

# PENNSYLVANIA BULLETIN

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(Master Transmittal Sheet):**

**No. 562, September 2021**

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

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

### **How to Find Rules and Regulations**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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

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

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

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### Printing Format

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

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

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

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

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

#### *Court Rules in Titles 201—246 of the Pennsylvania Code*

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

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

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

### Fiscal Notes

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

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2021.

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# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation of Disaster Emergency

August 31, 2021

*Whereas*, ongoing monitoring and projections made at my discretion by associated state and national weather services have disclosed that the Commonwealth of Pennsylvania will experience the aftereffects of Hurricane Ida; and

*Whereas*, Hurricane Ida has the potential to cause widespread and heavy rains throughout Pennsylvania, which in turn poses a serious threat of flash and riverine flooding and other adverse impacts throughout the Commonwealth; and

*Whereas*, Hurricane Ida's heavy rains, and risk of flooding may result in extensive damage to roads, streets, bridges, private homes, businesses, utilities, and may cause other adverse impacts upon the general population of Pennsylvania; and

*Whereas*, this emergency event caused by Hurricane Ida is of such magnitude or severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county, and municipal emergency response plans; and

*Whereas*, the Commonwealth of Pennsylvania has enacted the Emergency Management Assistance Compact (EMAC) into law and codified it at 35 Pa.C.S. §§ 7601—7604, in order to provide for mutual aid between states during an emergency that is duly declared by the Governor of the affected state.

*Now Therefore*, pursuant to Article IV, Section 20 of the Pennsylvania Constitution, I do hereby proclaim the existence of a general disaster emergency related to the after effects of Hurricane Ida in the entirety of the Commonwealth and authorize and direct that the Pennsylvania Emergency Management Agency Director, or designee, assume command and control of all statewide emergency operations and that all Commonwealth departments and agencies, under the direction of the Pennsylvania Emergency Management Agency Director, or designee, utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency event pursuant to the provisions of section 7301 of the Emergency Management Services Code, 35 Pa.C.S. § 7301.

*Further*, I hereby transfer \$2,000,000 in unused appropriated funds to the Pennsylvania Emergency Management Agency for Emergency Management Assistance Compact expenses related to this emergency, to be increased or decreased as conditions require pursuant to the provisions of section 7604(a) of the Emergency Management Services Code, 35 Pa.C.S. § 7604(a). In addition, I hereby transfer \$5,000,000 in unused appropriated funds, to be increased or decreased as conditions require, to the Pennsylvania Emergency Management Agency pursuant to section 1508 of the Act of April 9, 1929, P.L. 343, No. 176 (the Fiscal Code), 72 P.S. § 1508. The aforementioned funds shall be used for expenses authorized and incurred related to this emergency. These funds shall be credited to a special account established by the Office of the Budget. I hereby direct that any funds transferred herein that remain unused after all costs related to this emergency have been satisfied shall be returned to the General Fund.

*Further*, all Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under 62 Pa.C.S. § 516; and

*Further*, I hereby direct the Pennsylvania Emergency Management Agency to staff the Commonwealth Response Coordination Center for the duration of this emergency event, and to augment it with personnel from other Commonwealth agencies and departments. I also authorize the Pennsylvania Emergency Management Agency to direct and coordinate the emergency response, recovery, and mitigation activities of other Commonwealth agencies and departments as deemed necessary to deal with the exigencies of this disaster emergency through implementation of the State Emergency Operations Plan; and

*Further*, I hereby authorize the Secretary of Transportation to use all available equipment, resources, and personnel of the Department of Transportation, in whatever manner that she deems necessary, to ensure that all federal-aid and state highways in the areas that may be affected by the emergency event are cleared of debris and any other obstructions resulting from this event and to ensure that highways, bridges, roadbeds, and related facilities and structures that may sustain damage in the disaster affected areas are immediately repaired, maintained, reconstructed, or replaced, or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in the repairs and clearing and removal of snow, debris and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property; and I hereby authorize the Secretary of Transportation, in her sole discretion, to waive any provision of the Vehicle Code or any other law or regulation which she is authorized by law to administer or enforce as may be necessary to respond to this emergency event; and

*Further*, if investigations made on my behalf determine that the Commonwealth is in need of greater flexibility in the application of state and federal motor carrier regulations to accommodate utility operators and truck drivers in the transporting of fuel, food or other commodities across the state to provide emergency relief and repairs during this event, I hereby direct the Department of Transportation to waive any laws or federal or state regulations related to drivers of commercial vehicles; and

*Further*, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, specifically 51 Pa.C.S. § 508, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of this disaster emergency proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety caused by this emergency event; and

*Further*, I hereby authorize the Commissioner of the Pennsylvania State Police to use all available resources and personnel of the Pennsylvania State Police, in whatever manner he deems necessary, to aid in the recovery aspects related to all interstate and other federal and state highways in the Commonwealth to address this emergency event; and

*Further*, I hereby direct that the emergency response, recovery, and mitigation aspects of the Commonwealth and all applicable county, municipal, and other emergency response plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

*Further*, I hereby suspend the provisions of any other regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency event. All Commonwealth agencies may implement their emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to the perfor-

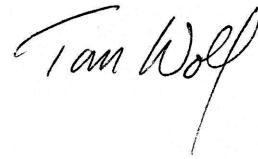


## THE GOVERNOR

mance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds; and

*Still Further*, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency event to act as necessary to meet the current exigencies as legally authorized under this proclamation, including by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

*Given* under my hand and the Seal of the Governor this thirty-first day of August in the year of our Lord two thousand twenty-one, and of the Commonwealth the two hundred and forty-sixth.



Governor

[Pa.B. Doc. No. 21-1516. Filed for public inspection September 10, 2021, 9:00 a.m.]

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# THE COURTS

## Title 255—LOCAL COURT RULES

### WARREN AND FOREST COUNTIES

#### Local Orphan's Court Rules; Misc. No. 48 of 2021

##### Order

And Now, this 25th day of August, 2021, the Court hereby adopts the Local Orphan's Court Rules as herein-after set forth for the 37th Judicial District comprised of Forest and Warren Counties. Said Rules shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It is further ordered that the Local Orphan's Court Rules as they existed prior to the adoption of the Rules herein set forth are hereby repealed on the effective date of the new Rules.

The Court Administrator of the 37th Judicial District is directed to:

1. File one (1) copy of this Order with the Administrative Office of Pennsylvania Court.
2. File two (2) certified copies with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of the local rules on the website of the 37th Judicial District at <https://warrenforestcourt.org>.
4. Publish the local rule no later than 30 days following publication in the *Pennsylvania Bulletin* to complete the set of local rules.

By the Court

MAUREEN A. SKERDA,  
President Judge

#### LOCAL RULES

#### ORPHANS' COURT DIVISION

#### L.O.C. RULE 1

#### PRELIMINARY RULES

##### L.O.C. Rule 1.1.1. Short Title and Citation.

These Rules shall be known as the Local Orphans' Court Rules of the 37th Judicial District, shall be referred to individually herein as "Rule", and cited as "L.O.C. Rule \_\_\_\_\_." The elected officer of Warren County and Forest County shall constitute the Clerk of that Court.

##### L.O.C. Rule 1.3.1. Definitions.

The following words, when used in these Rules, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

- (a) "*Business Days*" shall be deemed to include Mondays through Fridays, excepting weekdays when the Courthouse is closed.
- (b) "*Clerk*" means the Clerk of Orphans' Court of Warren County or Forest County.
- (c) "*Common Pleas*" means the Court of Common Pleas of Warren County or Forest County.
- (d) "*Exceptions*" means a formal, written objection to an appraisal or a report of an Auditor or Master appointed by the Court.
- (e) "*Objections*" means written objections to actions of a fiduciary.

(f) "*L.O.C. Rule*" means the Local Orphans' Court Rules of the 37th Judicial District.

(g) "*Pa. O.C. Rule*" means the Pennsylvania Supreme Court Orphans' Court Rules.

(h) "*PEF Code*" means the Pennsylvania Probate, Estates, and Fiduciaries Code as found in 20 Pa.C.S.A. § 101, et seq., as shall be amended from time to time.

(i) "*Register*" means the Register of Wills of Warren County or Forest County with jurisdiction or authority to probate wills and grant letters as provided by 20 Pa.C.S.A. § 901.

##### L.O.C. Rule 1.5.1. Local Rules. Argument.

Matters requiring argument shall be scheduled and heard in the manner set forth by the Court Administrator.

All motions shall be supported by a statement of authority citing a statute, rule of court, or case law in support of the requested relief. The statement may be in the form of a brief filed contemporaneously with the motion or, in routine motions that do not raise complex legal or actual issues, in the body of the motion itself.

##### L.O.C. Rule 1.5.2. Local Rules. Attorneys.

(a) *Attorneys as Surety*. An attorney shall act as surety only by special order.

(b) *Notice to Counsel*. Notice by or to attorneys shall be in writing, given to the attorney of record, or to an employee of the attorney's office, and shall be considered notice to the party represented unless personal notice to the party is required.

(c) *Removal of Records*. No records shall be removed from the office of the Clerk without a written order from the Court. The Clerk shall report to the Court any failure to comply with this order.

##### L.O.C. Rule 1.5.3. Local Rules. Sureties. Individual—Corporate.

(a) *Individual Sureties*. Individuals proposed as sureties on bonds of fiduciaries shall file affidavits on the printed forms supplied by the Clerk. The affidavits and bond shall be filed for approval by the Clerk.

(b) *Bond without Surety*. The Court may permit interested parties to execute an individual bond, without surety upon such conditions as the Court requires.

(c) *Corporate Sureties*. Every surety company duly authorized to do business in Pennsylvania may become surety on any bond or obligation required to be filed by the Orphans' Court; provided, that a currently effective certificate issued to it by the Insurance Department of the Commonwealth of Pennsylvania, evidencing the surety's right, is filed of record.

(d) *Duty of Fiduciary*. It is the duty of the fiduciary to determine that its surety remains responsible and that any bond remains continuously in effect.

##### L.O.C. Rule 1.5.4. Local Rules. Legal Periodical.

The *Warren Times Observer* is the legal periodical for the publication of legal notices in Warren County. *The Forest Press* is the legal periodical for the publication of legal notices in Forest County.

##### L.O.C. Rule 1.5.5. Local Rules. Return Days.

Return days shall be on such day as may be fixed by order of Court unless otherwise provided by statute or Rule of the Supreme Court.

**L.O.C. RULE 2****ACCOUNTS, OBJECTIONS, AND DISTRIBUTIONS****L.O.C. Rule 2.4.1. Petition for Adjudication/Statement of Proposed Distribution; Virtual Representation. Additional Requirements.**

(a) A Proposed Decree of Distribution, which will confirm the Account and approve the Petition for Adjudication/Statement of Proposed Distribution, shall accompany the papers filed pursuant to Pa. O.C. Rule 2.4.

**L.O.C. Rule 2.5.1. Notice of Account Filing. Interested Parties.**

In addition to the requirements of the Pa. O.C. Rules, the notice to interested parties shall:

(a) State the date on which the Account will be presented to the Court for confirmation.

**L.O.C. Rule 2.6.1. Filing with the Clerk.**

(a) All Accounts and Statements of Proposed Distribution must be filed with the Clerk of the Orphans' Court no later than thirty (30) days before the regularly scheduled confirmation date published in the annual Court Calendar upon which the accountant desires to have the Account and/or Statement of Proposed Distribution submitted to the Court for approval.

(b) The Clerk shall give notice by advertisement of the time when Accounts were filed and when they will be presented to the Court for confirmation. The advertisement shall include the names and capacity of respective accountants and shall also state that unless objections are filed with twenty (20) days after confirmation, the confirmation will be confirmed and distribution may be made in accordance with any Statement of Proposed Distribution filed with the Account.

**L.O.C. Rule 2.6.2. Filing with the Clerk. Accounts of Personal Representatives to be Filed in Duplicate.**

Accounts of personal representatives shall be filed with the Clerk in duplicate. Following confirmation, one copy of the Accounts of personal representatives, with the date of confirmation noted thereon, shall be forwarded to the Register for indexing and filing with records of the proceeding in the Register's Office for that decedent.

**L.O.C. Rule 2.9.1. Confirmation of Accounts; Awards. Time for Filing.**

All Accounts presented to the Court of Executors, Administrators, Guardians, or Trustees shall be filed with the Clerk on or before the Friday preceding the first Monday of the months of January, April, July, and October of each year.

Upon the first Wednesday of February, May, August, and November of each year, accounts of Executors, Administrators, Guardians, and Trustees shall be presented to the Court at 9:00 a.m. for confirmation.

**L.O.C. Rule 2.9.2. Confirmation of Accounts; Awards. Certification. Real Estate Distributed in Kind.**

When distribution of real estate in kind is awarded pursuant to a Statement of Proposed Distribution, the Clerk, following confirmation and at the request of any interested party, shall excerpt those portions of the decree affecting title to real estate and certify the same for recording in the office of the Record of Deeds of the county in which such real estate is situated.

**L.O.C. Rule 2.11.1. Appointment of Official Examiners. Written Report.**

The Court may appoint by special order an official examiner(s) who shall examine the assets held by any fiduciary and make a full written report thereon to the Court showing what assets belong to the estate, how they are registered or otherwise earmarked as the property of the estate to which they belong, and where and how the cash belonging to the estate is kept or deposited.

**L.O.C. Rule 2.11.2. Appointment of Official Examiners. Special Duties.**

The Court may, in any order appointing an examiner(s), also request the examiner(s) to accomplish one or more of the following:

(a) Determine, in the case of a Trust, if its purposes are being carried out.

(b) Determine, if the funds and assets in the hands of the fiduciary are being used or applied in accord with any Trust instrument, Will, applicable statute, regulation, or court order.

(c) Make a written report including findings of fact, conclusions of law, and, when appropriate, recommendations for the consideration of the Court.

(d) Such other matters as the Court may designate.

**L.O.C. Rule 2.11.3. Appointment of Official Examiners. Compensation.**

Examiners shall be allowed such fees from principal, income, or apportioned between principal and income, as may be directed by the Court.

**L.O.C. RULE 3****PETITION PRACTICE AND PLEADING****L.O.C. Rule 3.9.1. Preliminary Objections. Failure to File.**

If a pleading is not endorsed with a Notice to Plead, the Respondent cannot be penalized for failing to file a responsive pleading. When a Notice to Plead is affixed on the Preliminary Objections, then the failure to answer the Preliminary Objections may result in the averments of facts being deemed admitted.

**L.O.C. RULE 5****RULES GOVERNING SPECIFIC TYPES OF PETITIONS****L.O.C. Rules 5.2.1. Family Exemption. Additional Requirements.**

(a) *Additional Contents of Petition.* In addition to the matters required by Pa. O.C. Rule 12.1, a petition for the family exemption shall also set forth:

(b) *When Appraisal Unnecessary.* Unless otherwise directed by the Court, no appraisal shall be required if the exemption is claimed from:

(1) Cash or from stocks, bonds, securities, or other choices in action which have an immediate determinable market value; or

(2) Real estate or personal property, the value of which is agreed to by all parties in interest that are sui juris, or if not sui juris, the fiduciaries for such non-sui juris individuals.

In all other cases, an appraisal shall be necessary, unless specifically excused by the Court.

(c) *Procedure for Appraisal.*

(1) If an appraisal is necessary, the Court shall appoint two appraisers in accordance with PEF Code § 3123.

After appointment, the appraiser shall file with the Clerk their appraisal within thirty (30) days of appointment. A copy of the appraisal shall be served by the appraisers on the personal representatives, or, if there is no personal representative, then as the Court shall direct. Such person shall immediately give notice to all interested parties who would be adversely affected by the allowance of the exemption. Interested parties shall have twenty (20) days from the date of notice to file objections with the Court. If objections are filed, the matter shall be referred to the Court for further disposition.

(2) The notice shall contain a copy of the petition and the appraisal, and a statement that confirmation of the appraisal and the setting apart of the real estate to the next of kin will be requested and may be allowed by the Court at a stated time, and unless exceptions are filed thereto, confirmed twenty (20) days thereafter. Said notice shall be given not less than twenty (20) days prior to the date set for confirmation. If the address or whereabouts of any of the next of kin is unknown, notice shall be given in such manner as the Court shall direct.

(3) *Confirmation and Setting Apart Allowance.* Unless exceptions are filed to the confirmation, the appraisal and award of real estate shall be confirmed by the Clerk without further Order of the Court.

(4) *Exceptions.* Exceptions to an appraisal shall be filed with the Clerk within twenty (20) days after confirmation. Copies of the exceptions shall be served on the fiduciary, if any, and on the spouse or the attorney for the spouse, within five (5) days after filing. If exceptions are filed, the matter may be placed on the argument list in accordance with the Local Rules of Civil Procedure of the 37th Judicial District.

**L.O.C. Rule 5.2.2. Family Exception. Voluntary Distribution.**

When the personal representative, at his/her own risk delivers assets of the estate in satisfaction of the exemption, he/she shall set forth the same as a credit in the account. The same may be the subject of objection by any claimant or interested party.

**L.O.C. Rule 5.3.1. Intestate Share to Surviving Spouse from Real Estate. Conclusiveness of Averments.**

If the averments of the petition are contested by any interested party as to the right of the surviving spouse to the allowance being claimed, the matter may be referred to an auditor, or to a Hearing Judge.

**L.O.C. Rule 5.3.2. Intestate Share to Surviving Spouse from Real Estate. Appraisal. Notice. Practice and Procedure.**

The appraisers shall, within thirty (30) days after their appointment, file with the Clerk an appraisal of the property claimed.

**L.O.C. Rule 5.4.1. Revocation, Vacating, and Extension of Time for Filing of Surviving Spouse's Election. Form. Timing.**

(a) A petition for extension of time in which the surviving spouse may file an election to take against the Will or other conveyances shall be in paragraph form alleging facts relied upon to justify the extension.

(b) The petition shall be filed with the Clerk and petitioner shall give at least twenty (20) days written notice of intention to request the extension to all persons adversely affected thereby who do not join in the prayer of the petition.

**L.O.C. Rule 5.8.1. Discharge of Fiduciary and Surety. Additional Provisions.**

(a) *Affidavit or Verification.* The affidavit or verified statement to the petition shall include an averment that the parties who have signed the consents to discharge are all the parties interested in the estate, or the reason for the failure of any party to consent. If any party shall fail to consent, the Court may, if the circumstances require, direct the issuance of notice by citation or otherwise.

(b) *Exhibits. Consents.* Written consent of all interested parties and of the surviving or successor fiduciary, shall be attached to the petition. Such consent may be included in a satisfaction of award attached to the petition.

(c) *Discharge of a Personal Representative.* When the value of the gross real and personal estate of a decedent does not exceed the value of the statutory limitation, the personal representative, after the expiration of one (1) year from the first complete advertisements of the grant of letters, may present a petition to the Court with an account attached under the provisions of the PEF Code § 3531 (20 Pa.C.S.A. § 3531). The petition shall conform as far as practicable to the requirements of a petition under Pa. O.C. Rule 5.8.

**L.O.C. Rule 5.10.1. Public Sale of Real Property. Contents of Petition. Additional Requirements.**

(a) *Personal Representative.* A petition by a personal representative to sell real property at public sale, under PEF Code § 3353, shall set forth in separate paragraphs:

(1) The name, residence, and date of death of the decedent, whether the decedent died testate or intestate, and the date of the grant of letters.

(2) That the personal representative is not otherwise authorized to sell by the PEF Code or is not authorized or is denied the power to do so by the Will, or that it is desirable that the sale have the effect of a judicial sale, stating the reasons.

(3) Whether an inventory and appraisement have been filed, the total value of the property shown therein, and the value at which the real property to be sold was included therein.

(4) If the personal representative entered bond with the Register, the name of the surety and the amount of such bond.

(5) The names and relationships of all interested parties, a brief description of their respective interests, whether any of them are minors, adjudicated incapacitated, or deceased, or, if so, the names and the record of the appointment of their fiduciaries, if any.

(6) A full description of the real property to be sold, the improvements thereon, by whom it is occupied, its rental value if applicable and current common level ratio value.

(7) Sufficient facts to enable the Court to determine that the sale is desirable for the proper administration and distribution of the estate.

(b) *Trustee.* A petition by a trustee to sell real property at public sale, under PEF Code § 7792 shall also set forth in separate paragraphs:

(1) How title was acquired, starting with the date and place of probate of the Will or recording of the deed.

(2) A recital of the relevant provision of the Will or deed pertaining to the real property to be sold, and the history of the trust.

(3) The names and relationships of all interested parties; a brief description of their respective interest; whether any of them are minors, adjudicated incapacitated



tated, or deceased, and if so, the names and record of appointment of their fiduciaries, if any.

(4) A full description of the real property to be sold, the improvements thereon, by whom it is occupied, its rental value, if applicable, and current common level ratio value.

(5) That the Trustee is not otherwise authorized to sell by the PEF Code or is denied the power by the truest instrument or that it is advisable that the sale have the effect of a judicial sale, state the reason.

(6) Sufficient facts to enable the Court to determine that the proposed sale is for the best interests of the Trust.

(c) *Guardian of Minor.* A petition by a guardian to sell real property at public sale, under PEF Code § 5144 or § 5155, shall set forth in separate paragraphs:

(1) The age of the minor.

(2) The names of the minor's next of kin and the notice given them of the presentation of the petition.

(3) How title was acquired, stating the date and place of probate of the Will or recording of the deed.

(4) A recital of the provisions of the Will or deed relating to the real property to be sold.

(5) The nature and extent of the interest of the minor, of the guardian, and of the third persons in the real property.

(6) A full description of the real property to be sold, the improvements thereon, by whom it is occupied, its rental value and current common level ration value.

(7) Sufficient facts to enable the Court to determine that the proposed sale will be in the best interest of the minor.

(d) *Guardian of Incapacitated Person.* A petition by a guardian to sell real property at public sale, under PEF Code § 5521, shall set forth in separate paragraphs the same information as required for the sale by a guardian of a minor with sufficient additional facts to enable to Court to determine that the proposed sale will be in the best interest of the incapacitated person.

**L.O.C. Rule 5.10.2. Public Sale of Real Property. Exhibits.**

The following exhibits shall be attached to the petition by a personal representative, trustee, or guardian to sell real property at public sale:

(a) Certification that twenty (20) business days' notice has been given to those parties who do not consent or join.

(b) Consent by any mortgagee whose lien would otherwise not be discharged by the sale.

**L.O.C. Rule 5.10.3. Public Sale of Real Property. Notice.**

After allowance of a petition for public sale of real estate, the petitioner shall, in addition to such notice as may be required to be given by law, give notice of the sale to each interested party, including every unpaid creditor by first class mail, if known. Such notice shall be given at least twenty (20) days prior to the date of the proposed sale. In addition, notice of the sale shall be advertised one (1) time in a newspaper of general circulation in the appropriate county and such notice shall contain:

(a) The size of the property, either by acreage or square feet, if known, as well as the street or road location, and reference to any landmarks that may identify the property.

(b) A list of all improvements on the property and the nature thereof.

(c) A deed description or surveyor's description of the property, if any.

(d) The name of the grantee of the last recorded deed of the subject premises, together with the Deed Book and page of the record.

(e) The recorded liens thereon and the identity of the secured party.

**L.O.C. Rule 5.10.4. Public Sale of Real Property. Notice. Confirmation.**

(a) *Notice.* After the allowance of a petition for public sale, notice in approved form of the proposed sale shall be given in the manner provided by Pa. O.C. Rule 3.6.

(b) *Confirmation.* If no objection is filed, the Court may enter a decree confirming the sale upon submission of a return of sale.

**L.O.C. Rule 5.10.5. Public Sale of Real Property. Security.**

On the return day of the sale, the Court, in the decree approving or confirming the sale, may fix the amount of security or additional security which the personal representative, trustee, or guardian may be required to enter or will excuse the fiduciary from entering additional security.

**L.O.C. Rule 5.11.1. Private Sale of Real Property or Options Thereof. Contents of Petition. Additional Requirements.**

Where the power to sell real property is not granted by will, trust instrument, or statute, a petition by a personal representative, trustee, or guardian to sell real property at private sale shall also conform as closely as practicable to all requirements of these rules with regard to a petition to sell reap property at public sale by the fiduciary.

**L.O.C. Rule 5.11.2. Private Sale of Real Property or Options Thereof. Exhibits.**

The following exhibits shall be attached to the petition by a personal representative, trustee, or guardian to sell real property at private sale:

(a) Certification that twenty (20) days' notice has been given to those parties who do not consent or join.

(b) A copy of the agreement of sale.

(c) Affidavits in the form required by Pa. O.C. Rule 5.10(b), unless otherwise ordered by the Court.

**L.O.C. Rule 5.11.3. Private Sale of Real Property or Options Thereof. Security.**

The Court, in the decree approving or confirming the sale, may fix the amount of security or additional security which the personal representative, trustee, or guardian may be required to enter or may excuse the fiduciary from entering additional security.

