevention and Control Law of 1955. 35 P.S. §§ 521.1—521.21. How would a licensee learn of this requirement if it is not part of the standards for licensure of DARHs? How is this approach reasonable?

Economic and fiscal impacts of the regulation; Protection of the public health, safety and welfare

The economic or fiscal impacts of the regulation, including the nature of the required reports, forms or other paperwork and the estimated cost of their preparation by the regulated community, have not been fully addressed in this rulemaking. The Department acknowledged in Regulatory Analysis Form (RAF) Question # 19 the costs associated with implementing the physical plant and equipment standards required by Section 717.29 (relating to physical plant standards) and fire safety requirements in Section 717.30 (relating to safety and emergency procedures). However, the Department did not provide cost estimates for a DARH to meet these provisions in order to obtain licensure. The response to RAF Question # 23 did not provide an accurate cost estimate for implementation of the regulation. The Department needs to accurately account for the fiscal impact of the regulation.

The Preamble states that the most frequent comment the Department received was the overall cost to comply with the standards. The Department explains in the RAF that it is likely costs associated with licensure will be passed on to residents, possibly resulting in a higher monthly fee than unlicensed recovery houses. As expressed by a public commentator, higher fees may lead to residents seeking less expensive housing that does not provide as stringent or structured environment. A regulation that places burdensome fiscal requirements on the regulated community is not protective of the public health, safety and welfare.

Statutory authority; Economic and fiscal impacts of the regulation

Section 717.16 (relating to fiscal management) requires a DARH to obtain the services of an independent certified public accountant for a financial audit of operations every two years, under generally accepted accounting principles. The Department estimates the biennial cost of this requirement to be \$10,000 per DARH. As addressed by public comments, this provision places significant direct costs upon the private sector. We note that this provision was revised from the first submission, which required a yearly audit, to extend the timeframe to every two years in an effort to lessen the fiscal impact. However, this may not lead to any significant savings, as the scope of review is not decreased.

Further, the Department does not appear to have the statutory authority to require a DARH to audit its operations. Section 2313-A(2) of Act 59 requires “[p]olicies and procedures for *management* of all funds received and expended by the drug and alcohol recovery house in accordance with *standard accounting practices*, including funds received from or managed on behalf of residents of the drug and alcohol recovery house.” (Emphasis added.) The statutory requirement addresses the practices a DARH utilizes to manage funds. It does not appear to go so far as to require a DARH to pay for an audit to determine if financial statements are in conformity with generally accepted accounting principles.

Possible conflict with statute; Consistency with the intent of the General Assembly

The act of June 30, 2021 (P.L. 186, No. 35), known as Justin’s Law, requires a DARH to develop policies and procedures regarding notification of a designated emergency contact at least once, as consented to by the resident, when the resident self-discharges, or leaves and fails to return as expected. This notification shall occur immediately and in no event later than 12 hours following either circumstance. An exception is provided for residents who have revoked consent to notify and does not apply when a DARH has knowledge of or reason to know of allegations of domestic abuse perpetrated upon the resident by the emergency contact. While recognizing that Justin’s Law was signed into law after the Department delivered the regulation, we ask if the regulation is sufficient to meet the new statutory requirements. For instance, Justin’s Law includes requirements for revocation of consent for making an emergency contact, which is not addressed in Sections 717.22 and 717.27 (relating to intake and admission; and notification to family member or emergency contact). Justin’s Law also refers to a resident self-discharging while the regulation appears to place the authority to end residency solely with a DARH. Lastly, Justin’s Law requires a DARH to notify an emergency contact when a resident fails to return as expected. The regulation does not include provisions addressing how a DARH will document a resident’s schedule and monitor when a resident leaves and returns.