**L.O.C. Rule 5.11.4. Private Sale of Real Property or Options Thereof. Petition to Fix or Waive Additional Security. Personal Representatives.**

(a) *Form of Petition.* In a sale of real estate, whether public or private, by a personal representative acting without benefit of an order of Court, directing or authorizing such sale, but who was required to give bond, the personal representative shall present a petition to the Court before the proceeds of the sale are paid by the purchaser setting forth:

(1) The date of death of the decedent.

(2) The date of the grant of letters to the petitioner.

(3) The amount of the bond(s) filed by the petitioner, the date of such filing, and the name(s) of the surety.

(4) The total valuation of the personal estate as shown on the inventory and appraisal, if any, and the total proceeds of any real estate sold previously.

(5) A short description of the real property sold, the name(s) of the purchaser(s), the amount of the consideration to be paid, and the terms of the sale.

(6) A list of all liens of record known to petitioner, including: mortgages, delinquent taxes, judgements, etc., and the names and relationships of all interested parties with a brief description of their respective interests.

(7) A prayer for an order fixing the amount of additional security or for an order excusing the filing of additional security.

(b) *Surety on Additional Bond.* The surety on any additional bond, except for cause shown, shall be the same as on the original bond.

**L.O.C. Rule 5.50.1. Settlement of Small Estates by Petition.**

(a) *Applicability.* This rule applies to all petitions filed pursuant to 20 Pa.C.S. § 3102, pertaining to settlement of small estates by petition and Pa. O.C. Rule 5.50 regarding settlement of small estate petitions.

(b) *Contents.* In addition to the requirements provided by the Rules in Chapter III, a petition shall set forth the following:

(1) The date of the probate of the Will and of the grant of letters, if any, and whether the personal representative has been required to give bond and, if so, the amount.

(2) A brief description of any beneficiaries' respective interests and whether any of them has received or retained any property of the decedent by payment of wages under PEF Code § 3101.

(c) *Exhibits.* The following items shall be attached as exhibits to the petition:

(1) A certification that a copy of the proposed petition and decree has been given to all beneficiaries and unpaid creditors at least twenty (20) business days prior to presentation of the petition.

(d) *Notice.* The petitioner shall serve written notice on interested parties in compliance with Chapter III.

(1) That twenty (20) business days' written notice of intention to present the petition has been given to every unpaid beneficiary, heir, or claimant who has not joined in the petition, or to the Attorney General, if the decedent's heirs are unknown, and to every unpaid claimant or creditor.

**L.O.C. RULE 7**

**RULES RELATING TO PRE-HEARING AND HEARING PROCEDURE**

**L.O.C. Rule 7.1.1. Depositions, Discovery, Production of Documents, and Perpetuation of Testimony. Case Management.**

(a) For all Orphans' Court cases, the Court shall issue a Case Management Order after the close of the pleadings. This Case Management Order shall set dates certain for the completion of discovery, the filing of all pre-trial motions, a pre-trial conference, and jury selection, where demanded.

(b) If any party determines that the complexity of the case will require an expanded schedule, that party shall

notify the Court Administrator within ten (10) days of the entry of the Case Management Order to request a scheduling conference. It shall be the responsibility of the party requesting a scheduling conference to notify all counsel and any parties proceeding pro se, of the date, time, and a place of the scheduling conference.

(c) *Pro Se Filings.*

(1) The Prothonotary shall forward a copy of all documents filed by individuals who are represented by counsel of record to that attorney.

(2) Filings that are not in compliance with the law, rule of Court, or the appropriate fee schedule, shall be duly noted and forwarded immediately to the office of the Court Administrator. The Court Administrator, after consulting with the Court, shall notify the individual of the deficiency in the filing.

**L.O.C. RULE 9**

**AUDITORS AND MASTERS**

**L.O.C. Rule 9.1.1. Notice of Hearings. Local Rules.**

(a) The Auditor or Master shall fix a date, time, and place for hearing and shall give written notice to the accountant or petitioner and interested parties or their counsel of record of the hearing by first class mail at least twenty (20) days prior thereto. In the event notice cannot be given in such manner, notice shall be given by advertisement one time in the *Warren Times Observer* for Warren County and *The Forest Press* for Forest County and one time in a newspaper of general circulation in the county where the decedent resided. The date of publication shall be at least twenty (20) days prior to the hearing.

(b) The notice shall include the following:

(1) The caption and number of the case;

(2) The fact and date of appointment;

(3) The name of the fiduciary of the estate;

(4) The time and place of hearing;

(5) A general statement of the matters to be determined; and

(6) The signature and the typewritten name, address, and telephone number of the Auditor or Master.

**L.O.C. Rule 9.1.2. Notice of Hearings. Appointment.**

(a) *Auditors and Masters.* A Master may be appointed by the Court on its own motion, upon the petition of the accountant, or of any interested party.

(b) Auditors and Masters shall be members of the Bar of this Court.

(c) The appointed official shall regulate all of the proceedings before him/her in accordance with the rules of law and evidence in the Commonwealth and shall have the authority to administer an oath before testimony.

(d) The hearings may be continued or adjourned for cause shown or upon agreement of all parties present, but each continuance or adjournment shall be to a day certain, not more than thirty (30) days later.

(e) The official shall have the authority to issue subpoenas and/or subpoenas duces tecum for all witnesses to appear and testify.

(f) The official shall have the authority to retain experts in any given field to assist the official in the performance of the appointed duties. The cost of same shall be imposed upon either the estate or as the official shall determine is just and proper.

(g) The official shall cause a stenographic record to be made of all hearings prepared by an official Court Reporter. Examination of witnesses shall be conducted by counsel, if any, or by the respective parties or by the official as the official may determine in the absence of counsel. If a witness or a question is objected to, or if any documentary or other evidence is objected to, the offer and purpose of such testimony shall be made a matter of record as well as the objection and the ground for said objection and the official's ruling thereon. If the official sustains the objection, the official shall nonetheless permit the question and answer to be made of record so that the same may be preserved for subsequent ruling by the Court in the event exceptions are taken to the report.

(h) At the conclusion of the hearing, any party who had entered a formal appearance may submit proposed findings of fact, conclusions of law, and/or briefs for the purposes of aiding or guiding the official; provided, however, that copies of such submissions shall be delivered or mailed to each person who has appeared in the proceedings in person or by counsel.

**L.O.C. Rule 9.6.1. Notice of Filing Report. Exceptions.**

(a) The Auditor or Master shall notify all parties of the filing of the report, furnish all parties with a copy thereof and a return of notice shall be filed.

(b) Any interested party shall have the right to file exceptions to an Auditor's or Master's report within twenty (20) days after the date of service upon that party.

(c) The official shall file the report within ninety (90) days of the appointment provided that an extension will be permitted by the Court upon application of the official for good cause shown in complicated cases. Should the official fail to file the report within the time limits or extensions herein, the appointment may be vacated and compensation and reimbursement for services rendered or expenses incurred may be denied.

(d) Upon completion of the report, the official shall file it in the office of the Clerk and shall give notice in writing that the report has been filed to counsel for all parties who appear formally during the proceedings and to such parties as appear without counsel. Said notice shall inform all parties that unless exceptions are filed within twenty (20) days from the date of the filing of the report, it will be presented to the Court for confirmation.

(e) Exceptions filed must point specifically to the error of fact or law complained of and state clearly the grounds for the objections thereto in separate paragraph form, with one issue raised in each paragraph. General, vague, or argumentative exceptions will not be considered. Where the exception is of the nature that the official failed to find a fact, the exception shall state the nature of the fact the official should have found and shall give reason to support it from the record and shall specifically identify the fact not found in the record.

(f) Any party filing exceptions to the report shall, by ordinary mail, serve a copy thereof upon the official and all counsel or parties without counsel who have appeared formally in the proceedings.

(g) In the event exceptions are filed, the Clerk shall forthwith transmit the proceedings to the Court Administrator for further scheduling for a hearing or argument as the Court may determine. No exceptions will be heard that are not timely filed. The Court may, in its discretion, remand the report to the Auditor for further proceedings if appropriate.

(h) The official shall verify in the report that written notice has been given to counsel of record who have filed a formal appearance in the proceedings and to such other parties as have appeared without counsel.

**L.O.C. Rule 9.7.1. Confirmation of Report.**

(a) If no exceptions are filed to the official's report within twenty (20) days of the date of filing, the Clerk shall transmit the report to the Court for confirmation. Once confirmed, the Statement of Proposed Distribution found in the auditor's report shall become the Decree of Distribution.

(b) If exceptions are filed to the official's report, the Court shall hear the exceptions de novo or upon argument as may be appropriate, depending on the nature of the exception and either:

(1) Confirm the official's report, whereupon the Statement of Proposed Distribution found in the Auditor's report shall become the Decree of Distribution; or

(2) If the official has made an error of law or an abuse of discretion, modify the report and enter an appropriate Decree of Distribution.

(c) The Court's decree in disposition of exceptions to the official's report shall be confirmed if there are no exceptions thereto.

**L.O.C. Rule 9.8.1. Security for Expenses and Fees. Confirmation. Auditor's and Master's Expenses and Fees.**

No confirmation or decree shall be confirmed by the Clerk until all expenses and Auditor's or Master's fees have been paid to the Clerk. Upon confirmation, the Clerk shall pay all expenses and the balance of the Auditor's or Master's fee to the Auditor or Master. See 20 Pa.C.S.A. § 752.

**L.O.C. RULE 10**

**REGISTER OF WILLS**

**L.O.C. Rule 10.4.2. Appeals from the Register of Wills. Petition.**

(a) Appeals taken from a judicial act or proceedings before the Register of Wills shall be addressed to the Orphans' Court with the appropriate caption. The appeal shall be in petition form.

(b) The petition shall set forth:

(1) The caption;

(2) A heading briefly indicating the purpose of the petition;

(3) The nature of the proceedings before the Register;

(4) A copy of any Will or instrument in controversy;

(5) A statement of the facts and circumstances upon which appellant relies;

(6) A precise statement of the questions of law or fact involved;

(7) The names and addresses of all interested parties; and

(8) A prayer for relief desired.

(c) When an Appeal Petition has been filed with the Court, the Register shall cause the record to be certified to the Court and properly docketed with the Orphans' Court. When an appeal has been perfected from a judicial act or proceeding before the Register and the record has been certified as provided, a citation shall issue as of course, without petition executed by the Court, directed to all persons named in the appeal to show cause why the appeal should not be sustained and the decision com-



plained of set aside. Said citation shall contain a date and time certain for hearing on the appeal.

**L.O.C. Rule 10.4.3. Appeals from the Register of Wills. Bond.**

If the Court requires that a bond be furnished, the appellant shall file a bond and secure its approval by the Register of Wills. If the bond is not presented within the time indicated by the Court, the Clerk, upon praecipe of the appellee(s), shall order a judgment of non pros.

**L.O.C. Rule 10.4.4. Appeals from the Register of Wills. Jury Trial.**

A party or person entitled to and desiring a trial by jury shall make timely demand thereof in accordance with PEF Code § 777(c).

**L.O.C. Rule 10.4.5. Appeals from the Register of Wills. Subpoenas.**

Subpoenas, with or without a clause of duces tecum, shall be issued by the Clerk.

**L.O.C. RULE 14**

**GUARDIANSHIPS OF INCAPACITATED PERSONS**

**L.O.C. Rule 14.2.1. Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person or Estate of an Incapacitated Person. Local Rules.**

(a) A petition to adjudicate a persona incapacitated and to appoint a guardian shall set forth:

- (1) All matters required by Pa. O.C. Rule 14.2;
- (2) Whether the petition seeks limited or plenary guardianship and what powers are sought for a limited guardian;
- (3) Whether the proposed guardian wishes approval of any initial expenditures of funds at the hearing;
- (4) Whether the alleged incapacitated person executed a durable Power of Attorney and the name and current address of the attorney in fact;
- (5) Whether the alleged incapacitated person executed a Will or other testamentary document and the location of the original document;
- (6) Whether the alleged incapacitated person executed a Living Will, Advance Health Care Directive, or similar document and the location of the original document;
- (7) The name of the attorney who has represented the person in the recent past; and
- (8) Where appropriate, state therein the name of the proposed guardian and the relationship, if any, to the alleged incapacitated person, any fee arrangements and costs to be paid, the proposed fiduciary, and any interest the proposed fiduciary may have to the incapacitated person's estate, if any.

**L.O.C. Rule 14.2.2. Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person or Estate of an Incapacitated Person. Hearing.**

The Court shall fix a date for hearing which shall not be less than twenty (20) days after the service of the petition and citation.

The petition shall comply with all of the mandates of Pa. O.C. Rule 14.2; however, if it is alleged that the alleged incapacitated person is unable to attend court, the petitioner, at the time of hearing, must make a part of the record a physician's report dated within twenty (20) days of the hearing that the physician has examined the

alleged incapacitated person and in the medical opinion of the physician, attending would be harmful to the alleged incapacitated person.

At the hearing, the Court shall determine the amount, if any, of a bond to be placed by the fiduciary with the Court and the nature thereof.

**L.O.C. Rule 14.2.3. Petition for Adjudication of Incapacity and Appointment of Guardian of the Person or Estate of an Incapacitated Person. Qualifications of the Guardian.**

The class of persons from which a guardian may be appointed shall be as set forth at 20 Pa.C.S.A. § 5511(f).

**L.O.C. Rule 14.9.1. Review Hearing. Petition.**

A petition to adjudicate whether there has been any significant change in the capacity of a person who was formerly adjudicated to be incapacitated shall set forth:

- (a) All matters required by Pa. O.C. Rule 14.3;
- (b) The name and location of the court which adjudicated incapacity; and
- (c) Whether the former incapacitated person is capable of conducting his/her own affairs.

The petitioner may be the incapacitated person, guardian, spouse of the incapacitated person, relative, creditor, debtor, or any person interested in the welfare of the incapacitated person.

**L.O.C. Rule 14.9.2. Review Hearing. Hearing.**

A hearing shall be set by the Court not less than twenty (20) days after service of the petition and notice of the hearing.

**L.O.C. RULE 15**

**ADOPTIONS**

**L.O.C. Rule 15.1.1. Local Rules. Practice and Procedure.**

(a) All papers in adoption matters, including petitions for voluntary and involuntary relinquishment, shall be filed with the Clerk who shall thereafter submit the appropriate Order to the Court Administrator to fix a hearing date on the proceedings.

(b) All adoption petitions shall be filed with the Clerk forty-five (45) days prior to the scheduled hearing date.

(c) No petition for adoption shall be presented by the Clerk for hearing if it does not have all mandatory information, abuse of children record, or other required information.

*Note:* See 23 Pa.C.S. § 2530 as to requirements for Home Study and Pre-Placement Report; see also 23 Pa.C.S. § 2531 as to requirements for Report of Intention to Adopt; see also 23 Pa.C.S. § 2711 as to requirements for Consents Necessary to Adoption. Notice does not need to be provided to any parent whose parental rights have been terminated by petition to confirm adoption. See 23 Pa.C.S. § 2535, § 2724, and § 2533.

(d) At the time of hearing, counsel shall attach a copy of all costs, counsel fees, and any other expenses incurred to be paid by the adopters.

(e) The adoptee(s) shall be available for Court review at the time of adoption.

**L.O.C. Rule 15.1.2. Local Rules. Waiver.**

Any waiver by a parent of the right to notice of hearing shall be in writing and shall include both a waiver of the right to notice of hearing and a waiver of the right to appear at the hearing.

**L.O.C. Rule 15.3.1. Adoption.**

A petition for adoption shall have a proposed Preliminary Order scheduling the adoption hearing attached thereto. At the time of the hearing, the attorney for petitioner shall submit a Proposed Decree of Adoption to the Court.

**L.O.C. Rule 15.4.1. Involuntary Termination of Parental Rights. Final Decree.**

At the conclusion of the hearing, under Pa. O.C. Rule 15.4, the Court may enter a Final Decree.

**L.O.C. Rule 15.5.1. Notice to Persons; Method; Notice of Orphans' Court Proceedings Filed on Dependency Docket. Time.**

(a) In proceedings under Pa. O.C. Rule 15.4, the attorney for petitioners shall make a good faith effort to determine the address and identity of each parent and to provide notice of the proceedings. In adoption proceedings under Pa. O.C. Rule 15.5, notice of the proceedings shall also be given to any person(s) who have custody pursuant to a valid Court Order.

(b) Notice of the Involuntary Termination Petition and hearing shall be served on the natural or putative father whose identity and/or whereabouts cannot be ascertained or on the mother whose identity and/or whereabouts cannot be ascertained by publication in the form and manner approved by the Court following presentation of a separate Motion for Service by Publication and Affidavit of Diligent Search as required by Pa.R.C.P. 430.

(c) A Motion for Service by Publication upon a natural or putative father must aver that the natural mother does not know the identity and/or whereabouts of the natural or putative father. This Motion must include his last known address, if known, and must also specify all attempts made by the petitioner to determine the correct identity and/or address of the natural or putative father. See also 23 Pa.C.S.A. § 2512(c).

(d) Publication shall include, at a minimum, the contents of the Notice required by 23 Pa.C.S.A. § 2513(b). Proof of publication shall be submitted to the Court prior to hearing.

[Pa.B. Doc. No. 21-1517. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Thomas Richard McCarthy, Jr., (# 54632), having been disbarred in New York, the

Supreme Court of Pennsylvania issued an Order on August 30, 2021, disbarring Thomas Richard McCarthy, Jr., from the Bar of this Commonwealth, effective September 29, 2021.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 21-1518. Filed for public inspection September 10, 2021, 9:00 a.m.]

## SUPREME COURT

### Schedule of Holidays for Year 2022 for Staffs of the Appellate Courts and the Administrative Of- fice of Pennsylvania Courts; No. 544 Judicial Administration Doc.

#### Amended Order

*Per Curiam:*

*And Now*, this 30th day of August, 2021, the order at No. 544 Judicial Administration Docket, dated December 31, 2020, listing the paid holidays to be observed by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts for calendar year 2022, is amended as follows:

December 31, 2021	New Year's Day Observed
January 17, 2022	Martin Luther King, Jr. Day
February 21, 2022	Presidents' Day
April 15, 2022	Good Friday
May 30, 2022	Memorial Day
June 20, 2022	Juneteenth National Freedom Day Observed
July 04, 2022	Independence Day
September 05, 2022	Labor Day
October 10, 2022	Columbus Day
November 11, 2022	Veterans' Day
November 24, 2022	Thanksgiving Day
November 25, 2022	Day after Thanksgiving
December 26, 2022	Christmas Day Observed

[Pa.B. Doc. No. 21-1519. Filed for public inspection September 10, 2021, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Program Requirements for the Urban Agricultural Infrastructure Grant Program

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Urban Agricultural Infrastructure Grant Program (Program).

The Program is established under authority of the act of July 1, 2019 (3 Pa.C.S. §§ 10701—10705), referred to as the Urban Agricultural Infrastructure Grant Program Act (act). The Program allows the Department to award reimbursement grants for certain eligible projects to improve urban agricultural infrastructure in an urban area, improve or facilitate the aggregation of agricultural products in an urban area, entail the sharing of resources among urban agricultural entities or community organizations and support community development in the project area.

This notice establishes the procedures by which grant applications will be solicited and reviewed, and by which grants will be awarded, drawing on \$500,000 in funding available in Fiscal Year 2021-2022.

1. *Program Objectives.* The Program's objective is to provide grants to reimburse some portion of the costs of implementing projects that improve agriculture infrastructure in urban areas and that focus on aggregation of agricultural products, sharing of resources and support for community development resources.

2. *Definitions.* The following words and phrases apply to the Program:

*Department.* The Department of Agriculture of the Commonwealth.

*Eligible project.* A project that the department determines does all of the following:

a. Improves agricultural infrastructure in an urban area.

b. Improves or facilitates the aggregation of agricultural products in an urban area.

c. Entails the sharing of resources among urban agricultural operations, agricultural producers or community organizations.

d. Supports community development in the project area.

*Person.* An individual, partnership, association, firm, corporation, cooperatives or any other legal entity.

*Program.* The Urban Agricultural Infrastructure Grant Program.

*Secretary.* The Secretary of the Department.

*Urban municipality.* A municipality with a population density equal to or greater than 284 persons per square mile and a total population equal to or greater than 2,500, or a municipality in which more than 50% of the population lives in an urbanized area, as defined by the United States Census Bureau. A listing of Urban municipalities can be found at this web site, [https://www.rural.palegislatore.us/demographics\\_rural\\_urban\\_municipalities.html](https://www.rural.palegislatore.us/demographics_rural_urban_municipalities.html).

3. *Reimbursement Grant Program.* Program grants shall be reimbursement grants. The following shall apply:

a. The amount of reimbursement is based on actual eligible costs submitted by an approved applicant for an approved project during any fiscal year in which grants are offered.

b. Grant reimbursement money is limited to 50% or less of the costs of an eligible project.

c. Grant reimbursement money shall not be used to reimburse any portion of an in-kind contribution to an eligible project.

d. Grant money may not be used to pay or reimburse wages or salaries of grant recipient staff.

e. Grant money may not be used to reimburse any portion of the project costs which are being paid or reimbursed under another Federal or State grant program.

f. A single applicant may not be awarded more than \$100,000 in grants in any 5-year period, calculated from the date the department awards the grant.

4. *Eligibility.* A person may apply to the Department for a grant for an Eligible project in an Urban municipality under the Program.

5. *Grant Types.* An applicant for a grant under the Program shall specify whether the applicant seeks a Microgrant or a Collaboration Grant.

a. A "Microgrant" shall be awarded for one-time project or to a single entity applicant. The maximum amount of a Microgrant shall be the lesser of \$2,500 or 50% of project costs. No more than \$50,000 of available funds in FY 2020-2021 shall be used for microgrants.

b. A "Collaboration Grant" shall be awarded for an eligible project (as defined in Paragraph No. 2) for which a Microgrant is not sought. An application for a Collaboration Grant may be submitted by multiple partners on a single project. The maximum amount of a Microgrant shall be the lesser of \$50,000 or 50% of project costs.

6. *Application Procedure.*

a. *Online Applications Only.* An applicant for a grant under the Program shall be submitted through the Commonwealth's Single Application for Assistance online application system, at: [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us).

b. *Application Window.* Applications must be submitted through the Single Application for Assistance online application system between 8 a.m. on Monday, September 13, 2021, and 5 p.m. on Friday, October 15, 2021. Applications received outside of that application window will not be considered or reviewed.

c. *Application Requirements.* An application for a grant under the Program shall contain the following information:

i. The applicant's name, business address and contact information.

ii. A statement as to whether the applicant seeks a Microgrant or a Collaboration Grant.

iii. The details of the project for which reimbursement grant money is sought, including the following:

A. A project budget.

B. A statement of the maximum amount of grant money sought for the project, not to exceed 50% of project costs.

C. A project construction and implementation schedule.

D. A narrative identifying each entity that will assist in, participate in and benefit from the project.

iv. Separate descriptions of how the project would meet each of the following statutory requirements:

A. Improve agricultural infrastructure in an urban area.

B. Improve or facilitates the aggregation of agricultural products in an urban area.

C. Entail the sharing of resources among urban agricultural operations, agricultural producers or community organizations.

D. Support community development in the project area.

v. An attestation signed by the applicant, verifying the accuracy of the information presented on the application.

7. *Disposition and Review of Grant Applications.* The Department will review each application, and supporting documentation submitted therewith, for completeness and accuracy. If an application is found to be incomplete or inaccurate, the Department may request additional documentation and may discontinue further processing of the application until the requested information is received.

8. *Agreement Required.* If the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant,

the Department and the applicant shall execute a Grant Agreement which describes the terms and conditions subject to which the grant is made.

9. *Distribution of Grant Money.* As Program grants are reimbursement grants, the Department will not issue grant money until the successful applicant submits all of the following to the Department:

a. A verified statement that the eligible project has been completed or implemented.

b. A verified statement of the project completion date.

c. Photos of the completed or implemented project with a narrative explanation of each photo.

d. Bills and invoices demonstrating that expenses were incurred for which reimbursement grant funds are sought.

Documents submitted to the Department under this Paragraph shall be directed to the Department of Agriculture, Bureau of Market Development, Attn: Agricultural Infrastructure Grant Program Coordinator, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

10. *Additional Information:* Additional information may be obtained from the Department by contacting Joshua Scheinberg, (717) 919-0377, jscheinber@pa.gov.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 21-1520. Filed for public inspection September 10, 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 31, 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

#### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
08-25-2021	InFirst Bank Indiana Indiana County	909 Menoher Boulevard Johnstown Cambria County	Opened
08-25-2021	Peoples Security Bank and Trust Company Scranton Lackawanna County	802B Warrendale Village Drive Warrendale Allegheny County	Filed
08-26-2021	Republic First Bank Philadelphia Philadelphia County	1998 Sproul Road Broomall Delaware County	Filed
08-27-2021	CNB Bank Clearfield Clearfield County	124 West Main Street Salem Roanoke County, VA	Filed



<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
08-27-2021	Republic First Bank Philadelphia Philadelphia County	212 East Lancaster Avenue Wayne Delaware County	Approved
08-27-2021	Somerset Trust Company Somerset Somerset County	100 Maple Avenue East Vienna Fairfax County, VA	Approved
08-28-2021	Investors Bank Short Hills Essex County, NJ	100 Gibraltar Road Horsham Montgomery County, PA	Opened
08-28-2021	Investors Bank Short Hills Essex County, NJ	706 Stony Hill Road Yardley Bucks County, PA	Opened
08-31-2021	Somerset Trust Company Somerset Somerset County	226 Main Street Suite 4 Irwin Westmoreland County, PA (Limited Service Facility)	Approved

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-31-2021	Delco Postal Credit Union Upper Darby Delaware County  Application for approval to merge Delco Postal Credit Union, Upper Darby, with and into Forge Federal Credit Union, Upper Darby.	Filed

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 21-1521. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Substantial Amendment to the 2021 Annual Action Plan; Public Hearing

The Commonwealth's 2021 Annual Action Plan will be amended to add the 2021 National Housing Trust Fund (HTF) allocation and revise the method of distribution to include the funds.

The proposed substantial amendment for the 2021 Annual Action Plan will be revised to include \$22,424,348 of the HTF allocation. The HTF funds are administered by the Housing Finance Agency.

#### *Public Review*

The revised 2021 Annual Action Plan will be available for review from September 11, 2021, through October 12, 2021, on the Department of Community and Economic Development's (Department) web site at <https://dced.pa.gov/library/?wpdmc2=action-plans-2019-2023>.

#### *Public Hearing*

The public hearing for the substantial amendment to the 2021 Annual Action Plan will be conducted electronically by means of Microsoft Teams on Thursday, October 7, 2021, at 1 p.m. and will last only if there are comments to be received.

The public hearing may be accessed by dialing (267) 332-8737 and then 448005650#. Individuals in need of assistance to join the meeting should contact Megan Snyder at (717) 720-7404.

Persons with a disability or limited English proficiency who wish to participate in the public hearing should contact Megan L. Snyder, (717) 720-7404, (717) 346-0308 (TDD), [megsnyder@pa.gov](mailto:megsnyder@pa.gov) to discuss how the Department can accommodate their needs.

#### *Public Comments*

Any individual or organization may give testimony or comments during the meeting or submit comments electronically at [RA-DCEDcdbhhomequestions@pa.gov](mailto:RA-DCEDcdbhhomequestions@pa.gov). Written comments must be received by close of business on Tuesday, October 12, 2021, by 4 p.m.

DENNIS M. DAVIN,  
*Secretary*

[Pa.B. Doc. No. 21-1522. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Cyber Charter School Application; Public Hearing

The Department of Education (Department) will conduct a public hearing regarding a cyber charter school application received on August 11, 2021. The hearing will

be held on October 14, 2021, in Heritage Room A, lobby level, 333 Market Street, Harrisburg, PA 17126, at 9 a.m. Login information to access the hearing virtually will be posted to the Department's Division of Charter School's Applications webpage at <https://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

The hearing pertains to an applicant seeking to operate a new cyber charter school beginning in the 2022-2023 school year. The purpose of the hearing is to gather information from the applicant about the proposed cyber charter schools as well as receive comments from interested individuals regarding any application. The name of the applicant, copies of the application and a listing of the date and time scheduled for the hearing on the application can be viewed on the Department's web site on or after September 6, 2021, at [www.education.pa.gov](http://www.education.pa.gov).

Individuals who wish to provide comments on the application during the hearing must provide a copy of their written comments to the Department and the applicant on or before October 8, 2021. Comments provided by this deadline and presented at the hearing will become part of the certified record concerning the application. Failure to comply with this deadline will preclude the individual from providing comments at the hearing. Verbal comments may be limited based on the number of individuals requesting time to provide comments. Persons who are unable to attend the hearing may provide the Department and the applicant with written comments on or before October 8, 2021, and any written comments will become part of the certified record.

The hearing will be conducted by a panel of individuals who have completed an initial review of the application.

Panel members may question the applicant on issues identified during the initial review, as well as issues raised in the written comments filed by the deadline. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicant or the panel members.

Comments sent to the Department should be addressed to the Division of Charter Schools, 333 Market Street, 3rd Floor, Harrisburg, PA 17126-0333, in addition to being e-mailed to the Division of Charter Schools (Division) at [ra-charterschools@pa.gov](mailto:ra-charterschools@pa.gov). Comments sent to an applicant should be addressed using the contact information contained within the application by mail, in addition to being e-mailed. The hearing agenda will be prepared no later than October 8, 2021, when the Department is aware of the number of individuals who wish to provide verbal comments at the hearing. The hearing agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator.

The hearing agenda will be posted under Charter School Applications on the Department's web site at <https://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

For questions regarding this hearing, contact the Division at [ra-charterschools@pa.gov](mailto:ra-charterschools@pa.gov).

NOE ORTEGA,  
*Secretary*

[Pa.B. Doc. No. 21-1523. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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#### 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](http://www.dep.pa.gov) and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

<i>Section</i>	<i>Category</i>
I	Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received
II	Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs
III	Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity

Section I identifies the following applications and NOIs that have been received by DEP:

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP’s website at [www.dep.pa.gov/CWPublicNotice](http://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](http://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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
3020400	Sewage Treatment Facilities Individual WQM Permit	New	Carolyn Yoders 1953 Aleppo Road Wind Ridge, PA 15380-1323	Aleppo Township Greene County	SWRO
0621804	Joint DEP/PFBC Pesticides Permit	New	Goodrich Lonnie 33 Docwill Drive Barto, PA 19504-8740	Washington Township Berks County	SCRO
4021803	Joint DEP/PFBC Pesticides Permit	New	Heritage Paul 61 Bloomingdale Road Shickshinny, PA 18655-3936	Ross Township Luzerne County	NERO
5213862	Joint DEP/PFBC Pesticides Permit	Renewal	Marcel Lake Estates POA 103 Lake Drive Dingmans Ferry, PA 18328-3127	Delaware Township Pike County	NERO
5216805	Joint DEP/PFBC Pesticides Permit	Renewal	Marcel Lake Estates POA 103 Lake Drive Dingmans Ferry, PA 18328-3127	Delaware Township Pike County	NERO
NOEX13202	No Exposure Certification	Renewal	Polytek Development Corp 55 Hilton Street Easton, PA 18042-7335	Williams Township Northampton County	NERO
NOEXSC370	No Exposure Certification	New	PA Cherry LLC P.O. Box 269 Mercersburg, PA 17236	Montgomery Township Franklin County	SCRO
NOEXSC371	No Exposure Certification	New	Harmony Products Inc. 20 Church Road P.O. Box 482 Emigsville, PA 17318-2006	Manchester Township York County	SCRO
PAG030119	PAG-03 NPDES General Permit for Industrial Stormwater	New	KVK Tech Inc. 110 Terry Drive Newtown, PA 18940-3427	Newtown Township Bucks County	SERO
PAG030120	PAG-03 NPDES General Permit for Industrial Stormwater	New	Amazon Com Service LLC P.O. Box 80842 Attn: NA Environmental Dept Seattle, WA 98108-0842	East Norriton Township Montgomery County	SERO
PAG033660	PAG-03 NPDES General Permit for Industrial Stormwater	New	Martin Mulch Products LLC 55 Woodcrest Drive Ephrata, PA 17522-9393	East Cocalico Township Lancaster County	SCRO
PAG034884	PAG-03 NPDES General Permit for Industrial Stormwater	New	FSTI Inc. 6300 Bridge Point Parkway Suite 1-200 Austin, TX 78730-5016	Pine Creek Township Clinton County	NCRO
PAR506111	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	BFI Waste Service of PA LLC 73 Noblestown Road Suite A Carnegie, PA 15106-1669	Collier Township Allegheny County	SWRO
PAG123925	PAG-12 NPDES General Permit for CAFOs	New	Hoover Andrew 155 Mayapple Lane Mifflintown, PA 17059-9103	Milford Township Juniata County	SCRO
1787409	Sewage Treatment Facilities Individual WQM Permit	Amendment	Dubois City Clearfield County 16 W Scribner Avenue Du Bois, PA 15801-2210	DuBois City Clearfield County	NCRO
2021415	Sewage Treatment Facilities Individual WQM Permit	New	Belisky Harry 10917 Westview Avenue Meadville, PA 16335-4751	Summerhill Township Crawford County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2082403	Sewage Treatment Facilities Individual WQM Permit	Amendment	Conneaut Lake Joint Municipal Authority Crawford County P.O. Box 277 9888 Highway 285 Conneaut Lake, PA 16316-0277	Sadsbury Township Crawford County	NWRO
2096407	Sewage Treatment Facilities Individual WQM Permit	Amendment	Meadville Area Sewer Authority Crawford County 1320 Park Avenue Meadville, PA 16335-3114	Meadville City Crawford County	NWRO
0198404	Sewage Treatment Facilities Individual WQM Permit	Amendment	Artillery Ridge Campground LLC P.O. Box 544 Glenmoore, PA 19343	Cumberland Township Adams County	SCRO
2115403	Sewage Treatment Facilities Individual WQM Permit	Transfer	Lerew Doris K 656 Latimore Road York Springs, PA 17372-9775	North Middleton Township Cumberland County	SCRO
2115404	Sewage Treatment Facilities Individual WQM Permit	Transfer	Lerew Doris K P.O. Box 121 Carlisle, PA 17013-0121	North Middleton Township Cumberland County	SCRO
2115405	Sewage Treatment Facilities Individual WQM Permit	Transfer	Lerew Doris K 656 Latimore Road York Springs, PA 17372-9775	North Middleton Township Cumberland County	SCRO
2521423	Sewage Treatment Facilities Individual WQM Permit	New	Deborah & Richard Moran 5975 Buman Road McKean, PA 16426-1049	McKean Township Erie County	NWRO
2721403	Sewage Treatment Facilities Individual WQM Permit	New	Pink Cottage LLC 5019 Morrowick Road Charlotte, NC 28226-7366	Harmony Township Forest County	NWRO
6121402	Sewage Treatment Facilities Individual WQM Permit	New	Cubbon Keith P.O. Box 734 Barre, VT 05641-0734	Cherrytree Township Venango County	NWRO
6797407	Sewage Treatment Facilities Individual WQM Permit	Amendment	Jackson Township Sewer Authority York County 439 Roth Church Road Spring Grove, PA 17362-8872	Jackson Township York County	SCRO
0120403	Sewer Extensions and Pump Stations Individual WQM Permit	Amendment	Carroll Valley Sewer & Water Authority 5685 Fairfield Road Fairfield, PA 17320-9611	Carroll Valley Borough Adams County	SCRO
3521401	Sewer Extensions and Pump Stations Individual WQM Permit	New	Greenfield Township Sewer Authority Lackawanna County 111 Lakeview Avenue Greenfield Township, PA 18407-3738	Greenfield Township Lackawanna County	NERO
3621402	Sewer Extensions and Pump Stations Individual WQM Permit	New	Warwick Township Municipal Authority Lancaster County 315 Clay Road P.O. Box 336 Lititz, PA 17543-9019	Warwick Township Lancaster County	SCRO
6521404	Sewer Extensions and Pump Stations Individual WQM Permit	New	Monessen City Westmoreland County 20 S Washington Street Donora, PA 15033-1394	Carroll Township Washington County	SWRO
PA0051942	Single Residence STP Individual NPDES Permit	Transfer	Hansen Kyle 1834 W Strasburg Road Coatesville, PA 19320	Warwick Township Chester County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1602101	WQG-01 WQM General Permit	New	Douglas Orbaker & Penn Garvin 49 Wildwood Road Mifflinburg, PA 17844-7100	Limestone Township Union County	NCRO
WQG01011801	WQG-01 WQM General Permit	New	Alan D. Mahone 531 Maple Grove Road Abbottstown, PA 17301	Franklin Township Adams County	
WQG02342101	WQG-02 WQM General Permit	New	Twin Borough Sanitary Authority Juniata County P.O. Box 118 17 River Drive Mifflin, PA 17058-0118	Milford Township Juniata County	SCRO
WQG02632101	WQG-02 WQM General Permit	New	Union Township Washington County 1 N State Street Clairton, PA 15025-2172	Clairton City Allegheny County	SWRO

## 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.

### Northeast Regional Office

**PA0061921**, Sewage, SIC Code 4952, **Brookdale Drug And Alcohol Rehabilitation LLC**, 2455 Black Mountain Road, Scotrun, PA 18355. Facility Name: Brookdale Drug And Alcohol LLC. This existing facility is located in Pocono Township, **Monroe County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary to Scot Run (HQ-CWF), is located in State Water Plan watershed 1-E 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 .05 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
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
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	Report	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6

The proposed effluent limits for Outfall 001 are based on a design flow of .05 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	1000.0	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Daily Max Report	XXX	XXX
Total Nitrogen	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Kjeldahl Nitrogen	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Phosphorus	Avg Qrtly Report	XXX	XXX	Avg Qrtly 2.0	XXX	XXX

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

*Southcentral Regional Office*

**PA0081876**, Sewage, SIC Code 4952, 6515, **Audubon Park, Inc.**, 28 Cardinal Drive, Dillsburg, PA 17019. Facility Name: Audubon Park MHP. This existing facility is located in Monaghan Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary to Yellow Breeches Creek (CWF), is located in State Water Plan watershed 7-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Ammonia—N	Report	XXX	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	Report	XXX	XXX	XXX
Net Total Phosphorus	Report	Report	XXX	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0085197**, Sewage, SIC Code 3999, **Kampel Enterprises Inc.**, 8930 Carlisle Road, Wellsville, PA 17365-9735. Facility Name: Kampel Enterprises Airplane & Metalwork. This existing facility is located in Warrington Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary of North Branch Bermudian Creek (WWF), is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0025 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.33	XXX	1.1
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.36	XXX	4.72
Nov 1 - Apr 30	XXX	XXX	XXX	7.08	XXX	14.16
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
				Avg Qrtly		

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.

**PA0248053**, Sewage, SIC Code 8811, **Brandon M. Arter**, 114 Oak Tree Road, Manheim, PA 17545. Facility Name: Brandon Arter SRSTP. This existing facility is located in Rapho Township, **Lancaster County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated SRSTP sewage.

The receiving stream(s), Rife Run (WWF), is located in State Water Plan watershed 7-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .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	Report Daily Max	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	200
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	Report

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

**PA0267571**, Sewage, SIC Code 8811, **Richard F Botteicher**, 600 Diamond Circle, Martinsburg, PA 16662-1615. Facility Name: Botteicher Residence. This proposed facility is located in Frankstown Township, **Blair 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), Oldtown Run (WWF, MF), is located in State Water Plan watershed 11-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 <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX



You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0022292**, Sewage, SIC Code 4952, **Ebensburg Borough Municipal Authority**, 300 West High Street, Ebensburg, PA 15931-1582. Facility Name: Ebensburg Borough Municipal Authority. This existing facility is located in Cambria Township, **Cambria 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), Howells Run (CWF), is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2 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	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	417	626	XXX	25	37.5	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	501	751	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	58	88	XXX	3.5	5.3	7
May 1 - Oct 31	33	50	XXX	2.0	3.0	4
Total Phosphorus	25	38	XXX	1.5	2.3	3
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				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 not in effect.

**PA0035882**, Sewage, SIC Code 6515, **Jones Estates PA LLC**, 2310 S Miami Boulevard, Suite 238, Durham, NC 27703-4900. Facility Name: Placid Manor MHP. This existing facility is located in Hempfield Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary of Little Sewickley Creek (TSF), is located in State Water Plan watershed 19-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	0.015	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.06	XXX	0.15

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
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
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	5.0	XXX	10.0
May 1 - Oct 31	XXX	XXX	XXX	2.6	XXX	5.2

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

In addition, the permit contains the following major special conditions:

- TRC Optimization
- Solids management for non-lagoon systems

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.

**PA0219134**, Industrial, SIC Code 4911, **Springdale Energy LLC**, P.O. Box 166, Springdale, PA 15144-0166. Facility Name: Springdale Generating Facility. This existing facility is located in Springdale Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream(s), Allegheny River (WWF), is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a discharge flow of 0.536 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>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101—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>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 201—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>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
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	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 301—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 401—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>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	15.0	20.0	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not in effect.

**III. Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity.**

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD480159	New	LVTC III Owner, LLC c/o Matthew Nunn 300 Conshohocken State Road Suite 250 Conshohocken, PA 19428-3801	Lower Nazareth & Bethlehem Townships Northampton County	NERO
PAD390211	New	Boyer Allentown SNF, LC 101 South 200 East Suite 200 Salt Lake City, UT 84111	Lower Macungie Township Lehigh County	NERO
PAD520036	New	Pennsylvania American Water Company 4 Wellington Blvd. Wyomissing, PA 19610	Delaware Township Pike County	NERO
PAD070022	New	Martinsburg Municipal Authority 110 South Walnut Street Martinsburg, PA 16662	Martinsburg Township Taylor Township North Woodbury Township Huston Township Blair County	SCRO
PAD160003	New	PADOT District 10 2550 Oakland Avenue Indiana, PA 15701	Beaver Township Clarion County	NWRO

**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>
Fine Swine LLC 488 Jay Road Clearville, PA 15535	Bedford	238	640.26	Swine	EV	Renewal
DL Rohrer Farms, LLC Douglas Rohrer 1728 Bridge Road Lancaster, PA 17602	Lancaster	783.7	580.9	Layer	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).**

*Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5887.*

*Contact: Kimberleigh Rivers, Clerk Typist 2, 484.250.5887.*

**Permit No. 4621509**, Public Water Supply.

Applicant	<b>Ambler Borough</b> 131 Rosemary Avenue Ambler, PA 19002
Township	Upper Dublin
County	<b>Montgomery</b>
Responsible Official	Mary Aversa Ambler Borough 131 Rosemary Avenue
Type of Facility	PWS
Consulting Engineer	Gilmore & Associates, Inc. 65 East Butler Pike New Britain, PA 19002
Application Received Date	August 27, 2021

Description of Action Installation of GAC treatment system adjacent to Well 6 to treat Wells 2, 6 and 7.

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**Application No. 4521503**, Public Water Supply.

Applicant **JARF Enterprises, LLC**  
1150 Red Fox Court  
Kresgeville, PA 18333

Municipality Coolbaugh Township  
County **Monroe**  
Type of Facility Public Water Supply  
Consulting Engineer Timothy J. Pilcher, P.E.  
B&B Diversified Enterprises, Inc.  
302 Norton Road  
Stroudsburg, PA 18360

Application Received Date July 27, 2021

Description of Action The applicant is requesting approval to modify an existing water supply for a commercial building by adding pH adjustment and removing manganese.

**Application No. 4821506**, Public Water Supply.

Applicant **Northampton Area School District**  
Lehigh Township  
Elementary School  
2014 Laubauch Ave.  
Northampton, PA 18067

Township Lehigh Township  
**Northampton County**

Responsible Official Daniel Rodrigues  
Facility Supervisor  
Northampton Area School District  
Lehigh Township  
Elementary School  
100 Held Dr.  
Northampton, PA 18067

Type of Facility PWS  
Consulting Engineer Shane Niper  
Snyder Hoffman Associates, Inc.  
1005 W. Lehigh St.  
Bethlehem, PA 18018

Application Received Date August 6, 2021

Description of Action The applicant has proposed modifications to the existing PWS system facilities including treatment facilities for chlorination, pH adjustment, poly-phosphate blend injection, installation of a 3,000 gallon storage tank, contact pipe construction (for future 4-log treatment, if needed), extending well casing above grade, installation of a booster pumping system and decommissioning of 3 1,000 gallon pressure tanks.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 0821502**, Major Public Water Supply.

Applicant **Village at Whispering Pines, LLC**  
100 Whispering Pines Drive  
Millerton, PA 16936

Township or Borough Wells Township  
County **Bradford**  
Responsible Official Mr. James Bender  
99 Park Drive  
New Columbia, PA 16936

Type of Facility Public Water Supply  
Consulting Engineer Joseph J. Hunt, P.E.  
JHA Companies  
466 South Main Street  
Montrose, PA 18801

Application Received Date August 23, 2021

Description of Action Application proposing modifications of the existing treatment process for Manganese Removal and Compliance Attainment. The treatment process modifications include the addition of Greensand Filtration, addition of a general corrosion inhibitor and antiscalant and apurtenances.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 1**

**Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania 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 & Brown fields Program Manager; 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Eric Supey, Environmental Program Manager.*

**Bell Gate Farm**, 7018 Bell Gate Road, Coopersburg, PA 18036, Lower Milford Township, **Lehigh County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Suburban Propane Partners, L.P., P.O. Box 4833 Syracuse, NY 13221, submitted a Notice of Intent to Remediate. Soil and groundwater were 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 *Morning Call* on August 23, 2021.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110.*

**L.B. Fencing**, 305 Good Road, East Earl, PA 17519, Brecknock Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of L.B. Fencing, 305 Good Road, East Earl, PA 17519, submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel. The site will be remediated to the residential Statewide health standard. Future use of the site will remain for residential, commercial, and agricultural purposes. The Notice of Intent to Remediate was published in the *LNP* on August 11, 2021.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating

Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.



**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief, (484) 250-5920.*

**46-0262F: Penn Color, Inc.** (2801 Richmond Road, Hatfield, PA 19440) for the installation of a new C6 continuous line (Source ID 213) and reroute existing equipment to a new or refurbished dust collector (Control Device C213) operating as part of Color Concentrate Manufacturing in the Dry Building 1 (Source ID 100) at the manufacturing plant located in Hatfield Township, **Montgomery County**. Penn Color, Inc. is a minor source of Volatile Organic Compound (VOC) emissions and an area source for Hazardous Air Pollutants (HAP). The existing facility is currently operating under Synthetic Minor Operating Permit No. 46-00262. The installation will not trigger New Source Review or Prevention of Severe Deterioration for any criteria pollutant, including Greenhouse Gases. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**67-05007E: Adhesives Research Inc.** (400 Seaks Run Road, Glen Rock, PA 17327) installation of two new chemical reactors at the adhesive coating manufacturing facility located in Springfield Township, **York County**. The new reactor tanks will produce a new polymer that will be either applied at two coating lines at the facility or sent to another facility for application.

The expected potential emissions from this project are as follows: 1.06 tpy CO; 1.74 tpy NO<sub>x</sub>; 1.02 tpy HAPs; 10.05 tpy VOC; and less than 1 tpy of SO<sub>x</sub> and PM<sub>10</sub>. The Department of Environmental Protection's (DEP's) review of the information submitted by the company indicates that the air contamination sources will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12 as well as applicable requirements of 40 CFR Part 63, Subpart FFFF—New Emission Standards for Hazardous Air Pollutants for Miscellaneous Organic Chemical Manufacturing, 40 CFR Part 63, Subpart UU—New Emission Standards for Hazardous Air Pollutants for Equipment Leaks, 40 CFR Part 60, Subpart RR—Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations, 40 CFR Part 63, Subpart JJJJ—New Emission Standards for Hazardous Air Pollutants for Paper and Other Web Coatings, 40 CFR Part 63, Subpart HHHHH—New Emission Standards for Hazardous Air Pollutants for Chemical Operations, 40 CFR Part 63, Subpart SS—New Emission Standards for Hazardous Air Pollutants for Closed Vent Systems and Control Devices,

25 Pa. Code § 129.52b Control of VOC Emissions from Paper, Film and Foil Surface Coating Processes. Based on this finding, DEP proposes to issue a plan approval for the proposed installation. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

**OPERATING PERMITS**

**Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.*

**23-00034: Villanova University** (800 E. Lancaster Avenue, Villanova, PA 19085) DEP intends to renew the Title V Operating Permit (TVOP) for operation of 4 boilers, 39 miscellaneous heaters, and several emergency generators at the Villanova University facility located in Radnor Township, **Delaware County**. Villanova University is a major facility for nitrogen oxide emissions and they took a 99.9-ton per year NO<sub>x</sub> limit to avoid Reasonable Available Control Technology (RACT) II regulations (25 Pa. Code §§ 129.96—129.100). During this renewal, Plan Approval 23-0034 for six emergency engines was incorporated into the TVOP. The following applicable requirements were incorporated: (a) 40 CFR Subpart JJJJJ for the boilers, and (2) 40 CFR Part 63 Subpart ZZZZ, 40 CFR Part 60 Subpart IIII and 40 CFR Part 60 Subpart JJJJ for the respective emergency engines. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6328.*

**03-00027:** In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection (DEP) has made a preliminary determination to approve an alternative Reasonably Available Control Technology (RACT II) plan and seeks an approval of an amendment to the State Implementation Plan (SIP) for **Keystone-Conemaugh Projects, LLC** Keystone Station located in Plum Creek Township, **Armstrong County**. And in accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection intends to modify the facility's Title V Operating Permit. The facility is located at 175 Cornell Road, Suite 1, Blairsville, PA 15717. The facility's representative to contact concerning this application is Mr. Nathan Rozic, Environmental Specialist. His phone number is 724-354-5475. The facility's major emission sources include two tangential pulverized coal-fired (PC) boilers, each with nominal maximum heat inputs of 8,717 MMBtu/hr, two 138 MMBtu/hour auxiliary boilers, four 3,600 bhp peaking diesel electrical generators, emergency diesel engines and fire pumps, coal handling, ash disposal, limestone and gypsum operations, plant haul roads, cooling towers, miscellaneous propane heaters and sorbent handling and storage.