Consistency with the intent of the General Assembly

We find that the delay in submitting the regulation did not meet the legislative intent of utilizing the final-omitted rulemaking process, which provides for an abbreviated procedure to implement a regulation. The General Assembly recognized the urgency and importance in licensing DARHs so that individuals who are working to maintain sobriety have access to facilities that will maximize their chances for success. These regulations do not provide licensees with sufficient guidance in establishing and maintaining DARHs in order to achieve the intent of Act 59.

We have determined this regulation is consistent with the statutory authority of the Department (71 P.S. § 613.13) and the intention of the General Assembly. However, after considering all other criteria of the Regulatory Review Act discussed above, we find promulgation of this regulation is not in the public interest.

By Order of the Commission:

This regulation is disapproved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 21-1496. Filed for public inspection September 3, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; James D. Griffin; Doc. No. SC21-08-014

Notice is hereby given of the Order to Show Cause issued on August 19, 2021, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(1), (2),

(8) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (2), (8) and (20) and 310.78(a)).

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. 21-1497. Filed for public inspection September 3, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Mack Wurtz; Doc. No. SC21-07-026

Notice is hereby given of the Order to Show Cause issued on August 19, 2021, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: section 611-A(2), (7), (8) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(2), (7), (8) and (20)).

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. 21-1498. Filed for public inspection September 3, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Capital Advantage Assurance Company (CABC-132947872); Individual PPO—Transitional Filing; Rate Filing

Capital Advantage Assurance Company submitted a rate filing to increase the premium rates for its Individual PPO Transitional Plans. The filing proposes a rate increase of 6.71% and will affect approximately 2,390 members effective on January 1, 2022.

Unless formal administrative action is taken prior to November 19, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, select "Consumers," then under "Resources" select "Product Notices").

Interested parties are invited to submit written or e-mail comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1499. Filed for public inspection September 3, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

LifeSecure Insurance Company; Rate Increase Filing for LTC Form LS-0002 PA 07/07 (SERFF # LFSC-132956909); Rate Filing

LifeSecure Insurance Company is requesting approval to increase the premium 22.04% on 169 policyholders with individual LTC form LS-0002 PA 07/07.

Unless formal administrative action is taken prior to November 19, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square,

Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1500. Filed for public inspection September 3, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Fred M. and Reva Levy; Nationwide General Insurance Company; File No. 20-176-254244; Doc. No. P21-01-001; September 29, 2021, 9:30 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Joseph Korman (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1501. Filed for public inspection September 3, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating

to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held virtually by means of Zoom. Failure by the appellant to appear at the scheduled video hearing may result in dismissal with prejudice.

The parties and their representatives and witnesses shall join the Zoom hearing through the link supplied in the invitation. The Administrative Hearings Office may be contacted at (717) 783-2126, ra-hearings@pa.gov.

Appeal of Anthony Carr and Tonya Brown; State Farm Mutual Automobile Insurance Company; File No. 21-130-260392; Doc. No. P21-08-023; September 30, 2021, 9 a.m.

Following the video hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the video hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the video hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative video hearing and require an auxiliary aid, service or other accommodation to participate in the video hearing, should contact Joseph Korman (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1502. Filed for public inspection September 3, 2021, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Virtual Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a virtual public meeting of the Authority's Board to be held by means of the Authority's webinar platform Zoom on Thursday, September 23, 2021, at 1 p.m. and is open to the general public.

There will be Zoom capabilities to attend the virtual public board meeting remotely, so registration is required.

Individuals can register by going to <https://zoom.us/j/92913197684?pwd=RXpzVENBeHdRc0lWYW9NbG9iRjBSZz09>.

After registering, individuals will receive a confirmation e-mail containing information about joining the virtual public meeting.

Individuals who are unable to sign in by the previously listed link may dial-in by using the following information:

Meeting ID: 929 1319 7684

Passcode: 6aW49t

One tap mobile:

+13126266799, 92913197684# US (Chicago)

+16465588656, 92913197684# US (New York)

Dial by individual's location:

+1 312 626 6799 US (Chicago)
 +1 646 558 8656 US (New York)
 +1 301 715 8592 US (Washington DC)
 +1 346 248 7799 US (Houston)
 +1 669 900 9128 US (San Jose)
 +1 253 215 8782 US (Tacoma)

Meeting ID: 929 1319 7684

Find individual's local number: <https://zoom.us/j/ab3EereCC>

Individuals with questions regarding this virtual public meeting, which is open to the public, should contact the Authority at (717) 346-0469.