The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (03-00027) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal; this includes the provisions of the Department's presumptive RACT II requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

- Emissions of NO<sub>x</sub> expressed as NO<sub>2</sub> for Units 1 and 2 are individually limited to a maximum of 0.080 lb. NO<sub>x</sub>/MMBtu on a daily average basis. This limit excludes, emissions during start-up, shut-down, malfunction, or to operate pursuant to any emergency generation operations required by the PJM, including necessary testing for such emergency consistent with the unit's technological limitations, manufacturers' specifications, good engineering and maintenance practices, and good air pollution control practices for minimizing emissions.

- Emissions of NO<sub>x</sub> expressed as NO<sub>2</sub> from Unit 1 and 2 are individually limited to a maximum of 0.30 lb. NO<sub>x</sub>/MMBtu on a daily average basis under all operating conditions.

- Emissions of NO<sub>x</sub> expressed as NO<sub>2</sub> from Unit 1 and 2 are individually limited to a maximum 800 lbs. NO<sub>x</sub>/hr on a 30-operating day rolling average basis under all operating conditions. The owner or operator shall calibrate, operate, and maintain all elements of the Selective Catalytic Reduction (SCR) system in accordance with the manufacturer's specifications, in a manner consistent with good engineering and air pollution control practices at all times the SCR system is in use.

- The owner or operator shall maintain NO<sub>x</sub> controls as effective as reasonably possible during startups and shutdowns.

- The owner or operator shall take steps to bring NO<sub>x</sub> controls back into full service as quickly as practicable whenever the control equipment experiences a malfunction.

- The owner or operator shall document and report to the DEP, information regarding the cause of the malfunction and the steps for bringing the controls back.

- The owner or operator shall develop, maintain, and implement an operation and maintenance plan (O&M Plan) for Unit 1, Unit 2, Low NO<sub>x</sub> Burner (LNB) and the SCR.

- Within 3 months of the effective date of this permit, the facility shall set the SCR at a target NO<sub>x</sub> emission rate of 0.060 lb. NO<sub>x</sub> per MMBtu.

- The facility shall regularly consult with the SCR catalyst vendor to monitor SCR performance in accordance with the catalyst management plans (CMPs) devel-

oped for the SCR systems. Such consultation shall be documented by the facility and occur every 180 days.

- Inclusion and Revisions of 40 CFR Part 97 CSAPR Related Subparts (Subpart EEEEE is replaced with Subpart GGGGG).

If requested by October 6, 2021, a public hearing will be held at 1 p.m. on October 13, 2021, to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be October 6, 2021. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted on the Bureau of Air Quality's webpage at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

Persons wishing to present testimony should contact Tom Decker, 230 Chestnut Street, Meadville, PA 16335, [thomadecke@pa.gov](mailto:thomadecke@pa.gov) or (814) 332-6615 to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their testimony.

Persons may also contact the Department to find out if the hearing is cancelled by contacting Tom Decker at [thomadecke@pa.gov](mailto:thomadecke@pa.gov) or (814) 332-6615.

Persons unable to attend the hearing, if it is held, may submit 3 copies of a written statement and exhibits within 10 days thereafter to Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

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 Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from September 11, 2021, will exist for the submission of comments, protests and information. Each submission must contain the following information: name, address and telephone number of the person submitting the comments; identification of the proposed permit number 03-00027; and concise statements regarding the relevancy of the information or objections to issuance of the permit or the proposed RACT II Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 814-332-6078. The review memo will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Tom Decker at (814) 332-6615 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.

The Department must receive comments no later than October 12, 2021. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the North West Regional Office, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.*

**35-00076: Jennings Calvey Funeral Home & Cremation SVC, Inc.** (111 Colburn Ave., Clarks Summit, PA 18411-1568) for the operation of a crematory at the facility located in Clarks Summit Borough, **Lackawanna County**. The emissions will be controlled by an afterburner. This is a new State-Only Operating Permit. The State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**40-00095: Polyglass USA Inc.** (555 Oak Ridge Road, Hazleton, PA 18202-9362) for the operation of sources at their manufacturing facility located in Hazle Township, **Luzerne County**. The process equipment emission sources at the facility consist of dip tanks, roller coaters, storage silos, mixers, and asphalt storage tanks. The emissions from the sources are controlled by a burn-off oven/incinerator. This is a renewal of a State-Only Operating Permit. The State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.*

**67-03154: Service Tire Truck Center, Inc.** (2800 Concord Road, York, PA 17402) for a natural minor operating permit renewal for a truck tire retreading plant located in Springettsbury Township, **York County**. The primary potential emissions from the operation are estimated at 2.17 tpy of TSP and 0.99 tpy of VOC for 6,000 hours per year. The actual emissions are less than 1 tpy each of VOC and PM<sub>10</sub>. The Operating Permit will include emission standards and work practice standards along with monitoring, recordkeeping, and reporting requirements designed to ensure the facility complies with the applicable air quality regulations.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**26-00569: Holt & Bugbee Hardwoods, Inc.** (1600 Shawsheen St., P.O. Box 37, Tewksbury, MA, 01876). 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 a hardwood lumber drying and processing facility located in North Union Township, **Fayette County**.

The subject facility uses a wood waste-fired boiler to kiln dry hardwood lumber and further process the material into dimension boards and architectural moldings. The boiler is controlled by a multi-clone dust collector that limits particulate matter emissions to 0.25 lbs/MMBtu of heat input. The facility also has an 8.4 MMBtu/hr natural gas-fired boiler that is used as a backup unit. A milling building contains the various saws and milling machines where the lumber is processed and wood waste is created. The wood waste is collected by two (2) dust collectors and pneumatically conveyed to a storage silo for feeding the boiler. The annual potential emissions from the facility are estimated to be 22.13 tons NO<sub>x</sub>, 52.96 tons of CO, 2.09 tons SO<sub>2</sub>, 1.62 tons VOC, 24.41 tons PM, 24.41 tons PM<sub>10</sub>, and 20,507 tons of CO<sub>2e</sub>. HAP emissions are considered to be negligible.

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 following name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit 26-00569) 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.

**65-01037: Alcoa Technical Center, LLC** (859 White Cloud Road, New Kensington, PA 15068). In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) renewal to Alcoa Technical Center, LLC to authorize the operation of a Research and Development (R&D) facility located in Upper Burrell Township, **Westmoreland County**.

Alcoa Technical Center, LLC is a Research and Development site that evaluates new components and manufac-



turing methods related to the breakthrough technology of smelting. Most of the sources operate for short durations on fluctuating schedules dictated by analytical requirements and changing business needs. Many operations are bench scale. The facility consists of a natural gas fired boilers rated 10.4 MMBtu/hr, isostatic press, an emergency generator, various small natural gas-fired sources such as heaters, burners, ovens, furnaces, mixers, grinders, small reactors, etc. associated with this type of R&D operation. Emissions are controlled by dust collectors and thermal oxidizer. This facility has the potential to emit 4.53 tpy of PM, 6.42 tpy of NO<sub>x</sub>, 1 tpy of VOCs, 1.17 tpy of HAPs and 54 tpy of CO. The proposed authorization is subject to State and Federal Regulations. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the proposed permit have been derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145 and 40 CFR Part 63 Subpart ZZZZ.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (65-01037) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Alcoa Technical Center, LLC State Only Operating Permit Application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Alcoa Technical Center, LLC State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

All comments must be received prior to the close of business 30 days after the date of this publication.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.*

**61-00187: SMS Group—Oil City, Technical Service Division** (671 Colbert Ave, Oil City, PA 16301-2288). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for operation of the Oil City facility owned by SMS Group located in the City of Oil City, **Venango County**. The facility's primary emission sources include a copper electroplating dip tank, nickel electroplating stations, powder coat systems, a paint booth, degreasers, polishing booths, and miscellaneous natural gas combustion. The potential emissions of the primary pollutants from the facility are as follows: 2.49 TPY (tons per year) NO<sub>x</sub>, 1.73 TPY CO, 3.77 TPY VOC, 0.33 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and 0.01 TPY SO<sub>2</sub>; thus, the facility is a natural minor. Several of the plating and polishing operations are subject to 40 CFR 63 Subpart WWWW, NESHAP Area Source Standards for Plating and Polishing Operations. The renewal

permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## 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 <sup>1</sup>		greater than 6.0; less than 9.0	

Alkalinity greater than acidity<sup>1</sup>

<sup>1</sup> The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

*California District Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100, (Contact: Bonnie Herbert).*

**56773708. Miller Springs Remediation Management, Inc.**, 5 Greenway Plaza, Suite 110, Houston, TX 77046 to renew the permit for reclamation only for Strayer Coal Refuse Disposal Area located in Conemaugh Township, **Somerset County**. No discharges. The application was considered administratively complete on August 19, 2021. Application received: June 7, 2021.

**56841321 and NPDES Permit No. PA0001881. Miller Springs Remediation Management, Inc.**, 5 Greenway Plaza, Suite 110, Houston, TX 77046 to renew the permit and related NPDES Permit for reclamation only for Bird Mine No. 2/No. 3 in Conemaugh Township, **Somerset County** and Stonycreek Township, **Cambria County**. No additional discharges. The application was considered administratively complete on August 20, 2021. Application received: June 7, 2021.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, (Contact: Melanie Ford-Wigfield).*

**Permit 32110104 and NPDES No. PA0263303, Simkol Corp.**, 1005A Bush Road, Saltsburg, PA 15681, permit renewal for the continued operation and restoration of a bituminous surface mine in Young Township, **Indiana County**, affecting 40.5 acres. Receiving streams: Nesbit Run and unnamed tributary to Whiskey Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 24, 2021.

**Permit 56960107 and NPDES No. PA0234231, PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 135 acres. Receiving streams: unnamed tributaries to/and Quemahoning Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: August 24, 2021.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, (Contact: Tracy Norbert).*

**02070104 and NPDES Permit No. PA0251224. Collier Land & Coal Development, LP**, 223 Fourth Avenue, 4th Floor, Pittsburgh, PA 15222. Revision application for abatement plan change to an existing bituminous surface mine, located in Collier Township, **Allegheny County**, affecting 33.33 acres. Receiving streams: unnamed tributaries to Robinson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: August 25, 2021.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 22851304R7. S & M Coal Co.**, 1744 East Grand Avenue, Tower City, PA 17980, renewal for reclamation activities only of an existing anthracite underground mine operation in Wiconisco Township, **Dauphin County** affecting 4.2 acres. Receiving stream: Wiconisco Creek, classified for the following uses: cold water and migratory fishes. Application received: August 11, 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 50210801 and GP104 PAM421008, Cambridge Natural Stone Company Inc.**, 7889 Horse Valley Road, East Waterford, PA 17021, commencement, operation, and restoration of small industrial minerals operation in Toboyne Township, **Perry County**, affecting 5.0 acres. Receiving streams: Unnamed Tributary to Narrows Branch, to Tuscarora Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 23, 2021.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, (Contact: Ashley Smith).*

**59210801. Theodore Wood**, 416 Odell Road, Mansfield, PA 16933. Commencement, operation, and restoration of a small noncoal (industrial minerals) operation located in Rutland Township, **Tioga County** affecting 5 acres. Receiving stream(s): Mill Creek and Unnamed Tributary to Tioga River classified for the following use(s): TSF, MF. Application received: August 19, 2021.

**4775SM14 and NPDES No. PA0115525. Hanson Aggregates Pennsylvania LLC**, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit for a large noncoal mining site located in Lamar Township, **Clinton County** affecting 163.2 acres. Receiving stream(s): Long Run and Fishing Creek classified for the following use(s): HQ-CWF, MF and CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 23, 2021.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 6276SM1C4 and NPDES Permit No. PA0594571. New Enterprise Stone & Lime Co., Inc.**, 3912 Brumbaugh Road, New Enterprise, PA 16664, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Salisbury Township, **Lancaster County** affecting 93.0 acres. Receiving stream: unnamed tributary to Pequea Creek, classified for the following use: HQ—cold water fishes. Application received: August 3, 2021.

**Permit No. 67000301C7 and NPDES Permit No. PA0224065. Pennsy Supply, Inc., York County** affecting 288.75 acres. Receiving stream: Little Conewago Creek, classified for the following use: trout stocked fisher. Application received: August 5, 2021.

**Permit No. 58060820. Theodore R. Walworth**, P.O. Box 14, Hallstead, PA 18822, Stage I & II bond release of a quarry operation in Jackson Township, **Susquehanna County** affecting 3.0 acres on quarry owned by Theodore R. Walworth. Application received: August 18, 2021.

**Permit No. 58050824. Jack L. McKeeby**, 2236 Snyder Road, New Milford, PA 18834, Stage I & II bond release of a quarry operation in Dimock Township, **Susquehanna County** affecting 1.0 acre on quarry owned by Jack L. McKeeby. Application received: August 19, 2021.

**Permit No. 64070810. Gary & Scott Hunt**, P.O. Box 36, 111 Hunt Road, Lake Como, PA 18437, Stage I & II bond release of a quarry operation in Buckingham Township, **Wayne County** affecting 2.0 acres on quarry owned by Gary & Scott Hunt. Application received: August 19, 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*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, (570) 621.3118.*

**NPDES Permit No. PA0225207. Pagnotti Enterprises, Inc.**, 144 Brown Street, Yatesville, PA 18640. Renewal of NPDES Permit on Surface Coal Mining No. 40663023, in Hazle Township **Luzerne County** affecting 165.0 acres. Receiving stream: Hazle Creek, Lehigh Valley Watershed classified for the following uses: HQ cold water and migratory fisheries. This permit has no discharges (No outfall no flow). Application received: January 5, 2021.

*Noncoal NPDES Draft Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, (570) 621.3118.*

**NPDES Permit No. PA0226173. Eureka Stone Quarry, Inc.**, P.O. Box 249, Chalfont, PA 18914, NPDES Permit on Noncoal Surface Mine Permit No. 5975SM3 in Covington Township, **Lackawanna County**, affecting 118.8 acres. Receiving stream: Spring Brook Watershed classified for the following use: HQ—cold water fishery. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 in addition to the limits identified in Table 2. Application received: February 25, 2021.

Outfalls: 02PD Parameter	Outfall Nos.	New Outfall (Y/N)		Type
	02SW 02PD	No No		Stormwater Pit Water
		30-Day Average	Daily Maximum	Instantaneous Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD) 02PD		0.75	0.75	
Oil and Grease (mg/L) 02PD			Monitor And Report	

<i>Outfalls: 02PD Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Turbidity (NTU) 02PD				40.0
<i>Outfalls: 02SW Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L) 02SW			Monitor And Report	
Turbidity (NTU) 02SW		40.0	80.0	100.0

<sup>1</sup> This Parameter is applicable at all times.

**NPDES Permit No. PA0593206. Lehigh Asphalt Paving & Construction Co.,** P.O. Box 549, Tamaqua, PA 18252, renewal of NPDES Permit on Noncoal Surface Mine Permit No. 7373SM3 in East Penn Township, **Carbon County**, affecting 203.6 acres. Receiving stream: unnamed tributary to Lizard Creek Watershed classified for the following uses: trout stock fishery and migratory fishes. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 in addition to the limits identified in Table 2. Application received: April 5, 2021.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>		
001	No	Stormwater		
002	No	Stormwater		
<i>Outfalls: 001 and 002 Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0

<sup>1</sup> This Parameter is applicable at all times.

**NPDES Permit No. PA0010235. York Building Products Co. Inc.,** 950 Smile Way, York PA 17405, revision of NPDES Permit on Noncoal Surface Mine Permit No. 67870301, in West Manchester Township and City of York, **York County** affecting 245.2 acres. Receiving stream: Willis Run Watershed, classified for the following use: warm water fishery. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 in addition to the limits identified in Table 2. Application received: April 19, 2021.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>		
001	No	Stormwater		
002	No	Stormwater/Groundwater		
003	No	Stormwater/Groundwater		
<i>Outfalls: Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge 002 (MGD)		2.16	4.60	
Discharge 003 (MGD)		1.44	4.60	
Discharge 002 or 003 if either are inactive (MGD)		4.60	4.60	
Oil and Grease (mg/L)			Monitor And Report	

<sup>1</sup> This 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)).**

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484.250.5160. E-mail: ra-epww-sero@pa.gov.*

**Permit No. E2301221-015, City of Philadelphia, Division of Aviation (DOA), Philadelphia International Airport Terminal D, Third Floor, Philadelphia, PA 19153, Tincum Township, Delaware County, ACOE Philadelphia District.**

City of Philadelphia DOA is proposing to perform the following water obstruction and encroachment activities associated with the Tincum Island Road Realignment Project and is the first phase of the overall multi-phased West Cargo Redevelopment and Expansion Project:

1. To place fill within an emergent wetland area (PEM) associated with the construction of roadway embankment resulting in 1.68 acres of permanent wetland impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.871495 N, Longitude: 75.274333 W).

2. To place fill within an emergent wetland area (PEM) associated with the construction of roadway embankment and the construction and maintenance of a two (2) 14-inch by 23-inch ERCP culvert to maintain wetland hydrology resulting in 0.01 acre of permanent wetland impact. This activity also includes the placement of riprap rock apron (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.871495, Longitude: 75.274333 W).

3. To construct and maintain a new 42-inch RCP outfall within Long Hook Creek (WWF) to facilitate discharge for a proposed stormwater management facility resulting in 15 linear feet (0.001 acre) of permanent watercourse impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.865249, Longitude: 75.2790526 W).

4. To place fill within Long Hook Creek (WWF) associated with the construction and maintenance of two (2)

36-inch cross culverts to maintain wetland hydrology resulting 0.01 acre of permanent watercourse impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.864374, Longitude: 75.2779871 W).

5. To place fill within Long Hook Creek (WWF) associated with the construction and maintenance of cross culverts at the road crossing resulting in 0.17 acre of permanent watercourse impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.864374, Longitude: 75.2779871W).

6. To place fill within Long Hook Creek (WWF) associated with an outfall scour hole and construction and maintenance of cross culverts at the road crossing resulting in 0.01 acre of permanent watercourse impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.864374, Longitude: 75.277987W).

7. To place fill within the floodplain at various locations along Long Hook Creek (WWF) associated with roadway embankment, outfall construction and the removal of berm for floodplain reconnection as part of the wetland mitigation and includes 3.61 acres of new forested wetlands and the enhancement of 0.74 acre of existing wetlands.

Overall project impacts include 2.09 acres of permanent wetland impact, 0.089 acre of temporary wetland impact, 0.191 acre of permanent watercourse impact, 0.1 acre of temporary watercourse impact, 2.73 acres of permanent floodway impact and 0.42 acre of temporary floodway impact. The proposed implementation of the remaining phases for the West Cargo Redevelopment Expansion Project will result in additional permanent wetland and watercourse impacts. To mitigate for the full build, construction of a 45-acre tidal and non-tidal mitigation complex is proposed within Franklin Delano Roosevelt (FDR) Park in Philadelphia and includes 28.6 acres of tidal wetland creation and 12.1 acres of wetland enhancements. The Tincum Island Road Realignment Project is located between the Tincum Island-Hog Island Road Intersection and the Tincum Island-North Access Road Intersection at the Philadelphia International Airport in Tincum Township, Delaware County.

**Permit No. E2301221-017, Sunoco Pipeline, LP, 525 Fritztown Road, Sinking Spring, PA 19608, Tincum Township, Delaware County, ACOE Philadelphia District.**

To construct and maintain the following listed water obstruction encroachment activities associated with the SR 291 Pipeline Relocation Project. The project proposes the relocation of portions of two liquid transfer pipelines, 12" and 8" Sunoco lines, due to the replacement of the PennDOT SR 291 bridge.

The proposed new location of the pipelines will impact approximately 0.62 acre of exceptional value wetland (0.01 acre of permanent wetland and 0.61 acre of temporary wetland) of Unnamed Tributary to Delaware River (WWF).

The site is located between SR291 and Scott Way South of I-95 and west of the PHL Airport (Lansdowne, PA USGS map; Lat: 39.8752; Long: -75.2654) in Tincum Township, Delaware County.

**Permit No. E4601221-016, Pottstown Sustainable Energy Park, LLC, 120 Howard Street, Charleroi, PA 15022, Borough of Pottstown, Montgomery County, ACOE Philadelphia District.**

To construct and maintain the following listed water obstruction and encroachment activities associated with



Pottstown Sustainable Energy Plant, a cellulose-based solid waste gasification plant in and along the 100-year floodway of the Schuylkill River (WWF-MF). The proposed work will include the construction of a large feedstock preparation and fuel conversion building, an office building, parking lot, storage silos, truck loading stations, stormwater BMPs and other associated facilities. The project proposes approximately 4,400 SF of permanent floodway impact.

The site is located near the intersection of College Drive and Keystone Boulevard, (Pottstown, PA USGS map; Lat: 40.246817; Long: -75670800) Borough of Pottstown, Montgomery County.

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.*

**E4502221-005. Martinell Enterprises, Inc.**, 145 Camelback Road, Tannersville, PA 18372, in Pocono Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To come into permit compliance, from the various improvements that were constructed over the course of development. This includes existing ponds, water intakes and outfalls between ponds, pedestrian bridge, and a stormwater pipe, all within the watercourse of Pocono Creek (HQ-CWF, MF). The project is located in Pocono Township, Monroe County. Quadrangle Latitude: 41° 03' 03" Longitude: -75° 19' 55". (Mount Pocono, PA Quadrangle, Latitude: 41° 03' 03"; Longitude: -75° 19' 55").

**E5802221-005. 520 S.R. 370, LLC**, 510 S.R. 370, Union Dale, PA 18470, in Ararat Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Goose Ranch Ecological Resort Project:

1. A fill within 0.004 acre of PEM Wetlands (Other) for the purpose of constructing an entrance road adjoining S.R. 370 as well as a parking lot.
2. A crossing of a UNT to East Branch Lackawanna River (HQ-CWF, MF) consisting of a 15-foot wide paved access road and a 20-foot long, 24-inch diameter culvert pipe. This impact will permanently impact 0.001 acre of PEM Wetlands (EV).
3. A utility line crossing of a UNT to East Branch Lackawanna River (HQ-CWF, MF) consisting of a 2-inch diameter electrical conduit.
4. An 80-LF crossing of PSS Wetlands (EV) consisting of a 6-foot wide mulch walking path.
5. A 60-LF crossing of 0.001 acre of PSS Wetlands (EV) consisting of a 6-foot wide mulch walking path.
6. A 90-LF crossing of 0.001 acre of PSS Wetlands (EV) consisting of a 6-foot wide mulch walking path.
7. A 45-LF crossing of 0.001 acre of PFO Wetlands (EV) consisting of a 6-foot wide mulch walking path.
8. A 25-LF crossing of 0.001 acre of PFO Wetlands (EV) consisting of a 6-foot wide mulch walking path.
9. A 70-LF crossing of 0.001 acre of PFO Wetlands (EV) consisting of a 6-foot wide mulch walking path.
10. A 155-LF crossing of 0.001 acre of PSS Wetlands (EV) consisting of a 6-foot wide mulch walking path.

The permittee is required to provide 0.12 acre of replacement wetlands.

The project is located approximately 0.06 mile north-east of the intersection of S.R. 370 and May Road (Orson, PA Quadrangle Latitude: 40° 47' 47" Longitude: -75° 28' 37") in Ararat Township, Susquehanna County.

**E3502221-007. NP Covington Township, LLC**, 12977 N. Outer 40 Road, St. Louis, MO 63141-8655, in Covington Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To fill approximately 0.066 acre of a man made Palustrine Emergent (PEM) wetland, for the construction of an 833,100 square foot warehouse/distribution center. All other on-site wetlands will be avoided and undisturbed by the proposed project. The project is located in Covington Township, Lackawanna County. Quadrangle Latitude: 41° 18' 39" Longitude: -75° 33' 05". (Moscow, PA Quadrangle, Latitude: 41° 18' 39"; Longitude: -75° 33' 05").

**E3502221-005. Pa Department of Transportation, Engineering District 4-0**, 55 Keystone Industrial Drive, Dunmore, PA 18512, La Plume Township, **Lackawanna County**, Army Corps of Engineers, Baltimore District. The following impacts are associated with the structure replacement for T-437 over Ackerly Creek:

To remove the existing structure and to construct and maintain a 47-foot wide single-span integral abutment bridge carrying T-437 (College Road) across Ackerly Creek (TSF-CWF, MF) having a 62.33-foot span and a 7.7-foot underclearance. Floodway fill appurtenant to the structure replacement will also occur.

Approximately 0.01 acre of PEM/PSS wetland will be permanently impacted due to the placement of R-8/R-4 riprap scour protection.

The proposed project is located along SR T-437 (Factoryville, PA Quadrangle, Latitude: 41° 33' 39.64"; Longitude: -75° 46' 10.91") in La Plume Township, **Lackawanna County**.

**E4002221-014. Susan Boris**, 405 Lakeside Drive, Harveys Lake, PA 18618, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove an existing 2,024 ft<sup>2</sup> dock structure and to construct and maintain a 1,184 ft<sup>2</sup>, pile-supported boat-house and a 2,666 ft<sup>2</sup>, pile-supported dock within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at Pole # 38, approximately 0.19 mile southeast of the intersection of Lakeside Drive (S.R. 415) and Washington Street (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 47"; Longitude: -76° 2' 8.64") in Harveys Lake Borough, **Luzerne County**. (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 47"; Longitude: -76° 2' 8.64").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E2103221-001. Hampden Township**, 209 South Sporting Hill Road, Mechanicsburg, PA 17050 in Hampden Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to construct and maintain a 15-vehicle gravel/asphalt parking area, a 20.0-foot by 40.0-foot pavilion with ADA accessible restrooms including associated waterline and sewer line, an 8.0-foot wide walking trail loop, and an improved 10.0-foot wide boat ramp, all totaling 0.58 acre of impacts in the floodway

and floodplain of Conodoguinet Creek (WWF) and 10 linear feet of impact to Conodoguinet Creek (WWF). The purpose of the project is to provide upgrades to Srouji Park, located along Good Hope Road in Hampden Township, Cumberland County (Latitude: 40.2435; Longitude: -76.9703).

*Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E1606221-002, James Kapp**, 8100 Ohio River Boulevard, Pittsburgh, PA 15202. Kapp Boat Ramps, in Madison Township, **Clarion County**, ACOE Pittsburgh District (Rimersburg, PA Quadrangle N: 41°, 00', 25.1"; W: -79°, 36', 07.8").

To maintain one existing boat ramp and to construct and maintain four additional boat ramps to provide access to the Allegheny River from the northern side of the Rails to Trails' "Armstrong Trail" on James Kapp's property impacting approximately 0.46 acre of floodway to the river in Madison Township, Clarion County.

**E4206221-007, American Refining Group, Inc.**, 77 N Kendall Ave, Bradford, PA 16701. Flare Bridge, in Bradford City, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41°, 57', 55.1718"; W: -78°, 37', 59.2142").

To construct and maintain a utility flare bridge with a span of 140 feet and length of 10 feet providing a 3 feet walkway for associated pedestrian traffic over Tunungwant Creek in Bradford City, McKean County. The crossing will clear the existing flood control protection and permanently impact approximately 1,200 square feet (0.03 acre) of the stream and an additional 1,200 square feet (0.03 acre) of the floodway.

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**E1829221-002: UGI Ponderosa, LLC**, 835 Knitting Mills Way, Wyomissing, PA 19610, Gallagher Township, **Clinton County**, ACOE Baltimore District.

To construct, operate and maintain the Rattlesnake Loop Pipeline Line Project, which consists of one 16-inch steel natural gas pipeline, with the following impacts:

1. 37.0 linear feet and 11,872 square feet of floodway impacts of a UNT to Wildcat Hollow (EV, CWF), 6,048 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, and 1,764 square feet of permanent impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 27.74", Longitude: W 77° 31' 45.92");

2. 2,595 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, 2,580 square feet of permanent impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, and 985 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 38.40", Longitude: W 77° 32' 05.55");

3. 2,128 square feet of temporary impacts and 1,080 square feet of permanent impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 49.44", Longitude: W 77° 32' 25.49"); and

4. 3,504 square feet of temporary impacts and 3,048 square feet of permanent impacts to Palustrine Emergent

(PEM) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 53.51", Longitude: W 77° 32' 33.321").

The project will result in 37.0 linear feet of stream impacts, 11,872 square feet (0.27 acre) of temporary floodway impacts, 5,632 square feet (0.13 acre) of temporary impacts to PEM wetlands, 4,128 square feet (0.09 acre) of permanent impacts to PEM wetlands, 8,643 square feet (0.20 acre) of temporary impacts to EV PEM wetlands, 4,344 square feet (0.10 acre) of permanent impacts to EV PEM wetlands, and 985 square feet (0.02 acre) of permanent impacts to EV PFO wetlands all for the purpose of installing a natural gas pipeline and associated access roadways for Marcellus shale development.

**E5829221-006: Chesapeake Appalachia, LLC**; 14 Chesapeake Lane, Sayre, PA 18840; Auburn Township, **Susquehanna County**; ACOE, Baltimore District.

To construct, operate, and maintain:

1. A 16-inch diameter temporary water pipeline and temporary mat bridge crossing impacting 680 square feet (0.02 acre) of palustrine emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 42' 44", Long. -76° 04' 56");

2. A 16-inch diameter temporary water pipeline and temporary bridge crossing impacting 180 lineal feet of a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 42' 44", Long. -76° 04' 55");

3. A 16-inch diameter temporary water pipeline and temporary mat bridge crossing impacting 2,080 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 42' 55", Long. -76° 04' 41");

4. A 16-inch diameter temporary water pipeline and temporary bridge crossing impacting 300 lineal feet of a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 42' 55", Long. -76° 04' 41");

5. A 16-inch diameter temporary water pipeline and temporary mat bridge crossing impacting 2,980 square feet (0.07 acre) of palustrine emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 42' 56", Long. -76° 04' 40");

6. A 16-inch diameter temporary water pipeline and temporary mat bridge crossing impacting 1,720 square feet (0.04 acre) of palustrine emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 42' 59", Long. -76° 04' 40");

7. A 16-inch diameter temporary water pipeline and temporary mat/bridge crossing impacting 980 square feet (0.02 acre) of palustrine emergent wetland (PEM) and 100 lineal feet of an unnamed tributary to a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 43' 03", Long. -76° 04' 17");

8. A 16-inch diameter temporary water pipeline crossing impacting 4 lineal feet of an unnamed tributary to a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 43' 07", Long. -76° 03' 47");

9. A 16-inch diameter temporary water pipeline and temporary mat bridge crossing impacting 5,020 square feet (0.12 acre) of palustrine emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 43' 13", Long. -76° 03' 51");

10. A 16-inch diameter temporary water pipeline crossing impacting 1 square feet (0.01 acre) of palustrine



emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 43' 15", Long. -76° 03' 53");

11. A 16-inch diameter temporary water pipeline crossing impacting 6 lineal feet of an unnamed tributary to a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 43' 15", Long. -76° 03' 53");

12. A 16-inch diameter temporary water pipeline and temporary mat bridge crossing impacting 2,280 square feet (0.05 acre) of palustrine emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 43' 16", Long. -76° 03' 53");

13. A 16-inch diameter temporary water pipeline crossing impacting 4,140 square feet (0.10 acre) of floodway to an unnamed tributary to a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 43' 16", Long. -76° 03' 54");

14. A 16-inch diameter temporary water pipeline crossing impacting 2,620 square feet (0.06 acre) of floodway to an unnamed tributary to a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 43' 17", Long. -76° 03' 56");

15. A 16-inch diameter temporary water pipeline and temporary mat bridge crossing impacting 580 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Auburn Center, PA Quadrangle; Lat. 41° 43' 18", Long. -76° 03' 57");

16. A 16-inch diameter temporary water pipeline and temporary mat/bridge crossing impacting 400 square feet (0.01 acre) of palustrine emergent wetland (PEM) and 300 lineal feet of a tributary to Tuscarora Creek (CWF, MF) (Auburn Center, PA Quadrangle; Lat. 41° 43' 22", Long. -76° 03' 53").

The North Marcellus Benscoter WP—Marbaker WI Temporary Waterline project is located in Auburn Township, Susquehanna County. The project will result in

890 linear feet of temporary stream impacts, 6,760 square feet (0.16 acre) of temporary floodway only impacts, and 0.42 acre (18,413 square feet) of temporary PEM wetland impacts all for the purpose of constructing, operating, and maintaining a temporary water pipeline for well development.

#### ENVIRONMENTAL ASSESSMENTS

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**EA2203221-005. Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033, in Derry Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To conduct a stream restoration project along 1,736 feet of an unnamed tributary to Swatara Creek (WWF, MF) including 1.) the re-grading and maintenance of 1,736 feet of streambank; 2.) the installation and maintenance of 1,512 feet of live stake bank stabilization; 3.) the installation and maintenance of 1,769 feet of live fascine bank stabilization; 4.) the construction and maintenance of 244 feet of fabric encapsulated soil with branch packing; 5.) the construction and maintenance of five riffles; 6.) the construction and maintenance of six j-hook vanes; 7.) the construction and maintenance of fourteen rock cross vanes; 8.) the construction and maintenance of four double cross rock vanes; 9.) the installation and maintenance of three root wads; and 10.) the excavation of 0.15 acre of an open water pond, all permanently impacting 0.04 acre of palustrine forested wetlands and all for the purposes of alleviating erosion and high velocity flows within the channel during rainfall events. The project is located immediately south of the intersection of Wood Road and Bullfrog Valley Road (Latitude: 40° 15' 21.83" N, Longitude: 76° 41' 0.12" W) in Derry Township, Dauphin County.

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## ACTIONS

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### 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](http://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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0233544	CAFO Individual NPDES Permit	Issued	Knoebel Joel D 110 Center School Road Elysburg, PA 17824-9142	Cleveland Township Columbia County	SCRO
PA0002895	Industrial Stormwater Individual NPDES Permit	Issued	Allegheny Energy Supply Co., LLC c/o Environmental Performance 800 Cabinhill Drive Greensburg, PA 15601	Union Township Washington County	SWRO
PA0219380	Industrial Waste Individual NPDES Permit, Minor	Issued	Pureon, Inc. 1101 Mt View Drive Smithfield, PA 15478	Georges Township Fayette County	SWRO
2603201	Industrial Waste Individual WQM Permit	Issued	Pureon, Inc. 1101 Mt View Drive Smithfield, PA 15478	Georges Township Fayette County	SWRO
4615201	Industrial Waste Individual WQM Permit	Issued	Unitech Service Group, Inc. 401 North 3rd Avenue Royersford, PA 19468-1950	Royersford Borough Montgomery County	SERO
6511201	Industrial Waste Individual WQM Permit	Issued	Cleveland Cliffs Monessen Coke, LLC 345 Donner Avenue Monessen, PA 15062-1156	Monessen City Westmoreland County	SWRO
0915812	Joint DEP/PFBC Pesticides Permit	Issued	Toll Robert 2890 N Sugan Road New Hope, PA 18938-9636	Solebury Township Bucks County	SERO
1113803	Joint DEP/PFBC Pesticides Permit	Issued	Portage Borough Municipal Water Authority Cambria County 606 Cambria Street Portage, PA 15946-1516	Portage Township Cambria County	SWRO
1521828	Joint DEP/PFBC Pesticides Permit	Issued	Arbor View HOA 215 W Church Road Suite 101 King Of Prussia, PA 19406-3203	Westtown Township Chester County	SERO
1521829	Joint DEP/PFBC Pesticides Permit	Issued	Silvester Peter 2230 Creek Road Glenmoore, PA 19343-1514	Wallace Township Chester County	SERO
1521830	Joint DEP/PFBC Pesticides Permit	Issued	Jan Ferdous 1250 Walnut Street Honey Brook, PA 19344-1087	Honey Brook Township Chester County	SERO
2321808	Joint DEP/PFBC Pesticides Permit	Issued	Strine William B 200 New Darlington Road Media, PA 19063-5608	Middletown Township Delaware County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4021803	Joint DEP/PFBC Pesticides Permit	Issued	Heritage Paul 61 Bloomingdale Road Shickshinny, PA 18655-3936	Ross Township Luzerne County	NERO
6421808	Joint DEP/PFBC Pesticides Permit	Issued	Voyce Margaret & Stephen 403 Brookview Lane Clarks Summit, PA 18411	Clinton Township Wayne County	NERO
PA0062219	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Frackville Area Municipal Authority Schuylkill County P.O. Box 471 42 South Center Street Frackville, PA 17931-0471	Butler Township Schuylkill County	NERO
PA0217034	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Cleveland Cliffs Monessen Coke, LLC 345 Donner Avenue Monessen, PA 15062-1156	Monessen City Westmoreland County	SWRO
PA0255335	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Allegheny Energy Supply Co., LLC 800 Cabin Hill Drive Greensburg, PA 15601	Union Township Washington County	SWRO
PA0255343	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Firstenergy—West Penn Power 800 Cabin Hill Drive Greensburg, PA 15601	Union Township Washington County	SWRO
PA0003565	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Morgan Advanced Materials & Tech, Inc. 1118 E 2nd Street Coudersport, PA 16915-8307	Eulalia Township Potter County	NCRO
PA0013021	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PQ, LLC 1201 W Front Street Chester, PA 19013-3436	Chester City Delaware County	SERO
PA0216607	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Texas Eastern Trans, LP 5400 Westheimer Court Houston, TX 77056-5353	Salem Township Westmoreland County	SWRO
PA0253391	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Dansers Auto Repair & Salvage 1655 State Route 130 Greensburg, PA 15601-6300	Unity Township Westmoreland County	SWRO
PA0261432	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Newport Borough Water Authority Perry County 497 North Front Street Newport, PA 17074-1533	Newport Borough Perry County	SCRO
PA0030694	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Exco Resources PA, LLC 13448 State Route 422 Suite 1 Kittanning, PA 16201-3620	Fairfield Township Westmoreland County	SWRO
PA0045802	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	SBK Investments, LLC & 2MB Investments, LLC Joint Client 9820 Irvine Center Drive Suite 200 Irvine, CA 92618-4385	Hempfield Township Westmoreland County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0262137	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Log Cabin Ct 123 Gilpin Drive West Chester, PA 19382-7412	Earl Township Lancaster County	SCRO
PA0028738	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Ralpho Township Municipal Authority Northumberland County 206 S Market Street Suite 1 Elysburg, PA 17824-9782	Shamokin Township Northumberland County	NCRO
NNOEXNC73	No Exposure Certification	Issued	Const Spec Of NJ, Inc. 6696 Route 405 Highway Muncy, PA 17756-6381	Montgomery Borough Lycoming County	NCRO
NOEXNW158	No Exposure Certification	Issued	Franklin Bronze Precision Components, LLC 655 Grant Street Franklin, PA 16323-2217	Franklin City Venango County	NWRO
PAG034884	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FSTI, Inc. 6300 Bridge Point Parkway Suite 1-200 Austin, TX 78730-5016	Pine Creek Township Clinton County	NCRO
PAG036183	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JJ Kennedy, Inc. P.O. Box 69 Zelienople, PA 16063-0069	Kittanning Township Armstrong County	NWRO
PAG036290	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Heritage Environmental Service, LLC 3866 Millers Run Road McDonald, PA 15057-2814	Cecil Township Washington County	SWRO
PAG036303	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	North Central Proc, Inc. P.O. Box 93941 Cleveland, OH 44101-5941	Jefferson Hills Borough Allegheny County	SWRO
PAG038395	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Myers Trucking, Inc. 3058 Route 219 Kane, PA 16735-4630	Hamlin Township McKean County	NWRO
PAR116136	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sandvik Mining & Const USA, LLC P.O. Box 282 6701 National Pike Brier Hill, PA 15415-0282	Redstone Township Fayette County	SWRO
PAG041038	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Lindsey & Rocco Tettis 3281 Rice Road Edinboro, PA 16412-1717	Washington Township Erie County	NWRO
PAG041156	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Stark Norman 9820 Old Waterford Road Erie, PA 16509-5668	Greene Township Erie County	NWRO
PAG049293	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Dolak Karl 9033 Route 89 North East, PA 16428-5247	North East Township Erie County	NWRO
PAG049494	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Adams Paul 5410 W Stancliff Road Mckean, PA 16426	McKean Township Erie County	NWRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG123591	PAG-12 NPDES General Permit for CAFOs	Issued	King Sam J 75 Blaine Avenue Leola, PA 17540-1402	Bethel Township Berks County	SCRO
PAG123655	PAG-12 NPDES General Permit for CAFOs	Issued	Burkholder Leslie 52 Burkholder Lane Fredericksburg, PA 17026-9000	Swatara Township Lebanon County	SCRO
PAG123738	PAG-12 NPDES General Permit for CAFOs	Issued	RM Snyder Hog Farm, LLC 6 Snyder Lane Lewistown, PA 17044-8645	Granville Township Mifflin County	SCRO
PAG123771	PAG-12 NPDES General Permit for CAFOs	Issued	Dwight D Zimmerman 80 S Northkill Road Bernville, PA 19506-8445	Upper Tulpehocken Township Berks County	SCRO
PAG123791	PAG-12 NPDES General Permit for CAFOs	Issued	Mike Cassel 259 Auction Road Manheim, PA 17545-9744	Penn Township Lancaster County	SCRO
PAG123836	PAG-12 NPDES General Permit for CAFOs	Issued	Hemlock Ln Farm, LP 121 Hemlock Lane Williamsburg, PA 16693-6531	Catharine Township Blair County	SCRO
PAG123915	PAG-12 NPDES General Permit for CAFOs	Issued	Cedar Hill Poultry 120 Harbold-Altland Road Wellsville, PA 17365	Washington Township York County	SCRO
PAG124854	PAG-12 NPDES General Permit for CAFOs	Issued	Makin Bacon, LLC 650 Beers Road Granville Summit, PA 16926-9354	Granville Township Bradford County	SCRO
0999405	Sewage Land Application Individual WQM Permit	Issued	Buckingham Township Bucks County P.O. Box 413 4613 Hughesian Drive Buckingham, PA 18912-0413	Buckingham Township Bucks County	SERO
0371404	Sewage Treatment Facilities Individual WQM Permit	Issued	Freeport Borough Armstrong County 414 Market Street Freeport, PA 16229-1122	Freeport Borough Armstrong County	NWRO
0421401	Sewage Treatment Facilities Individual WQM Permit	Issued	Rettop Development, Corp 246 Mowry Road Monaca, PA 15061-2224	Potter Township Beaver County	SWRO
0421402	Sewage Treatment Facilities Individual WQM Permit	Issued	Pearson Darrell 2627 Springfield Pike Connellsville, PA 15425-6429	Daugherty Township Beaver County	SWRO
1021408	Sewage Treatment Facilities Individual WQM Permit	Issued	Carbin Matthew 432 Route 422 E Butler, PA 16002-1086	Summit Township Butler County	NWRO
1621402	Sewage Treatment Facilities Individual WQM Permit	Issued	Schweikert Robert 324 Wallrose Heights Road Baden, PA 15005-2710	Clarion Township Clarion County	NWRO
2521409	Sewage Treatment Facilities Individual WQM Permit	Issued	Durst Kevin 256 Windswept Drive North East, PA 16428-3454	North East Township Erie County	NWRO
2521415	Sewage Treatment Facilities Individual WQM Permit	Issued	Karen & Matthew Kerr 7323 New Road Edinboro, PA 16412-3609	Franklin Township Erie County	NWRO
3721402	Sewage Treatment Facilities Individual WQM Permit	Issued	Cialella Erika 13 E Oakwood Way New Castle, PA 16105-1205	Neshannock Township Lawrence County	NWRO
4321404	Sewage Treatment Facilities Individual WQM Permit	Issued	Barbara & William Burdette 1148 Hartford Road Sharpsville, PA 16150-9657	South Pymatuning Township Mercer County	NWRO



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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4321407	Sewage Treatment Facilities Individual WQM Permit	Issued	Casey Heather 760 Bear Creek Road Cabot, PA 16023-9507	Hermitage City Mercer County	NWRO
6570410	Sewage Treatment Facilities Individual WQM Permit	Issued	SBK Investments, LLC & 2MB Investments, LLC Joint Client 9820 Irvine Center Drive Suite 200 Irvine, CA 92618-4385	Hempfield Township Westmoreland County	SWRO
PA0051942	Single Residence STP Individual NPDES Permit	Issued	Hansen Kyle 1834 W Strasburg Road Coatesville, PA 19320	Warwick Township Chester County	SERO
PA0254908	Single Residence STP Individual NPDES Permit	Issued	Kish Timothy D 286 S Peninsula Drive Central City, PA 15926-9207	Indian Lake Borough Somerset County	SWRO
PA0255912	Single Residence STP Individual NPDES Permit	Issued	Pearson Darrell 2627 Springfield Pike Connellsville, PA 15425-6429	Daugherty Township Beaver County	SWRO
PA0264172	Single Residence STP Individual NPDES Permit	Issued	Paronish Chadwick P 146 Water Plant Road Nicktown, PA 15762-8210	Barr Township Cambria County	SWRO
PA0266132	Single Residence STP Individual NPDES Permit	Issued	Yankowski Jay A & Yankowski Zak 1563 County Line Road Gilbertsville, PA 19525-8615	Washington Township Berks County	SCRO
PA0266175	Single Residence STP Individual NPDES Permit	Issued	Pompei Nathan 99 Rattlesnake Hill Road Boyertown, PA 19512	Douglass Township Berks County	SCRO
PA0272752	Single Residence STP Individual NPDES Permit	Issued	Schnur John 3202 N Osche Road Butler, PA 16002	Clearfield Township Butler County	NWRO
PA0289281	Single Residence STP Individual NPDES Permit	Issued	Barbara & William Burdette 1148 Hartford Road Sharpsville, PA 16150-9657	South Pymatuning Township Mercer County	NWRO
PA0289299	Single Residence STP Individual NPDES Permit	Issued	Durst Kevin 256 Windswept Drive North East, PA 16428-3454	North East Township Erie County	NWRO
PA0289426	Single Residence STP Individual NPDES Permit	Issued	Cialella Erika 13 E Oakwood Way New Castle, PA 16105-1205	Neshannock Township Lawrence County	NWRO
PA0289469	Single Residence STP Individual NPDES Permit	Issued	Carbin Matthew 432 Route 422 E Butler, PA 16002-1086	Summit Township Butler County	NWRO
PA0289523	Single Residence STP Individual NPDES Permit	Issued	Schweikert Robert 324 Wallrose Heights Road Baden, PA 15005-2710	Clarion Township Clarion County	NWRO
PA0289558	Single Residence STP Individual NPDES Permit	Issued	Karen & Matthew Kerr 7323 New Road Edinboro, PA 16412-3609	Franklin Township Erie County	NWRO
PA0289493	Small Flow Treatment Facility Individual NPDES Permit	Issued	Casey Heather 760 Bear Creek Road Cabot, PA 16023-9507	Hermitage City Mercer County	NWRO
WQG01251405	WQG-01 WQM General Permit	Issued	Stark Norman 9820 Old Waterford Road Erie, PA 16509-5668	Greene Township Erie County	NWRO
WQG018502	WQG-01 WQM General Permit	Issued	Dolak Karl 9033 Route 89 North East, PA 16428-5247	North East Township Erie County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG018674	WQG-01 WQM General Permit	Issued	Adams Paul 5410 W Stancliff Road Mckean, PA 16426	McKean Township Erie County	NWRO
WQG018805	WQG-01 WQM General Permit	Issued	Lindsey & Rocco Tettis 3281 Rice Road Edinboro, PA 16412-1717	Washington Township Erie County	NWRO
WQG02022102	WQG-02 WQM General Permit	Issued	North Versailles Township Sanitary Authority 100 Atlantic Avenue Mckeesport, PA 15132-3807	McKeesport City Allegheny County	SWRO
WQG02672102	WQG-02 WQM General Permit	Issued	Northeastern York County Sewer Authority P.O. Box 516 Mount Wolf, PA 17347-0516	East Manchester Township York County	SCRO

## 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 &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC390149	PAG-02 General Permit	Issued	A. Duie Pyle, Inc. 650 Westtown Rd. P.O. Box 564 West Chester, PA 19381	City of Allentown & Hanover Township Lehigh	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583
PAC400203	PAG-02 General Permit	Issued	CAN DO, Inc. Joseph Lettiere 1 South Church Street Hazle Township, PA 18201	Hazle Township Luzerne County	Luzerne County Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC350108	PAG-02 General Permit	Issued	R.D. Noto & Son 200 Abington Executive Park Suite 104 South Abington Township, PA 18411-2259	South Abington Township Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAD520035	Individual NPDES	Issued	Nemanie Village, Inc. Attn: Peter Helms P.O. Box 77 Hawley, PA 18428	Palmyra Twp. Pike County	NERO
PAC390150	PAG-02 General Permit	Issued	FR 200 Cascade, LLC 17 E. Gay St. Suite 302 West Chester, PA 19380	Hanover Township Lehigh	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583
PAC500040	PAG-02 General Permit	Issued	Robert C. Noaker 815 New Bloomfield Road Duncannon, PA 17020	Penn Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717.582.8988, ext. 4

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670432	PAG-02 General Permit	Issued	Kinsley Properties 6259 Reynolds Mill Road Seven Valleys PA 17360	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAD020032 A-1	Individual NPDES	Issued	3250 Liberty Owner, LLC 651 Holiday Drive Suite 225 Pittsburgh, PA 15220-2740	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC030042	PAG-02 General Permit	Issued	Peoples Gas, LLC 432 Hyde Park Road Leechburg, PA 15656	South Buffalo Township Armstrong County	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
PAD060048	Individual NPDES	Issued	Sinking Spring Associates, LLC 300 Water Street Suite 300 Wilmington, DE 19801	Sinking Spring Borough Berks County	Regional Permit Coordination Office Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA-EPREGIONAL PERMIT@pa.gov

**STATE CONSERVATION COMMISSION**

**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN  
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Reinford Farm’s Inc. 505 Cedar Grove Rd. Mifflintown, PA 17059	Juniata	1252.56	1679.00	Dairy	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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.