A closed executive session of the Authority's Board of Directors will be held on September 23, 2021, at 12:30 p.m. by means of Zoom. The purpose of the executive session is for consideration of personnel matters and to engage in nondeliberative informational discussions regarding various actions and matters which have been approved at previous public meetings.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,
Executive Director

[Pa.B. Doc. No. 21-1503. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

General Rule Transaction

A-2021-3028092 and A-2021-3028093. Magna5 Holdings, LLC, Magna5, LLC and International Telcom, LLC. Joint application of Magna5 Holdings, LLC, Magna5, LLC and International Telcom, LLC for approval of a general rule transaction resulting in change in control of Magna5, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before September 20, 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 for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicants: Magna5 Holdings, LLC; Magna5, LLC; International Telcom, LLC

Through and By Counsel: Danielle Frappier, Partner, Davis Wright Tremaine, LLP, 1301 K Street NW, Suite 500 East, Washington, DC 20005, (202) 973-4242, daniellefrappier@dwt.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1504. Filed for public inspection September 3, 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 September 20, 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 September 20, 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-2021-3027317. Palitha Kumudu Paranamana, t/a Pal Car Service (526 South Richard Street, Bedford, Bedford County, PA 15522) in paratransit service, between points in the Counties of Bedford and Blair.

A-2021-3027865. 4KTours, LLC (102 Maple Avenue, Hatboro, Montgomery County, PA 19040) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Carbon, Monroe and Northampton.

A-2021-3027929. Wee Kare Transportation Services (1015 Van Kirk Street, Philadelphia, Philadelphia County, PA 19149) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania and return.

A-2021-3028091. Abington Caregivers, Inc., t/a Abington Non-Medical Transportation (7804 Montgomery Avenue, Suite 4, Elkins Park, Montgomery County, PA 19027) for the right to begin to transport, as a common carrier, by motor vehicle, mobility challenged persons in paratransit service, between points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-2021-3027502. Keshav Smruti, LLC, t/a Golden Dove Transit (3832 Springtown Road, Furlong, Bucks County, PA 18925) for the approval of the transfer of ownership, from Sagar Patel to Komal Patel.

Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.

A-2021-3027794. Oriental Care, LLC (4307 Derry Street—Rear, Harrisburg, Dauphin County, PA 17111) to transport persons, in contract carrier service, for Medical Transportation Management, Inc., from points in the Counties of Adams, Cumberland, Dauphin, Lancaster, Lebanon, Perry and York, to points in Pennsylvania, and return.

Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2021-3027803. Robert E. Mitchell (48 Rummel Road, Halifax, Dauphin County, PA 17032) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6414478, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Dauphin County, to points in Pennsylvania, and return.

A-2021-3027806. Laurel Valley Ambulance Service (P.O. Box 862, Connellsville, Fayette County, PA 15425) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the Borough of New Florence, Westmoreland County, and within an airline distance of 10 statute miles of the limits of said borough and from points in said territory, to points in Pennsylvania, and return, as more thoroughly described in the original ordering paragraph at Docket No. A-00115489.

A-2021-3027811. Fredrick R. Yoder (428 Hickory Lane, Belleville, Mifflin County, PA 17004) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Mifflin, to points in Pennsylvania, and return.

A-2021-3027971. Park Place Limousine Service, LLC (P.O. Box 480, Doylestown, Bucks County, PA 18901) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2021-3027981. Vantastic Limo, LLC (626 Crane Avenue, Pittsburgh, PA 15216) discontinuance of service and cancellation of its certificate to transport as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Armstrong, Beaver, Butler, Washington and

Westmoreland, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2021-3028033. Kim Turner, t/a Turner Limousine (1301 Mifflin Street, Homestead, Allegheny County, PA 15120) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the County of Allegheny.

A-2021-3028097. Dawn Beitzel (571 Millcross Road, Lancaster, Lancaster County, PA 17601) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6421846, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1505. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3028043. Verizon Pennsylvania, LLC and Mosaic Networkx, LLC. Joint petition of Verizon Pennsylvania, LLC and Mosaic Networkx, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Mosaic Networkx, LLC, by their counsel, filed on August 20, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. 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. The documents filed in support of Verizon Pennsylvania, LLC and Mosaic Networkx, LLC's 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. 21-1506. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3028046. Verizon Pennsylvania, LLC and RCN Telecom Services (Lehigh), LLC. Joint petition

of Verizon Pennsylvania, LLC and RCN Telecom Services (Lehigh), LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and RCN Telecom Services (Lehigh), LLC, by their counsel, filed on August 20, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. 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. The documents filed in support of Verizon Pennsylvania, LLC and RCN Telecom Services (Lehigh), 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. 21-1507. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3028048. Verizon North, LLC and RCN Telecom Services (Lehigh), LLC. Joint petition of Verizon North, LLC and RCN Telecom Services (Lehigh), LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and RCN Telecom Services (Lehigh), LLC, by their counsel, filed on August 20, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. 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. The documents filed in support of Verizon North, LLC and RCN Telecom Services (Lehigh), 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. 21-1508. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3028050. Verizon Pennsylvania, LLC and Bandwidth.com CLEC, LLC. Joint petition of Verizon Pennsylvania, LLC and Bandwidth.com CLEC, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Bandwidth.com CLEC, LLC, by their counsel, filed on August 20, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. 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. The documents filed in support of Verizon Pennsylvania, LLC and Bandwidth.com CLEC, 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. 21-1509. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3028051. Verizon North, LLC and Bandwidth.com CLEC, LLC. Joint petition of Verizon North, LLC and Bandwidth.com CLEC, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Bandwidth.com CLEC, LLC, by their counsel, filed on August 20, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. 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. The documents filed in support of Verizon North, LLC and Bandwidth.com CLEC, 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. 21-1510. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications Service

A-2021-3026335. Service Electric Cable T.V., Inc. Application of Service Electric Cable T.V., Inc. for approval to offer, render, furnish or supply telecommunications services to the public in this Commonwealth as a competitive local exchange carrier in the service territories of: Armstrong Telephone Company—North; Armstrong Telephone Company PA; Bentleyville Communications Corporation, d/b/a Consolidated Communications/Bentleyville; Citizens Telephone Company of Kecksburg; Citizens Telecommunications Company of New York, Inc., d/b/a Frontier Communications of New York, Inc.; Consolidated Communications of Pennsylvania Company; Frontier Communications of Breezewood, LLC; Frontier Communications of Canton, LLC; Frontier Communications Commonwealth Telephone Company, LLC; Frontier Communications of Pennsylvania, LLC; Frontier Communications of Lakewood, LLC; Frontier Communications of Oswayo River, LLC; Hancock Telephone Company; Hickory Telephone Company; Ironton Telephone Company; Lackawaxen Telecommunications Services, Inc.; Laurel Highland Telephone Company; Marianna & Scenery Hill Telephone Company, d/b/a Consolidated Communications/MSH; North Penn Telephone Company; North-Eastern PA Telephone Company; Palmerton Telephone Company; Pennsylvania Telephone Company; Pymatuning Independent Telephone Company; South Canaan Telephone Company; TDS Telecom—Deposit Telephone Company, Inc.; TDS Telecom—Mahanoy & Mahantango Telephone Company; TDS Telecom—Sugar Valley Telephone Company; The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink; Venus Telephone Corporation; Verizon North, LLC; Verizon Pennsylvania, LLC; West Side Telephone Company; Windstream Pennsylvania, LLC; Windstream Buffalo Valley, Inc.; Windstream Conestoga, Inc.; Windstream D&E, Inc.; and Yukon Waltz Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before September 20, 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 for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Service Electric Cable T.V., Inc.