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**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 5904501-A1, Major Amendment.** Public Water Supply.

Applicant	<b>Nelson Township Authority</b> P.O. Box 100 Nelson, PA 16940
Borough or Township	Nelson Township
County	<b>Tioga County</b>
Type of Facility	Public Water Supply
Consulting Engineer	Gregory Cummings, P.E. Larson Design Group 1 West Market Street Suite 301 Corning, NY 14830
Permit Issued	August 26, 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.**

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Tyrone Township	152 Burket Road Tyrone, PA 16686	Blair

*Plan Description:*

Approval of a revision to the official plan of Tyrone Township, Blair County. The project is known as Trevor Beiswenger Property SFTF. The plan provides for the installation of a small flow treatment facility with a discharge on the property into a drainage swale to Sinking Run, to replace a failing on-lot sewage disposal system for a single-family dwelling on a 0.90-acre lot. The property is located at 3794 Kettle Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-07922-173-3s and the APS Id is 1041659. Any permits must be obtained in the name of the property owner

**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:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Manor Township	950 W. Fairway Dr. Lancaster, PA 17603	Lancaster County

*Plan Description:*

The planning module for the 564 Shultz Road Subdivision (DEP Code No. A3-36938-292-2; APS ID No. 1041719) has been disapproved. The proposed development—to be located at 564 Shultz Road in Washington Borough—consists of creating a residential lot for a single-family dwelling to be served by an individual on-lot disposal system. This planning module has been disapproved because DEP determined that the well samples used in the preliminary hydrogeologic study (contained in the submission) do not accurately reflect the background nitrate-nitrogen concentration in the shallow unconfined aquifer beneath the site.

**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 se-



lecting 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:

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Eric Supey, Environmental Program Manager.*

**194 & 200 Main Boulevard**, 194-200 Main Boulevard, Ringtown, PA 17967, East Union Township, **Schuylkill County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of J.R. Lex Trucking, LLC, 236 Reservoir Road, Ringtown, PA 17967, submitted a Final Report concerning remediation of soil contaminated by diesel fuel and lubricating oil from a tractor trailer accident. The report is intended to document remediation of the site to meet Statewide health standards.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Former Manheim Holder Site**, 13 South Wolf Street, Manheim, PA 17545, Borough of Manheim, **Lancaster County**. GZA GeoEnvironmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of UGI Utilities, Inc., 1 UGI Drive, Denver, PA 17517, submitted a Final Report concerning remediation of site soil contaminated with lead and PAHs from manufactured storage tanks. The Final Report is intended to document remediation of the site to meet the Residential Statewide health standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania 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.*

**Hawley Compressor Station**, 2124 Chestnut Ridge Road (formerly 3028 Chestnut Ridge Road), Montrose, PA 18801, Forest Lake Township, **Susquehanna County**. Aptim, 500 Penn Center Blvd, Suite 1000, Pittsburgh, PA 15235, on behalf of Williams Field Services Company, LLC, 310 State Route 29 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil and groundwater contaminated by a release of lubricating oil. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on August 26, 2021.

**Hollenbeck 1H Well Site**, 848 Forks Hill Road, Montrose, PA 18801, Franklin Township, **Susquehanna County**. Resource Environmental Management, 50 Maple

Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated by a release of brine. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on August 27, 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.

## 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.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**GP14-23-0137: Donahue Funeral Home** (8401 West Chester Pike, Upper Darby, PA 19082) On August 27, 2021 for a human crematory model No. N.20AA and secondary burner in Upper Darby Township, **Delaware County**.

**GP15-09-0001: KDC Agribusiness Fairless Hills, LLC** (1545 US Highway 206, Bedminster, NJ 07921-2560) On August 26, 2021 for a feed mill with a baghouse, and a dust collector in Falls Township, **Bucks County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**AG5A-58-00032A: SWN Production Company, LLC** (917 State Route 92 North, Tunkhannock, PA 18657) on August 30, 2021 the general Operating Permit GP5A issued for the construction & operation of an Unconventional Natural Gas Well Site at NR-23 Four Bucks well pad located in Oakland Twp., **Susquehanna County**.

**GP3-58-080: F.S. Lopke Contracting, Inc.** (3430 State Route 434, Apalachin, NY 13732) on August 30, 2021 for the operation of a portable crushing operation with water sprays located at the Birchardville site in Forest Lake Twp., **Susquehanna County**.

**GP9-58-080: F.S. Lopke Contracting, Inc.** (3430 State Route 434, Apalachin, NY 13732) on August 30, 2021 for the operation of diesel IC engines located at the Birchardville site in Forest Lake Twp., **Susquehanna County**.

**GP9-54-001C: USS Achey, Inc.** (355 East Second Mountain Road, Schuylkill Haven, PA 17972) on August 25, 2021 for the operation of a diesel IC engines located in North Manheim Twp., **Schuylkill County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.*

**AG5-41-00004B: Regency Marcellus Gas Gathering, LLC** (101 West Third Street, Williamsport, PA, 17701) on August 20, 2021, received authorization for the continued operation of several sources and authorization for the construction of new sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations at their Quaker State Road Compressor Station located in Fairfield Township, **Lycoming County**. The sources receiving continued authorization were eight (8) 1380 bhp Caterpillar model G3516 compressor engines) each equipped with Miratech oxidation catalysts, one (1) 100 MMsctd TEG dehydration unit equipped with a 2.0 MMBtu/hr natural gas-fired reboiler burner and a still vent condenser, two (1) 10,000 gallon produce fluids storage tanks, two (2) pig receivers, miscellaneous lube oil, coolant, glycol and methanol storage tanks and various fugitive emissions. Sources receiving new authorization are one (1) 5,000 bhp Caterpillar model G3616 compressor engine equipped with a Miratech oxidation catalyst, modification of existing dehydration unit from 100 mmsctd/day to 150 mmsctd/day throughput and one (1) Flare Industries model ECD-60 enclosed ground flare for dehydration system emissions control.

**Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**



*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**46-0005AZ: Merck, Sharp & Dohme, Corp.** (770 Sumneytown Pike, West Point, PA 19486-0004) On August 25, 2021, for the installation of a 750-kW natural gas-fired generator for emergency use in Building 16 (Source ID 774) and the reinstallation of a 2,000 kW diesel-fired Southeast Generator (Peak) (Source ID 764) at an existing permitted Title V facility in Upper Gwynedd Township, **Montgomery County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863 or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**67-03187A: Penn Mar Recycling Co., Inc.** (14 Onion Blvd, Shrewsbury, PA 17361) on August 27, 2021 for the installation of a United Group AS-1000 aluminum sweat furnace at the facility located in Shrewsbury Borough, **York County**. The sweat furnace is equipped with an integral afterburner. The expected potential emissions from this project are as follows: 1.35 tpy CO; 2.33 tpy NO<sub>x</sub>; and less than 1 tpy of PM<sub>10</sub>, SO<sub>x</sub>, VOC, and HAPs. The Department of Environmental Protection's (DEP's) review of the information submitted by the company indicates that the air contamination sources will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. The facility is also subject to 40 CFR 63 Subpart RRR—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the applicant will subsequently apply for an Operating Permit in accordance with 25 Pa. Code, Chapter 127, Subchapter F.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.*

**41-00090A: Digger Specialties, Inc.** (3639 Destiny Drive, P.O. Box 241, Bremen, IN 46506) on August 25, 2021, for the construction of a new aluminum fence manufacturing facility including one wash line, two powder coating spray booths, welding operations, and several small natural gas-fired combustion units at the facility located in Brady Township, **Lycoming County**.

**49-00033F: Watsontown Brick, Co.** (P.O. Box 68, Watsontown, PA 17777) on August 27, 2021, for the modification of a 5.5 TPH, 31 MMBtu/hr, natural gas-fired, molded brick kiln located at the Watsontown Plant located in Delaware Township, **Northumberland County**. If the Department determines that the source is operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval

49-00033F, the terms and conditions of the plan approval will subsequently be incorporated via administrative amendment into Title V Operating Permit 49-00033 in accordance with 25 Pa. Code 127.450.

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**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.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**23-0123: Aeroaggregates, LLC** (1500 Chester Pike, Eddystone, PA 19022-1338) On August 26, 2021 for the operation of an existing natural gas-fired glass foaming tunnel kiln, an existing natural gas-fired, fluidized bed dryer and the installation of two (2) new natural gas-fired glass foaming tunnel kilns in Eddystone Borough, **Delaware County**.

**15-0037H: Idemia Amer, Corp.** (523 James Hance Ct, Oakland Corp Ctr, Exton, PA 19341-2560) On August 26, 2021 for the renewal of a Plantwide Applicable Limit (PAL) for VOC. The initial PAL of 47.895 tons per year of VOC was established under Plan Approval No. 15-0037D. This plan approval renews the PAL of 47.895 tons per year of VOC for another 10-year period in West Whiteland Township, **Chester 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.*

**67-05142A: Johnson Controls, Inc.** (100 JCI Way, York, PA 17406) on August 27, 2021, for the installation of a spray coating booth, at a new industrial air handling equipment manufacturing facility located at 100 JCI Way in East Manchester Township, **York County**. The plan approval was extended.

**36-05017G: Conestoga Wood Specialties, Corp.** (245 Reading Road, East Earl, PA 17519-9549) on August 25, 2021, for the construction of a new Venjakob conveyORIZED spray coating line, and associated ovens, at the kitchen cabinet manufacturing facility located in East Earl Township, **Lancaster County**. This equipment will replace the existing CEFLA coating line (Source ID # 204). The plan approval was extended.

**36-03182B: Charles F. Snyder Funeral Home & Crematory, Inc.** (3110 Lititz Pike, Lititz, PA 17543) on August 26, 2021, for the installation of a human crematory at the funeral home located in Manheim Township, **Lancaster 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.*

**55-00014B: Bingaman & Son Lumber, Inc.** (1195 Creek Mountain Road, Kreamer, PA 17833) to extend the

authorization to operate the sources pursuant to the plan approval an additional 180 days from August 30, 2021 to February 26, 2022, at their Kreamer Yard located in Middlecreek Township, **Snyder County**. The plan approval has been extended.

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**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.**

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*Southwest Regional Office, 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 15021-1027) 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.

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**Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**10-00284: Seneca Landfill, Inc.**, (P.O. Box 1080, Mars, PA 16046-1080). On August 25, 2021, the Department issued the Title V Operating Permit renewal for the municipal waste landfill located in Jackson & Lancaster Townships, **Butler County**. The facility is not a major source for any criteria pollutants. The facility is considered a Title V facility only under paragraph (iv) of 25 Pa. Code § 121.1. The facility is a Title V facility due to the EPA promulgating a rule requiring regulation of municipal solid waste landfills under Title V of the Clean Air Act. The facility's emission sources include: 3.8 million Btu/hr natural gas fueled waste water treatment plant boiler; municipal waste landfill; landfill gas processing plant; a 250 mcf/hr landfill gas fueled generator; 2 diesel-fueled emergency generators; 7 diesel engines which power 2 tipplers, a portable rock crusher, 2 portable screens, 2 wood grinders; a parts washer; and 2 approved landfill gas fueled 1,966 hp electric generators which have not yet been installed. Actual reported emissions for the facility for 2020 were: 9.4974 tons NO<sub>x</sub>; 0.7542 tons SO<sub>x</sub>; 21.6304 tons CO; 45.9890 tons PM<sub>10</sub>; 12.0795 tons PM<sub>2.5</sub>; 31.2537 tons VOCs; 0.3818 tons all HAPs combined; and 33,798 tons CO<sub>2</sub>. This facility is subject to the following Standards of Performance of 40 CFR Part 60: Subparts WWW and XXX for Municipal Solid Waste Landfills and Subpart OOO for Nonmetallic Mineral Processing Plants and Subpart JJJJ for Stationary Spark Ignition Internal Combustion Engines. It is also subject to the following National Emission Standards for Hazardous Air Pollutants in 40 CFR Part 63: Subpart AAAA for Municipal Solid Waste Landfills and Subpart ZZZZ for

Stationary Reciprocating Internal Combustion Engines. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The conditions of the previous plan approvals and Operating Permit are incorporated into the renewal permit.

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**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.**

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*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.*

The City of Philadelphia, Air Management Services (AMS) issued on August 26, 2021 a renewal for a Synthetic Minor (State Only) Operating Permit for the following facility:

**OP20-000057: Thomas Jefferson University & Hospital** (214 South 11th Street, Philadelphia, PA 19107) on August 26, 2021, was issued a renewal for a Synthetic Minor (State Only) Operating Permit for the operation of air emission sources in a hospital, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are eighteen (18) emergency generators firing diesel fuel, of which two (2) rated 1415 HP, two (2) rated 1341 HP, three (3) rated 1274 HP, four (4) rated 1073 HP, one (1) rated 1005.8 HP, and six (6) rated less than or equal to 670.5 HP.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**17-00017: Eagle Railcar Services—DuBois PA, LLC** (450 Osborn Ave, DuBois, PA 15801-1854) was issued on August 27, 2021, a State Only Synthetic Minor Operating Permit for their facility in DuBois City, **Clearfield County**. All applicable Federal and State regulatory requirements derived from 25 Pa. Code Chapters 121 through 145, including appropriate testing, monitoring, recordkeeping, reporting, and work practice to verify compliance are included in the permit.

**59-00021: Phoenix Resources, Inc.** (782 Antrim Rd., Wellsboro, PA 16901) on August 27, 2021 was issued a renewal State Only Operating Permit for the Phoenix Resources Landfill located in Duncan Township, **Tioga County**. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**11-00533: Starprint Publications, Inc.** (722 Dulancy Drive, Portage, PA 15946-6902). On August 23, 2021, the Department issued a State Only Operating Permit for the printing facility located in Portage Township, **Cambria County**. The sources at the facility include natural gas fueled dryers, 3 printing presses, heat set ink, controlled by a thermal oxidizer. The facility is a Natural Minor. The potential emissions from the facility are as follows: 12.996 tpy VOC; 4.53 tpy CO; 5.731 tpy NO<sub>x</sub>; 0.423 tpy



PM<sub>10</sub>; 0.032 tpy SO<sub>2</sub>; 0.423 tpy TSP; 0.151 tpy 2-butoxyethanol; 0.424 tpy ethylene glycol; 0.575 tpy Total HAPs. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Contact for this permit renewal is Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Matthew Williams, Facilities Permitting Chief, 814.332.6940.

**65-00280: Kalumetals, Inc.** (P.O. Box 322, Derry, PA 15627), In accordance with 25 Pa. Code § 127.441 and 25 Pa. Code § 127.425, the Department is providing notice that, on August 26, 2021, DEP issued a renewed, State Only Operating Permit to: Kalumetals, Inc. for the continued operation of a specialty metals reclamation plant, known as the Derry Facility, located in Derry Township, **Westmoreland County**.

The primary sources at the facility are two furnaces. One furnace is an 8 MMBtu/hr, natural gas-fired, car bottom furnace. The other furnace is electrically heated and maintains a hydrogen atmosphere.

No emission or equipment changes have been approved by this action. Emission sources at the facility are subject to 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 requirements of Pa. Code Title 25, Article III, Chapters 121–145.

**65-00704: Greater Latrobe School District** (1816 Lincoln Ave., Latrobe, PA, 15650-3038) On August 25, 2021, the Department issued a renewal natural minor State Only Operating Permit to authorize the operation of the Greater Latrobe Senior High School in Unity Township, **Westmoreland County**.

Equipment at this facility includes three (3) natural gas-fired 15.0 MMBtu/hr boilers, a diesel-fired 330 bhp emergency generator, a natural gas-fired 105 bhp emergency generator, and several small natural gas-fired space heaters, water heaters, food preparation ovens, steam kettles, and cookers. The facility is subject to the applicable requirements of Pa. Code Title 25, Article III, Chapters 121 through 145. The final Operating Permit includes conditions incorporating requirements for applicable emissions limitations, monitoring, work practice standards, reporting, and recordkeeping.

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**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.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.*

*Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.*

**46-00005: Merck, Sharp & Dohme Corp.**, (770 Sumneytown Pike, West Point, PA 19486) located in Upper Gwynedd Township, **Montgomery County**, On August 30, 2021, an Administrative Amendment to Title V Operating Permit No. 46-00005 was issued as per 25 Pa. Code Section 127.450. The Title V Operating Permit has been amended to incorporate Plan Approval No. 46-0005AW, for the installation of a 1,300-kW natural gas-fired non-emergency generator. This unit replaced the

Building 60-1 generator (Source ID 742), which was removed in September 2019. The Title V Operating Permit contains monitoring and recordkeeping requirements designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**23-00027: 3M Company** (50 Milton Drive, Aston, PA 19014) located in Chester Township, **Delaware County**. On August 25, 2021, for an 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 John Hanson (Plant Manager). The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

**15-00057: Brandywine Hospital** (201 Reeceville Road, Coatesville, PA 19320) located in Caln Township, **Chester County**. On August 25, 2021, for an 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 Phillip Massey (Director of Facilities/Plant Operations). The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**32-00013: Indiana Regional Medical Center** (835 Hospital Road, Indiana, PA 15701-3629) on August 24, 2021 issued an administrative amendment to the State Operating Permit for the facility located in White Township, **Indiana County**. The amendment incorporates the change of responsible official.

**32-00206: Rosebud Mining Company Clymer Tipple** (301 Market Street, Kittanning, PA 16201-1504) on August 24, 2021 issued an administrative amendment to the State Operating Permit for the facility located in Cherryhill Township, **Indiana County**. The amendment incorporates the requirements of Plan Approval 32-206C.

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**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.**

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.*

*Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.*

**17-00005: Glen-Gery Corporation** (433 S. Pottsville Pike, Shoemakersville, PA 19555) on July 1, 2021, for termination the Air Quality Operating Permit for their source operations at the Bigler plant in Bradford Township, **Clearfield County**. Title V Permit No: 17-00005 is terminated due to the permanent plant closure of the previously mentioned facility.

## 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. 56100101 and NPDES No. PA0262951. PBS Coals, Inc.,** 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface mine in Paint Township, **Somerset County** affecting 117 acres. Receiving streams: unnamed tributaries to/and Stonycreek River classified for the following uses: cold water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 22, 2021. Permit issued: August 23, 2021.

**Permit 32810135 and NPDES No. PA0607606. MB Energy Inc.,** 175 McKnight Road, Blairsville, PA 15717, renewal for the existing bituminous surface mine in West Wheatfield Township, **Indiana County**, affecting 5.0 acres. Receiving stream: unnamed tributary to Blacklick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 11, 2021. Permit issued: August 25, 2021.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191, (Contact: Cayleigh Boniger).*

**33150103. P. and N. Coal Company, Inc.,** 680 Old Route 119 Hwy North, Indiana, PA 15701, Renewal of an existing bituminous surface mine in Winslow Township, **Jefferson County**, affecting 109.6 acres. Receiving stream(s): Unnamed tributaries to Soldier Run. This renewal is issued for reclamation only. Application received: May 28, 2021. Permit Issued: August 24, 2021.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 54190203. Rausch Creek Fuel, LLC,** 978 Gap Street, Valley View, PA 17983, commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Tremont Township, **Schuylkill County** affecting 15.8 acres. Receiving stream: Swatara Creek. Application received: October 28, 2019. Permit issued: August 26, 2021.

**Permit No. PAM119025. Rausch Creek Fuel, LLC,** 978 Gap Street, Valley View, PA 17983, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54190203 in Tremont Township, **Schuylkill County**, receiving stream: Swatara Creek. Application received: October 28, 2019. Permit issued: August 26, 2021.

**Permit No. 54840108R7. Locust Valley Culm Co., LLC,** P.O. Box 279, St. Clair, PA 17970, renewal for reclamation activities only of an existing anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation in New Philadelphia Borough and Blythe Township, **Schuylkill County** affecting 36.6 acres. Receiving stream: Schuylkill River. Application received: January 14, 2021. Renewal issued: August 26, 2021.

**Permit No. PAM112030R2. Locust Valley Culm Co., LLC,** P.O. Box 279, St. Clair, PA 17970, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54850108 in New Philadelphia Borough and Blythe Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: January 14, 2021. Renewal issued: August 26, 2021.

### Noncoal Permits Issued

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191, (Contact: Cayleigh Boniger).*

**20182804. Lakeland Sand & Gravel, Inc.,** 11203 Ellion Road, Conneaut Lake, PA 16316. Final bond release for a small noncoal mining operation in East Fallowfield Township, **Crawford County**. Restoration of 5.0 acres completed. Receiving streams: Crooked Creek to the Shenango River. Application Received: May 19, 2021. Final bond release approved: July 15, 2021.

**20950807. Donald R. Wallis,** 18103 State Highway 198, Saegertown, PA 16433-4303. Final bond release for a small noncoal mining operation in Hayfield Township, **Crawford County**. Restoration of 1.0 acre completed. Receiving streams: Unnamed tributary to Wolf Run. Application Received: February 17, 2021. Final bond release approved: July 12, 2021.

**20181001. Meadville Redi-Mix Concrete, Inc.,** P.O. Box 418, Meadville, PA 16335. Final bond release for a short-term construction project (BMR GP-103) in Woodcock Township, **Crawford County**. Restoration of 2.5 acres completed. Receiving streams: Unnamed tributary to French Creek. Application Received: February 22, 2021. Final bond release approved: April 28, 2021.

**43010801. Joseph W. Wygant,** 161 Dean Road, Sandy Lake, PA 16145. Final bond release for a small noncoal mining operation in Sandy Lake Borough, **Mercer County**. Restoration of 1.0 acre completed. Receiving streams: None. Application Received: July 1, 2021. Final bond release approved: August 23, 2021.

**10070304. Glacial Sand & Gravel Company,** P.O. Box 1022, Kittanning, PA 16201. Renewal of NPDES **Permit No. PA0258466** in Worth Township, **Butler County**. Receiving streams: Unnamed tributary to Black Run and Black Run. Application Received: May 13, 2021. Permit Issued: August 24, 2021.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).*

**PAM217023-GP104. Johnson Quarries, Inc.,** P.O. Box 136, LeRaysville, PA 18829. Renew coverage under



the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08062802** located in Tuscarora Township, **Bradford County**. Receiving stream(s): Unnamed tributary to Mill Creek to Tuscarora Creek classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Notice of Coverage received: August 19, 2021. Approval of Coverage: August 25, 2021.

**PAM217013-GP104. Brian M. Edsall**, 429 Marty Land, Towanda, PA 18848. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08092808** located in Asylum Township, **Bradford County**. Receiving stream(s): Bennetts Creek to Susquehanna River classified for the following use(s): WWF, MF. Notice of Coverage received: August 19, 2021. Approval of Coverage: August 25, 2021.

**PAM217016-GP104. Daniel M. Abell Jr.**, 208 Brink Road, Warren Center, PA 18851. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08170802** located in Warren Township, **Bradford County**. Receiving stream(s): Wappasening classified for the following use(s): CWF, MF. Notice of Coverage received: August 19, 2021. Approval of Coverage: August 25, 2021.

**PAM216024-GP104. P&P Gravel Company**, 76 Barclay View Road, Monroeton, PA 18832. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08970301** located in Franklin Township, **Bradford County**. Receiving stream(s): Unnamed tributary to North Branch Towanda Creek classified for the following use(s): CWF. Notice of Coverage received: August 19, 2021. Approval of Coverage: August 25, 2021.

**PAM217015-GP104. Dave Gutelius Excavating, Inc.**, 291 N. 8th Street, Mifflinsburg, PA 17844. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 55072801** located in Monroe Township, **Snyder County**. Receiving stream(s): Unnamed Tributary to Susquehanna River classified for the following use(s): WWF. Notice of Coverage received: August 19, 2021. Approval of Coverage: August 25, 2021.

**PAM217017-GP104. Arthur L. and Matthew L. Fenton Farm**, 930 Fenton Road, Sugar Run, PA 18846. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08102808** located in Wilmot Township, **Bradford County**. Receiving stream(s): Panther Lick Creek classified for the following use(s): CWF. Notice of Coverage received: July 22, 2021. Approval of Coverage: July 26, 2021.

**PAM216020-GP104. Leroy W. Hoover**, 339 Pick Road, Millmont, PA 17845. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 60900301** located in Hartley Township, **Union County**. Receiving stream(s): Spruce Run to Laurel Run classified for the following use(s): CWF, MF. Notice of Coverage received: August 26, 2021. Approval of Coverage: August 27, 2021.

**PAM216018-GP104. Terry Wayne Selleck**, 1163 Laddsbury Hill Road, New Albany, PA 18833. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08860301** located in Albany Township, **Bradford County**. Receiving stream(s): South Branch Towanda Creek classified for the following use(s): CWF, MF. Notice of Coverage received: August 26, 2021. Approval of Coverage: August 27, 2021.

**PAM216012-GP104. Iddings Quarry, Inc.**, 900 Chestnut Street, Mifflinburg, PA 17844. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 6076SM1** located in Limestone Township, **Union County**. Receiving stream(s): Unnamed tributary to Buffalo Creek classified for the following use(s): CWF, MF. Notice of Coverage received: August 26, 2021. Approval of Coverage: August 27, 2021.

**PAM216010-GP104. Iddings Quarry, Inc.**, 900 Chestnut Street, Mifflinburg, PA 17844. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 60910302** located in Limestone Township, **Union County**. Receiving stream(s): Unnamed Tributary to Buffalo Creek classified for the following use(s): CWF, MF. Notice of Coverage received: August 26, 2021. Approval of Coverage: August 27, 2021.

**PAM216019-GP104. Patrick Hoopes Trucking, Inc.**, 437 Northern Potter Road, Ulysses, PA 16948. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 53162801** located in Bingham Township, **Potter County**. Receiving stream(s): Unnamed tributary to Genesee River classified for the following use(s): CWF. Notice of Coverage received: August 26, 2021. Approval of Coverage: August 27, 2021.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. PAM118039. L & D Stoneworks, Inc.**, 2774 Stone Street, Montrose, PA 18801, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58040301 in Middletown Township, **Susquehanna County**, receiving stream: Wyalusing Creek. Application received: August 6, 2018. Permit issued: August 26, 2021.

**Permit No. 64142802C and NPDES Permit No. PA0225517. Robert A. Coleman**, P.O. Box 3, Susquehanna, PA 18847, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Scott Township, **Wayne County**. Receiving stream: unnamed tributary to Balls Creek. Application received: January 21, 2020. Renewal issued: August 26, 2021.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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**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.**

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*Blasting Permits Issued*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).*

**14214106. Douglas Explosives Inc.**, 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866. Blasting for Residential Development located in Walker Township, **Centre County** with an expiration date of December 30, 2021. Permit issued: August 26, 2021.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 06214108. Valley Rock Solutions, LLC**, P.O. Box 246, Macungie, PA 18062, construction blasting for Holiday Village in Bern Township, **Berks County** with an expiration date of December 28, 2021. Permit issued: August 23, 2021.

**Permit No. 22214106. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Milton Hershey Main Campus in Derry Township, **Dauphin County** with an expiration date of August 6, 2022. Permit issued: August 23, 2021.

**Permit No. 36214140. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, construction blasting for John Beiler dwelling in Paradise Township, **Lancaster County** with an expiration date of December 30, 2021. Permit issued: August 23, 2021.

**Permit No. 38214111. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Pumping Station Run II in North Londonderry Township, **Lancaster County** with an expiration date of December 31, 2021. Permit issued: August 23, 2021.

**Permit No. 40214119. Maurer & Scott Sales, Inc.**, (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Humboldt Lot 25B in Hazle Township, **Luzerne County** with an expiration date of August 23, 2022. Permit issued: August 24, 2021.

**Permit No. 39214103. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Estates at Saucon Valley in Upper Saucon Township, **Lehigh County** with an expiration date of August 19, 2022. Permit issued: August 27, 2021.

**Permit No. 39214104. American Rock Mechanics, Inc.**, 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for Taylor Villas in Whitehall Township, **Lehigh County** with an expiration date of December 31, 2021. Permit issued: August 27, 2021.

**Permit No. 46214112. American Rock Mechanics, Inc.**, 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for Pottsgrove Hunt in Upper Pottsgrove Township, **Montgomery County** with an expiration date of December 31, 2021. Permit issued: August 27, 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.**

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E1006220-027, Hawkins Crest, LLC**, 1712 Mt. Nebo Road, Sewickley, PA 15143. Hawkins Crest Development, in Middlesex Township, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 40.702208°; W: -79.950994°).

To construct, operate, and maintain an approximately 155 feet long, 5-foot diameter HPDE pipe stream enclosure in an unnamed tributary to Glade Run (WWF) and impacting 0.0955 acre of wetland for a residential development access road extending west from Harbinson Road approximately 0.4 mile north of S.R. 228 (Valencia, PA Quadrangle N: 40.702208°; W: -79.950994°) in Middlesex Township, Butler County. Mitigation for project impacts includes the creation of approximately 0.3 acre of on-site wetland and establishment of approximately 0.69 acre of riparian stream buffer planting zones upstream and downstream of the enclosure.

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**E5729221-002, Appalachia Midstream Services, LLC**, 30351 Route 6, Wysox, PA, 18854, Colley Township, **Sullivan County**, ACOE Baltimore District.



To construct, operate, and maintain:

1) A temporary road crossing using timber mats and a 10 inch diameter natural gas pipeline impacting 9,226 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland and 51 linear feet of North Branch Mehoopany Creek (CWF) (Colley, PA Quadrangle 41°32'48"N, 76°18'47"W);

2) A temporary road crossing using timber mats impacting 60 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, 659 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 25 linear feet of an unnamed tributary to North Branch Mehoopany Creek (Colley, PA Quadrangle 41°32'50"N, 76°18'40"W);

The project will result in 76 linear feet of temporary stream impacts and 9,945 square feet (0.23 acres) of temporary wetland impacts all for the purpose of installing a natural gas pipeline in Colley Township, Sullivan County.

*Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101; Email: RA-EPREGIONAL PERMIT@pa.gov.*

**E2803221-001. Greene Township**, 1145 Garver Lane Scotland, PA 17254. Greene Township, **Franklin County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a bituminous parking lot, rain garden and gravel path in the floodway/floodplain of Conococheague Creek (CWF, MF). The project will result in 0.19 acre of permanent floodway/floodplain impact.

This project is located 200 feet northwest of the intersection of Main Street and Garver Lane along the eastern bank of Conococheague Creek (Scotland, PA Quadrangle, Latitude 39° 58' 17.21"; Longitude -77° 35' 14.55") in Greene Township, Franklin County.

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, telephone: 717-787-3411.*

**D07-023. Homer Gap NO 1 Dam.** Mark Perry Altoona Water Authority, 900 Chestnut Ave., Altoona, PA 16601. Restoration plan to breach and remove Homer Gap NO 1 Dam to eliminate a threat to public safety and restore the stream to a free-flowing condition has been approved. An environmental assessment was conducted and concluded that the project will not have a significant adverse impact on aquatic resources. Logan Township, **Blair County**.

**D35-138. Hollister Dam.** Kurt Staller Pennsylvania American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055. Restoration plan to breach and remove Hollister Dam to eliminate a threat to public safety and restore the stream to a free-flowing condition has been approved. An environmental assessment was conducted and concluded that the project will not have a significant adverse impact on aquatic resources. Covington Township, **Lackawanna County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should

be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

ESCGP-3 # ESG073020017-00-Wildcat Pipeline

Applicant Name Greylock Midstream, LLC

Contact Person Benjamin Sullivan

Address 500 Corporate Lndg Suite 1

City, State, Zip Charleston, West Virginia 25311-1264

County Greene

Township(s) Greene Twp & Whiteley Township

Receiving Stream(s) and Classification(s) Whiteley Creek

(WWF) Dutch Run (TSF) Frosty Run (TSF) Woods Run (TSF)

Secondary; Monongaheal River (WWF) Whitely Creek (TSF)

*Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222 (412) 442-4281*

ESCGP-3 # ESG076320011-00 Sanns Frank 12369 Well Site

Applicant Name Range Resources Appalachia, LLC

Contact Person Richard Hannan

Address 1000 Commerce Park Drive Suite 201

City, State, Zip Williamsport, PA 17701

County Washington

Township(s) Nottingham Township

Receiving Stream(s) and Classification(s) Unnamed Tributary to Mingo Creek HQ-TSF.

Secondary Receiving Water; Mingo Creek HQ-TSF

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

ESCGP-3 # ESG290821044-00

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Bradford

Township(s) Wilmot

Receiving Stream(s) and Classification(s) Sugar Run

Creek (CWF, MF), UNT to Susquehanna River (CWF, MF), UNT to Sugar Run Creek (CWF, MF)

Secondary: Susquehanna River (WWF, MF), Susquehanna River (WWF, MF), Sugar Run Creek (CWF, MF)

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

**The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania 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.*

**Pereira Enterprises**, Storage Tank ID # 13-50082, 117 Delaware Avenue, Palmerton, PA 18071, Palmerton Borough, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pereira Enterprises Inc., 117 Delaware Avenue, Palmerton, PA 18071, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet a combination of site-specific and Statewide health standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention

Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 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 Remedial Action Completion Report demonstrated attainment of site-specific standards and was approved by DEP on August 25, 2021.

**Market Convenience**, Storage Tank ID # 40-23187, 581 Market Street, Kingston, PA 18704, Kingston Borough, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Market Convenience, Inc., 581 Market Street, Kingston, PA 18704, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Plan was acceptable to meet Statewide health standards and was approved by DEP on August 25, 2021.

**Former Sandy Bottom Gulf**, Storage Tank ID # 40-28633, 2133 Lakeside Drive (Pole # 190), Harvey's Lake, PA 18618, Harvey's Lake Borough, **Luzerne County**. Black Rock Environmental, P.O. Box 288, Nazareth, PA 18064, on behalf of Arnold Hardman, 625 Lakeside Drive, Harvey's Lake, Pennsylvania 18618, submitted a Remedial Action Completion Report concerning

remediation of soil and groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved by DEP on August 24, 2021.

**Met-Ed Stroudsburg Office**, Storage Tank ID # 45-05507, 231 Independence Road, East Stroudsburg, PA 18301, Smithfield Township, **Monroe County**. Langan Engineering and Environmental Services, 2700 Kelly Road, Warrington, Pennsylvania 18976, on behalf of FirstEnergy Corporation, 800 Cabin Hill Drive, Greensburg, Pennsylvania 15601, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel. The report was acceptable to meet Statewide health standards and was approved by DEP on August 25, 2021.

*Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Michael Stefanic, P.G., Project Officer.*

**Jonestown Road Gas USA**, Storage Tank Facility ID # 06-37292, 2320 Penn Avenue, West Lawn, PA 19609, Spring Township, **Berks County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Mr. Robert Vitabile, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved by DEP on August 25, 2021.

**Jonestown Road Gas USA**, Storage Tank Facility ID # 22-61336, 4660 Jonestown Road, Harrisburg, PA 17109-6223, Lower Paxton Township, **Dauphin County**. Comstock Environmental, 145 Mulligan Drive, Holidaysburg, PA 16648, on behalf of Mr. Harinder Bansal, 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 26, 2021.

## SPECIAL NOTICES

### AIR QUALITY

*Northwest Region: Air Quality, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

#### **Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Notice of Public Hearing, and Notice of Intent to Issue Modified Air Quality Operating Permit 03-00027**

**03-00027:** In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection (DEP) has made a preliminary determination to approve an alternative Reasonably Available Control Technology (RACT II) plan and seeks an approval of an amendment to the State Implementation Plan (SIP) for **Keystone-Conemaugh Projects, LLC** Keystone Station located in Plum Creek Township, **Armstrong County**. And in accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection intends to modify the facility's Title V Operating Permit. The facility is located at 175 Cornell Road, Suite 1, Blairsville, PA 15717. The facility's representative to contact concerning this application is Mr. Nathan Rozic, Environmental Specialist. His phone number is 724-354-5475. The facility's major emission sources include two tangential pulverized coal-fired (PC) boilers, each with nominal maximum heat inputs of 8,717 MMBtu/hr, two 138 MMBtu/hour

auxiliary boilers, four 3,600 bhp peaking diesel electrical generators, emergency diesel engines and fire pumps, coal handling, ash disposal, limestone and gypsum operations, plant haul roads, cooling towers, miscellaneous propane heaters and sorbent handling and storage.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (03-00027) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal; this includes the provisions of the Department's presumptive RACT II requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

- Emissions of NO<sub>x</sub> expressed as NO<sub>2</sub> for Units 1 and 2 are individually limited to a maximum of 0.080 lb. NO<sub>x</sub>/MMBtu on a daily average basis. This limit excludes, emissions during start-up, shut-down, malfunction, or to operate pursuant to any emergency generation operations required by the PJM, including necessary testing for such emergency consistent with the unit's technological limitations, manufacturers' specifications, good engineering and maintenance practices, and good air pollution control practices for minimizing emissions.

- Emissions of NO<sub>x</sub> expressed as NO<sub>2</sub> from Unit 1 and 2 are individually limited to a maximum of 0.30 lb. NO<sub>x</sub>/MMBtu on a daily average basis under all operating conditions.

- Emissions of NO<sub>x</sub> expressed as NO<sub>2</sub> from Unit 1 and 2 are individually limited to a maximum 800 lbs. NO<sub>x</sub>/hr on a 30-operating day rolling average basis under all operating conditions. The owner or operator shall calibrate, operate, and maintain all elements of the Selective Catalytic Reduction (SCR) system in accordance with the manufacturer's specifications, in a manner consistent with good engineering and air pollution control practices at all times the SCR system is in use.

- The owner or operator shall maintain NO<sub>x</sub> controls as effective as reasonably possible during startups and shutdowns.

- The owner or operator shall take steps to bring NO<sub>x</sub> controls back into full service as quickly as practicable whenever the control equipment experiences a malfunction.

- The owner or operator shall document and report to the DEP, information regarding the cause of the malfunction and the steps for bringing the controls back.

- The owner or operator shall develop, maintain, and implement an operation and maintenance plan (O&M Plan) for Unit 1, Unit 2, Low NO<sub>x</sub> Burner (LNB) and the SCR.

- Within 3 months of the effective date of this permit, the facility shall set the SCR at a target NO<sub>x</sub> emission rate of 0.060 lb. NO<sub>x</sub> per MMBtu.



- The facility shall regularly consult with the SCR catalyst vendor to monitor SCR performance in accordance with the catalyst management plans (CMPs) developed for the SCR systems. Such consultation shall be documented by the facility and occur every 180 days.

- Inclusion and Revisions of 40 CFR Part 97 CSAPR Related Subparts (Subpart EEEEE is replaced with Subpart GGGG).

*Public hearing.* If requested by October 6, 2021, a public hearing will be held at 1 p.m. on October 13, 2021, to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be October 6, 2021. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted on the Bureau of Air Quality's webpage at: <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

Persons wishing to present testimony should contact Tom Decker, 230 Chestnut Street, Meadville, PA 16335, [thomadecke@pa.gov](mailto:thomadecke@pa.gov) or (814) 332-6615 to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their testimony.

Persons may also contact the Department to find out if the hearing is cancelled by contacting Tom Decker at [thomadecke@pa.gov](mailto:thomadecke@pa.gov) or (814) 332-6615.

Persons unable to attend the hearing, if it is held, may submit 3 copies of a written statement and exhibits within 10 days thereafter to Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

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 Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from September 11, 2021, will exist for the submission of comments, protests and information. Each submission must contain the following information: name, address and telephone number of the person submitting the comments; identification of the proposed permit number 03-00027; and concise statements regarding the relevancy of the information or objections to issuance of the permit or the proposed RACT II Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 814-332-6078. The review memo will be posted at <https://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Tom Decker at (814) 332-6615 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.

The Department must receive comments no later than October 12, 2021. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the North West Regional Office, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

[Pa.B. Doc. No. 21-1524. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Citizens Advisory Council Meeting Cancelled

The September 21, 2021, meeting of the Citizens Advisory Council (Council) is cancelled. The next regular meeting of the Council is scheduled for Tuesday, October 19, 2021. The meeting will begin at 12:30 p.m. in Room 105, 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 Keith Salador at [ksalador@pa.gov](mailto:ksalador@pa.gov) or (717) 787-8171.

Information on how to join the meeting, as well as an agenda and meeting materials, will be available on the Council's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Citizens Advisory Council," then "Meetings").

Individuals are encouraged to visit the Council's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the October 19, 2021, meeting can be directed to Keith Salador at [ksalador@pa.gov](mailto:ksalador@pa.gov) or (717) 787-8171.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Keith Salador at (717) 787-8171 or through the Pennsylvania 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. 21-1525. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Federal Consistency under the Coastal Zone Management Act; Old Frankford Creek Siphon Elimination Project

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C.A. § 1455(d)(14)), relating to public participation in consistency determinations. The Department of Environmental Protection (Department) Coastal Re-



sources Management Program has received notice that the Philadelphia Water Department (applicant) is proposing the Old Frankford Creek Siphon Elimination Project (Project).

The proposed Project entails the replacement of an existing four-barrel pipe siphon in the City of Philadelphia Water Department's Upper Delaware—Low Level Intercepting Sanitary Sewer under the Old Frankford Creek. The upstream and downstream sections of this intercepting sewer consist of an 11'-3" × 10'-0" box sewer. The Project site is located approximately 900 feet upstream of the Old Frankford Creek's confluence with the Delaware River. There is proposed to be approximately 1,803 square feet of permanent impact which will be associated with the placement of the box sewer section. Also proposed is approximately 8,053 square feet of temporary impact which will be associated with temporary flume pipes for carrying flow and the two temporary 63-inch high-density polyethylene pipes for the temporary sewer bypass. Approximately 2,495 square feet of permanent floodway impacts are proposed to occur as a result of the box sewer and the stormwater 18-inch reinforced concrete pipe. Approximately 26,783 square feet of temporary floodway impacts are proposed to occur to areas located within the limits of disturbance. The Applicant is applying to the United States Army Corps of Engineers for a Federal permit under section 404 of the Clean Water Act, (33 U.S.C.A. § 1344) to authorize this project.

This Project is subject to Department review for Federal consistency because it is an activity requiring a Federal license or permit and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C.A. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the applicant has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at RA-Fed\_Consistency@pa.gov or (717) 772-2196.

The Department will consider all comments received on or before Monday, September 27, 2021, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. 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](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 21-1526. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Sewage Advisory Committee Meeting Cancellation

The September 14, 2021, meeting of the Sewage Advisory Committee (Committee) is cancelled. The next Committee meeting is not yet scheduled. Information about the next meeting will be published in a future issue of the *Pennsylvania Bulletin*. Information will also be provided on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water," then "Sewage Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Committee can be directed to Janice Vollero at [jvollero@pa.gov](mailto:jvollero@pa.gov) or (717) 772-5157.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 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. 21-1527. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### State Water Plan Water Resources Committee Meetings Updated Schedule for 2021

The following is an updated list of meetings for the remainder of 2021 for the six Water Resources Regional Committees and the Statewide Water Resources Committee associated with the update of the State Water Plan. Meetings will be held at the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the meetings in person or remotely. Information on how to join each meeting remotely, as well as agenda and meeting materials, will be available on the State Water Plan webpage, found through the Businesses tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Businesses," then "Water," then "Division of Planning and Conservation," then "State Water Plan," then "Committees"). Individuals interested in providing public comments during the meetings are encouraged to sign up in advance by contacting Mark Matlock at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

The start time and room location for each meeting is provided as follows.

#### *Statewide Water Resources Committee*

September 15, 2021—meeting begins at 9 a.m. in Room 105

November 17, 2021—meeting begins at 9 a.m. in Delaware Room (16th floor)

*Delaware Water Resources Regional Committee*

October 12, 2021—meeting begins at 9 a.m. in Room 105

*Lower Susquehanna Water Resources Regional Committee*

October 13, 2021—meeting begins at 9 a.m. in Room 105

*Potomac Water Resources Regional Committee*

October 14, 2021—meeting begins at 1 p.m. in Delaware Room (16th floor)

*Ohio Water Resources Regional Committee*

October 26, 2021—meeting begins at 1 p.m. in Delaware Room (16th floor)

*Great Lakes Water Resources Regional Committee*

October 27, 2021—meeting begins at 9 a.m. in Delaware Room (16th floor)

*Upper/Middle Susquehanna Water Resources Regional Committee*

October 28, 2021—meeting begins at 9:30 a.m. in Delaware Room (16th floor)

Individuals are encouraged to visit the State Water Plan webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the 2021 meetings can be directed to Mark Matlock at marmatlock@pa.gov, (717) 783-2285.

Persons in need of accommodations, as provided for in the Americans with Disabilities Act of 1990, should contact Mark Matlock at marmatlock@pa.gov, (717) 783-2285, 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. 21-1528. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Water Resources Advisory Committee Virtual Meeting Rescheduled

The Water Resources Advisory Committee (Committee) meeting previously scheduled for Wednesday, September 22, 2021, has been rescheduled to Thursday, September 23, 2021. The meeting will begin at 9:30 a.m. in Room 105, 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 Bob Haines at robhaines@pa.gov or (717) 705-4090.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water," then "Water Resources Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the September 23, 2021, meeting can be directed to Bob Haines at robhaines@pa.gov or (717) 705-4090.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Bob Haines at (717) 705-4090 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. 21-1529. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Huntingdon Valley Surgery Center	28 Pa. Code § 551.21(d)(1) (relating to criteria for ambulatory surgery)
North East Surgery Center	28 Pa. Code § 551.21(d)(2)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and

Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,  
Acting Secretary

[Pa.B. Doc. No. 21-1530. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Approved and Required Medications Lists for Emergency Medical Service Agencies and Emer- gency Medical Service Providers

Under 28 Pa. Code §§ 1027.3(c) and 1027.5(b) (relating to licensure and general operating standards; and medication use, control and security), the Department of Health (Department) has approved the following medications for administration by emergency medical responders (EMR), emergency medical technicians (EMT), advanced emergency medical technicians (AEMT), paramedics (P), pre-hospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital emergency medical services physicians (PHP) when functioning on behalf of an emergency medical service (EMS) agency. The approvals are based upon the type of EMS service an EMS agency is licensed to provide under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies). This notice also specifies the minimum required medications to be stocked on a specified EMS vehicle based upon the type of EMS service the EMS agency is licensed to provide.

Under 28 Pa. Code § 1027.5(d), EMS providers, other than a PHP, may administer to a patient medications, or assist the patient to administer medications previously prescribed for that patient, as specified in the Statewide EMS protocols or as authorized by a medical command physician. An EMS provider may administer medications contained on this list if the EMS provider is credentialed to do so and the EMS vehicle on which they are providing EMS is properly licensed to carry the medication.

Unless otherwise stated or restricted to a specific level of provider, listed medications may be given by any acceptable route as listed in protocol or as ordered by a medical command physician.

Medications that are listed as required must be carried on the specified level of EMS vehicle and must be carried in a quantity sufficient to treat at least one adult using the Statewide EMS protocols. If the protocol identifies repeat doses, then additional medication must be carried. When a pediatric dose option is available (for example a pediatric EPINEPHrine autoinjector), then both the adult and pediatric options must be carried.