Through and By Counsel: Michael P. Donahue, Marashlian & Donahue, PLLC, 1430 Spring Hill Road, Suite 310, Tysons, VA 22102-3018

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1511. Filed for public inspection September 3, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2021-3028011 and U-2021-3028012. PECO Energy Company. Application of PECO Energy Company for approval of the transfer by sale to Patriots Ridge Condominium Association of street lighting facilities located in Bucks County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before September 20, 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: PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

Through and By Counsel for: Jack R. Garfinkle, Associate General Counsel, PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699, (215) 841-4608, Jack.Garfinkle@exeloncorp.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1512. Filed for public inspection September 3, 2021, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Application in the City of Philadelphia

The following permanent authority application to render service as common carriers in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than September 20, 2021. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The

application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicant or attorney, or both.

Doc. No. A-21-08-04. MG Taxi, LLC (2619 Paris Avenue, Trevoise, PA 19053): An application for a medalion taxicab certificate of public convenience to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 21-1513. Filed for public inspection September 3, 2021, 9:00 a.m.]

**STATE CHARTER SCHOOL
APPEAL BOARD**

Schedule of Meetings

The State Charter School Appeal Board will meet as follows:

Monday, September 13, 2021	1 p.m.	Virtually by Zoom Conferencing*
Monday, October 18, 2021	1 p.m.	Honors Suite**
Tuesday, December 7, 2021	1 p.m.	Honors Suite**
Tuesday, January 11, 2022	1 p.m.	Heritage A**
Tuesday, February 15, 2022	1 p.m.	Honors Suite**
Tuesday, April 12, 2022	1 p.m.	Honors Suite**
Tuesday, May 17, 2022	1 p.m.	Honors Suite**
Tuesday, June 14, 2022	1 p.m.	Honors Suite**

Unless due and timely notice to the contrary is given, these meetings will be held as previously stated.

*Individuals can join the Zoom conference by dialing (301) 715-8592. The access code is 987 6606 1354. The passcode is 924657. Individuals can find their local number at <https://zoom.us/j/98766061354?pwd=aGpibjgwbWt2czBjUFBFaGFINlIGQT09>. The password is 924657.

**The Honors Suite is on the First Floor of the Department of Education Building, 333 Market Street, Harrisburg. Heritage A is off the lobby past the security gates. The locations are subject to change due to the novel coronavirus (COVID-19) pandemic restrictions.

For additional information individuals can contact Eunicejean Patrice at (717) 787-5500, preferably epatrice@pa.gov. For persons with a disability who wish to attend a virtual or in-person public meeting and require an auxiliary aid, service or other accommodation to do so, contact Amy Flaherty, Director, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5876, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

SARA M. HOCKENBERRY,
Board Counsel

[Pa.B. Doc. No. 21-1514. Filed for public inspection September 3, 2021, 9:00 a.m.]

STATE ETHICS COMMISSION

Public Meeting; Pittsburgh

Under 65 Pa.C.S. §§ 1101—1113 (relating to Public Official and Employee Ethics Act) (act) the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and organizations who represent any individual subject to the provisions of the act and from other interested parties.

The Commission will conduct a public meeting in the Three Rivers Room, Omni William Penn Hotel, 530 William Penn Place, Pittsburgh, PA 15219 on September 15, 2021, beginning at 9 a.m. for purposes of receiving the input and for the conduct of other agency business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present any statement, information or other comments in relation to the act, the regulations of the Commission or agency operations should contact Julie Gibson at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of the meeting.

ROBERT P. CARUSO,
Executive Director

[Pa.B. Doc. No. 21-1515. Filed for public inspection September 3, 2021, 9:00 a.m.]