During interfacility transport, all medications given by continuous infusion (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) must be regulated by an electronic infusion pump. For prehospital transport, continuous infusions of crystalloid solutions containing medication (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) and all vasoactive medications must be rate controlled by electronic IV pump or a manual flow control device capable of setting specific numeric flow rates. Nitroglycerin infusion must be regulated with an electronic pump.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Aaron M. Rhone, EMS Program Manager, Department of Health, Bureau of Emergency Medical Services, 1310 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT: (717) 783-6154 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

**Table 1. Medications that may be administered by EMS providers when functioning on behalf of an EMS agency based upon the type of EMS service an EMS agency is licensed to provide.**

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Abciximab	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup> or <sup>6</sup>	YES <sup>5</sup> or
Acetaminophen	NO	YES	YES	YES	YES	YES
Acetylcysteine	NO	NO	NO	YES <sup>5</sup>	YES	YES <sup>5</sup>
Activated charcoal	NO	YES	YES	YES	YES	YES
Adenosine	NO	NO	NO	YES	YES	YES
Albumin	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Albuterol (nebulizer solution)	NO	YES	YES	YES	YES	YES
Albuterol with ipratropium bromide (nebulizer solution)	NO	YES	YES	YES	YES	YES

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Amiodarone	NO	NO	NO	YES	YES	YES
Anti-coagulants/Platelet Inhibitors: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Anticonvulsants: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Anti-emetics: all types (not otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Anti-hypertensives: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Antimicrobials: all types	NO	NO	NO	YES	YES	YES
Antivenom: all types	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Aspirin, oral	NO	YES	YES	YES	YES	YES
Atenolol	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Atropine sulfate	NO	NO	NO	YES	YES	YES
Barbiturates: all types	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Benzocaine, topical	NO	NO	NO	YES	YES	YES
Bivalirudin	NO	NO	NO	YES <sup>5</sup>	YES <sup>6</sup>	YES <sup>6</sup>
Blood products: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>6</sup>
Bronchodilators, short-acting medications listed in Statewide BLS protocol and contained in multidose inhaler (MDI), assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Calcium chloride/calcium gluconate	NO	NO	NO	YES	YES	YES
Captopril	NO	NO	NO	YES	YES	YES
Clopidogrel	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Crystalloid hypertonic solutions	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Crystalloid isotonic solutions, including but not limited to: Isolyte, Lactated Ringers, Normosol, saline (NaCl) (unless otherwise specifically listed). <i>Note</i> —Normal Saline Solution and Dextrose listed separately	NO	NO	NO	YES	YES	YES
Crystalloid solution containing potassium, interfacility transport only, potassium concentration may not exceed 20 mEq/kg unless managed by qualified CCT or Air Medical provider	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Dexamethasone sodium phosphate	NO	NO	NO	YES	YES	YES
Dextran	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Dextrose (for intravenous bolus in concentrations between 5%—50%)	NO	NO	YES	YES	YES	YES
Diazepam	NO	NO	NO	YES	YES	YES
Digoxin	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Diltiazem	NO	NO	NO	YES	YES	YES
DiphenhydrAMINE HCl	NO	NO	YES	YES	YES	YES
DOBUTamine	NO	NO	NO	YES	YES	YES



<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
DOPamine	NO	NO	NO	YES	YES	YES
Droperidol	NO	NO	NO	YES	YES	YES
EMLA cream	NO	NO	NO	YES	YES	YES
Enalapril	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl 1 mg/mL (unless otherwise specifically listed)	NO	NO	YES <sup>3</sup>	YES	YES	YES
EPINEPHrine HCl 0.1 mg/mL solution and diluted concentrations for intravenous infusion	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl 0.1 mg/mL for cardiac arrest	NO	NO	YES	N/A	N/A	N/A
EPINEPHrine HCl autoinjector, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), applies only to EMTs in BLS services approved for EMT EPINEPHrine program	NO	YES	N/A	N/A	N/A	N/A
EPINEPHrine HCl, including racemic (by nebulizer)	NO	NO	YES	YES	YES	YES
Eptifibatide	NO	NO	NO	YES <sup>5</sup>	YES <sup>5 or 6</sup>	YES <sup>5 or 6</sup>
Esmolol	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Etomidate	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
FentaNYL	NO	NO	NO	YES	YES	YES
Fibrinolytics/thrombolytics: all types	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Furosemide	NO	NO	NO	YES	YES	YES
Flumazenil	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Glucagon	NO	NO	YES	YES	YES	YES
Glucagon intranasal (nasal powder spray) or intramuscular autoinjector. <i>Note</i> —EMTs must complete additional required education	NO	YES <sup>1</sup>	YES	YES	YES	YES
Glucocorticoids/mineralcorticoids (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Glucose, oral	NO	YES	YES	YES	YES	YES
Heparin (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Heparin (by continuous intravenous infusion)	NO	NO	NO	YES <sup>5</sup>	YES <sup>5 or 6</sup>	YES <sup>5 or 6</sup>
Hespan	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Hydralazine	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Hydrocortisone sodium succinate	NO	NO	NO	YES	YES	YES
HYDRORomorphone	NO	NO	NO	YES <sup>5</sup>	YES <sup>5 or 6</sup>	YES <sup>5 or 6</sup>
Hydroxocobalamin	NO	NO	NO	YES	YES	YES

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Ibuprofen	NO	YES	YES	YES	YES	YES
Immunizations	NO	NO	NO	YES <sup>10</sup>	YES <sup>10</sup>	YES <sup>10</sup>
Insulin	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Isoproterenol HCl	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Ketamine	NO	NO	NO	YES <sup>4</sup>	YES <sup>4,5,6</sup>	YES <sup>4,3,5,6</sup>
Ketorolac	NO	NO	YES	YES	YES	YES
Labetolol	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Levalbuterol	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Levetiracetam	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Lidocaine HCl	NO	NO	NO	YES	YES	YES
LORazepam	NO	NO	NO	YES	YES	YES
Magnesium sulfate	NO	NO	NO	YES	YES	YES
Mannitol	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>5</sup>
Metaproterenol	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
MethylPREDNISolone	NO	NO	NO	YES	YES	YES
Metoprolol	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Midazolam	NO	NO	NO	YES	YES	YES
Milrinone	NO	NO	NO	YES <sup>5</sup>	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Morphine sulfate	NO	NO	NO	YES	YES	YES
Naloxone (unless otherwise specifically listed). <i>Note</i> —autoinjector listed separately	NO	NO	YES	YES	YES	YES
Naloxone, intranasal or intramuscular autoinjector. <i>Note</i> —EMRs and EMTs must complete additional required education with QRS or BLS service participating in naloxone program	YES <sup>1</sup>	YES <sup>1</sup>	YES	YES	YES	YES
Nerve agent antidote kit, autoinjector only (may include atropine, pralidoxime, and diazepam)	NO	YES <sup>7,8</sup>	YES <sup>7,8</sup>	YES	YES	YES
Non-depolarizing neuromuscular blocking agents: all types, intravenous bolus during rapid sequence induction, assisting PHRN, PHPE, or PHP	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Non-depolarizing neuromuscular blocking agents: all types, intravenous infusion during interfacility transport	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Nitroglycerin, intravenous and topical	NO	NO	NO	YES	YES	YES
Nitroglycerin, sublingual (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
Nitroglycerin, sublingual, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Nitrous oxide	NO	NO	YES	YES	YES	YES
Norepinephrine	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)	NO	NO	YES	YES	YES	YES

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Ondansetron	NO	NO	YES	YES	YES	YES
Oxygen, delivered by devices within the published scope of practice for the EMS provider	YES	YES	YES	YES	YES	YES
Oxytocin	NO	NO	NO	YES	YES	YES
Pantoprazole	NO	NO	NO	YES <sup>5</sup>	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Phenylephrine	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Potassium Cl (in concentrations above 20 mEq/L)	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Plasmanate	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Pralidoxime	NO	NO	NO	YES	YES	YES
Procainamide	NO	NO	NO	YES	YES	YES
Propofol	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Propranolol	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Prostaglandins: all types	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Quinidine sulfate/quinidine gluconate	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Sodium bicarbonate	NO	NO	NO	YES	YES	YES
Sodium thiosulfate	NO	NO	NO	YES	YES	YES
Sterile water, for injection	NO	NO	NO	YES	YES	YES
Succinylcholine	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Terbutaline	NO	NO	NO	YES	YES	YES
Tetracaine, topical	NO	NO	YES	YES	YES	YES
Theophylline	NO	NO	NO	NO	YES <sup>5,6</sup>	YES <sup>5,6</sup>
Tirofiban	NO	NO	NO	YES <sup>4</sup>	YES <sup>5 or 6</sup>	YES <sup>5 or 6</sup>
Tocolytics: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>6</sup>	YES <sup>6</sup>
Total Parenteral Nutrition	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Tranexamic Acid	NO	NO	NO	YES	YES	YES
Verapamil	NO	NO	NO	YES	YES	YES
Medications not listed previously, but within Department-approved air ambulance service protocol for use by PHRN, PHPE and PHP.	NO	NO	NO	NO	NO	YES <sup>6</sup>

**Table 2. Medications required to be carried by a specified EMS vehicle based upon the type of EMS service an EMS agency is licensed to provide. (R=Required)**

<i>Medication</i>	<i>QRS</i>	<i>BLS</i>	<i>IALS</i>	<i>ALS</i>	<i>CCT</i>	<i>AIR</i>
Adenosine				R	R	R
Aspirin, oral		R	R	R	R	R
Atropine sulfate				R	R	R
Benzodiazepines (diazepam, lorazepam or midazolam) At least one type must be carried.				R <sup>11,13</sup>	R <sup>11,13</sup>	R <sup>11,13</sup>

<i>Medication</i>	<i>QRS</i>	<i>BLS</i>	<i>IALS</i>	<i>ALS</i>	<i>CCT</i>	<i>AIR</i>
Bronchodilators (nebulizer solution), (albuterol or albuterol with ipratropium bromide) At least one type must be carried.			R <sup>9</sup>	R <sup>9</sup>	R <sup>9</sup>	R <sup>9</sup>
Dextrose (for intravenous bolus in concentration between 10%–50%)			R	R	R	R
DiphenhydrAMINE HCl				R	R	R
EPINEPHrine HCl, 1 mg/mL concentration (IALS may meet requirement with EPINEPHrine as autoinjector—both adult and pediatric dose sizes—or as solution in vial/ampoule; ALS, CCT and Air must carry 1 mg/mL in vial or ampoule)			R	R	R	R
EPINEPHrine HCl, 0.1 mg/mL concentration				R	R	R
EPINEPHrine, autoinjector (adult and pediatric dose sizes)—applies only to BLS services approved for EMT EPINEPHrine program		R <sup>4</sup>				
Etomidate—applies only to ALS services approved by regional etomidate program				R <sup>4</sup>	R <sup>4</sup>	R <sup>4</sup>
Glucagon					R	R
Glucose, oral		R	R	R	R	R
Lidocaine HCl				R	R	R
Naloxone (restrictions on forms for QRS/BLS services listed separately)			R	R	R	R
Naloxone, intranasal kit or intramuscular autoinjector—applies only to QRS/BLS services that meet training requirements.	R <sup>4</sup>	R <sup>4</sup>				
Narcotic analgesics (fentaNYL or morphine sulfate) At least one type must be carried.				R <sup>12,13</sup>	R <sup>12,13</sup>	R <sup>12,13</sup>
Nitroglycerin, sublingual			R	R	R	R
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)			R	R	R	R
Oxygen		R	R	R	R	R
Sodium bicarbonate				R	R	R
Medication within Department-approved air ambulance service protocol for use by PHRN, PHPE, or PHP on crew						R

QRS—Quick Response Service; BLS—Basic Life Support ambulance service; IALS—Intermediate Advanced Life Support ambulance service; ALS—Advanced Life Support ambulance service; CCT—Critical Care Transport ambulance service; Air—Air ambulance service.

1. EMRs and EMTs are restricted to administering this medication by intranasal and intramuscular autoinjector routes only, consistent with Statewide BLS protocols.

2. EMTs are restricted to administering this medication by intranasal and intramuscular autoinjector routes only, consistent with Statewide BLS protocols.

3. AEMTs are restricted to administering this medication by intramuscular route only, consistent with Statewide AEMT protocols. AEMTs may not administer this medication by intravenous or intraosseous route.

4. Permitted for services that meet Department requirements for training, medication stocking, and any agency or quality improvement requirements, as verified by the agency's assigned regional EMS council.



5. During interfacility transport, Ps who are authorized to function for an EMS agency that has been licensed as an ALS, CCT or air ambulance service are restricted to the maintenance and monitoring of medication administration that is initiated at the sending medical facility.

6. If carried on a CCT ambulance, this medication must be secured so that it is only accessible when a PHRN, PHPE or PHP is part of the crew. Ps who are authorized to function for an EMS agency that has been licensed as a CCT or air ambulance service may only administer this medication when in the direct physical presence of, and supervised by, a PHRN, PHPE or PHP.

7. May administer to a patient when assisting an EMS provider above the level of AEMT who has determined the dose for the patient consistent with Statewide ALS protocols.

8. For self or peer rescue only.

9. One listed type of bronchodilator medication must be carried on each licensed vehicle.

10. Appropriate for community or peer programs under the oversight of the EMS Agency Medical Director, but not for responses to 9-1-1 calls.

11. One benzodiazepine class medication must be carried on each licensed vehicle.

12. One opioid class medication must be carried on each licensed vehicle.

13. For additional information relating to security and medication tracking requirements for controlled substances, see 28 Pa. Code § 1027.5.

ALISON BEAM,  
*Acting Secretary*

[Pa.B. Doc. No. 21-1531. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Approved and Required Medications Lists for Emergency Medical Service Agencies and Emer- gency Medical Service Providers

Under 28 Pa. Code §§ 1027.3(c) and 1027.5(b) (relating to licensure and general operating standards; and medication use, control and security), the Department of Health (Department) has approved the following medications for administration by emergency medical responders (EMR), emergency medical technicians (EMT), advanced emergency medical technicians (AEMT), paramedics (P), pre-hospital registered nurses (PHRN), prehospital physician extenders (PHPE), and prehospital emergency medical services physicians (PHP) when functioning on behalf of an emergency medical service (EMS) agency. The approvals are based upon the type of EMS service an EMS agency is licensed to provide under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies). This notice also specifies the minimum required medications to be stocked on a specified EMS vehicle based upon the type of EMS service the EMS agency is licensed to provide.

Under 28 Pa. Code § 1027.5(d), EMS providers, other than a PHP, may administer to a patient medications, or assist the patient to administer medications previously prescribed for that patient, as specified in the Statewide EMS protocols or as authorized by a medical command physician. An EMS provider may administer medications contained on this list if the EMS provider is credentialed to do so and the EMS vehicle on which they are providing EMS is properly licensed to carry the medication.

Unless otherwise stated or restricted to a specific level of provider, listed medications may be given by any acceptable route as listed in protocol or as ordered by a medical command physician.

Medications that are listed as required must be carried on the specified level of EMS vehicle and must be carried in a quantity sufficient to treat at least one adult using the Statewide EMS protocols. If the protocol identifies repeat doses, then additional medication must be carried. When a pediatric dose option is available (for example a pediatric EPINEPHrine autoinjector), then both the adult and pediatric options must be carried.

During interfacility transport, all medications given by continuous infusion (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) must be regulated by an electronic infusion pump. For prehospital transport, continuous infusions of crystalloid solutions containing medication (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) and all vasoactive medications must be rate controlled by electronic IV pump or a manual flow control device capable of setting specific numeric flow rates. Nitroglycerin infusion must be regulated with an electronic pump.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Aaron M. Rhone, EMS Program Manager, Department of Health, Bureau of Emergency Medical Services, 1310 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740. Speech or hearing-impaired persons may call by using V/TT: (717) 783-6154 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

**Table 1. Medications that may be administered by EMS providers when functioning on behalf of an EMS agency based upon the type of EMS service an EMS agency is licensed to provide.**

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Abciximab	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Acetaminophen	NO	YES	YES	YES	YES	YES
Acetylcysteine	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Activated charcoal	NO	YES	YES	YES	YES	YES
Adenosine	NO	NO	NO	YES	YES	YES
Albumin	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Albuterol (nebulizer solution)	NO	YES	YES	YES	YES	YES
Albuterol with ipratropium bromide (nebulizer solution)	NO	YES	YES	YES	YES	YES
Amiodarone	NO	NO	NO	YES	YES	YES
Anti-coagulants/Platelet Inhibitors: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES	YES
Anticonvulsants: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Anti-emetics: all types (not otherwise specifically listed)	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Anti-hypertensives: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Antimicrobials: all types	NO	NO	NO	YES	YES	YES
Antivenom: all types	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Aspirin, oral	NO	YES	YES	YES	YES	YES
Atenolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Atropine sulfate	NO	NO	NO	YES	YES	YES
Barbiturates: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Benzocaine, topical	NO	NO	NO	YES	YES	YES
Bivalirudin	NO	NO	NO	YES <sup>4</sup>	YES <sup>5</sup>	YES <sup>5</sup>
Blood products: all types	NO	NO	NO	NO	YES <sup>4</sup>	YES <sup>5</sup>
Bronchodilators, short-acting medications listed in Statewide BLS protocol and contained in multidose inhaler (MDI), assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Calcium chloride/calcium gluconate	NO	NO	NO	YES	YES	YES
Captopril	NO	NO	NO	YES	YES	YES
Clopidogrel	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Crystalloid hypertonic solutions	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Crystalloid isotonic solutions, including but not limited to: Isolyte, Lactated Ringers, Normosol, saline (NaCl) (unless otherwise specifically listed). <i>Note</i> —Normal Saline Solution and Dextrose listed separately	NO	NO	NO	YES	YES	YES

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Crystalloid solution containing potassium, interfacility transport only, potassium concentration may not exceed 20 mEq/kg unless managed by qualified CCT or Air Medical provider	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Dexamethasone sodium phosphate	NO	NO	NO	YES	YES	YES
Dextran	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Dextrose (for intravenous bolus in concentrations between 5%—50%)	NO	NO	YES	YES	YES	YES
Diazepam	NO	NO	NO	YES	YES	YES
Digoxin	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Diltiazem	NO	NO	NO	YES	YES	YES
DiphenhydrAMINE HCl	NO	NO	YES	YES	YES	YES
DOBUtamine	NO	NO	NO	YES	YES	YES
DOPamine	NO	NO	NO	YES	YES	YES
EMLA cream	NO	NO	NO	YES	YES	YES
Enalapril	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl 1 mg/mL (unless otherwise specifically listed)	NO	NO	YES <sup>2</sup>	YES	YES	YES
EPINEPHrine HCl 0.1 mg/mL solution and diluted concentrations for intravenous infusion	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl 0.1 mg/mL for cardiac arrest	NO	NO	YES	N/A	N/A	N/A
EPINEPHrine HCl autoinjector, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), applies only to EMTs in BLS services approved for EMT EPINEPHrine program	NO	YES	N/A	N/A	N/A	N/A
EPINEPHrine HCl, including racemic (by nebulizer)	NO	NO	YES	YES	YES	YES
Eptifibatide	NO	NO	NO	YES <sup>4</sup>	YES <sup>4 or 5</sup>	YES <sup>4 or 5</sup>
Esmolol	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Etomidate	NO	NO	NO	YES <sup>3</sup>	YES <sup>3</sup>	YES <sup>3</sup>
FentanNYL	NO	NO	NO	YES	YES	YES
Fibrinolytics/thrombolytics: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Furosemide	NO	NO	NO	YES	YES	YES
Flumazenil	NO	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>
Glucagon	NO	NO	YES	YES	YES	YES
Glucocorticoids/mineralcorticoids (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Glucose, oral	NO	YES	YES	YES	YES	YES

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Heparin (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Heparin (by continuous intravenous infusion)	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Hespan	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Hydralazine	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Hydrocortisone sodium succinate	NO	NO	NO	YES	YES	YES
HYDRDOMorphone	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Hydroxocobalamin	NO	NO	NO	YES	YES	YES
Ibuprofen	NO	YES	YES	YES	YES	YES
Immunizations	NO	NO	NO	YES <sup>9</sup>	YES <sup>9</sup>	YES <sup>9</sup>
Insulin	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Isoproterenol HCl	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Ketamine	NO	NO	NO	YES <sup>3</sup>	YES <sup>3,4,5</sup>	YES <sup>3,4,5</sup>
Ketorolac	NO	NO	YES	YES	YES	YES
Labetolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Levalbuterol	NO		NO	NO	YES <sup>4</sup>	YES <sup>4</sup>
Levetiracetam	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Lidocaine HCl	NO	NO	NO	YES	YES	YES
LORazepam	NO	NO	NO	YES	YES	YES
Magnesium sulfate	NO	NO	NO	YES	YES	YES
Mannitol	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Metaproterenol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
MethylPREDNISolone	NO	NO	NO	YES	YES	YES
Metoprolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Midazolam	NO	NO	NO	YES	YES	YES
Milrinone	NO	NO	NO	YES <sup>4</sup>	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Morphine sulfate	NO	NO	NO	YES	YES	YES
Naloxone (unless otherwise specifically listed). <i>Note</i> —autoinjector listed separately	NO	NO	YES	YES	YES	YES
Naloxone, intranasal or autoinjector. <i>Note</i> —EMRs and EMTs must complete additional required education with QRS or BLS service participating in naloxone program	YES <sup>1</sup>	YES <sup>1</sup>	YES	YES	YES	YES
Nerve agent antidote kit, autoinjector only (may include atropine, pralidoxime and diazepam)	NO	YES <sup>6,7</sup>	YES <sup>6,7</sup>	YES	YES	YES
Nondepolarizing neuromuscular blocking agents: all types, intravenous bolus during rapid sequence induction, assisting PHRN, PHPE or PHP	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Nondepolarizing neuromuscular blocking agents: all types, intravenous infusion during interfacility transport	NO	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>



<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Nitroglycerin, intravenous and topical	NO	NO	NO	YES	YES	YES
Nitroglycerin, sublingual (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
Nitroglycerin, sublingual, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Nitrous oxide	NO	NO	YES	YES	YES	YES
Norepinephrine	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)	NO	NO	YES	YES	YES	YES
Ondansetron	NO	NO	YES	YES	YES	YES
Oxygen, delivered by devices within the published scope of practice for the EMS provider	YES	YES	YES	YES	YES	YES
Oxytocin	NO	NO	NO	YES	YES	YES
Pantoprazole	NO	NO	NO	YES <sup>4</sup>	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Phenylephrine	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Potassium Cl (in concentrations above 20 mEq/L)	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Plasmanate	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Pralidoxime	NO	NO	NO	YES	YES	YES
Procainamide	NO	NO	NO	YES	YES	YES
Propofol	NO	NO	NO	NO	YES	YES <sup>4,5</sup>
Propranolol	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Prostaglandins: all types	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Quinidine sulfate/quinidine gluconate	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Sodium bicarbonate	NO	NO	NO	YES	YES	YES
Sodium thiosulfate	NO	NO	NO	YES	YES	YES
Sterile water, for injection	NO	NO	NO	YES	YES	YES
Succinylcholine	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Terbutaline	NO	NO	NO	YES	YES	YES
Tetracaine, topical	NO	NO	NO	YES	YES	YES
Theophylline	NO	NO	NO	NO	YES <sup>4,5</sup>	YES <sup>4,5</sup>
Tirofiban	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Tocolytics: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES <sup>5</sup>	YES <sup>5</sup>
Total Parenteral Nutrition	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup>	YES <sup>4</sup>
Tranexamic Acid	NO	NO	NO	YES <sup>4</sup>	YES <sup>4</sup> or <sup>5</sup>	YES <sup>4</sup> or <sup>5</sup>
Verapamil	NO	NO	NO	YES	YES	YES
Medications not listed previously, but within Department-approved air ambulance service protocol for use by PHRN, PHPE and PHP	NO	NO	NO	NO	NO	YES <sup>5</sup>

**Table 2. Medications required to be carried by a specified EMS vehicle based upon the type of EMS service an EMS agency is licensed to provide. (R=Required)**

<i>Medication</i>	<i>QRS</i>	<i>BLS</i>	<i>IALS</i>	<i>ALS</i>	<i>CCT</i>	<i>Air</i>
Adenosine				R	R	R
Aspirin, oral		R	R	R	R	R
Atropine sulfate				R	R	R
Benzodiazepines (diazepam, lorazepam or midazolam)—At least one type must be carried.				R <sup>10,12</sup>	R <sup>10,12</sup>	R <sup>10,12</sup>
Bronchodilators (nebulizer solution), (albuterol or albuterol with ipratropium bromide)—At least one type must be carried.			R <sup>8</sup>	R <sup>8</sup>	R <sup>8</sup>	R <sup>8</sup>
Dextrose (for intravenous bolus in concentration between 10%—50%)			R	R	R	R
DiphenhydrAMINE HCl				R	R	R
EPINEPHrine HCl, 1 mg/mL concentration (IALS may meet requirement with EPINEPHrine as autoinjector—both adult and pediatric dose sizes—or as solution in vial/ampoule; ALS, CCT and Air must carry 1 mg/mL in vial or ampoule)			R	R	R	R
EPINEPHrine HCl, 0.1 mg/mL concentration				R	R	R
EPINEPHrine, autoinjector (adult and pediatric dose sizes)—applies only to BLS services approved for EMT EPINEPHrine program		R <sup>3</sup>				
Etomidate—applies only to ALS services approved by regional etomidate program				R <sup>3</sup>	R <sup>3</sup>	R <sup>3</sup>
Glucagon					R	R
Glucose, oral		R	R	R	R	R
Lidocaine HCl				R	R	R
Naloxone (restrictions on forms for QRS/BLS services listed separately)			R	R	R	R
Naloxone, intranasal kit or intramuscular autoinjector—applies only to QRS/BLS services that meet training requirements.	R <sup>3</sup>	R <sup>3</sup>				
Narcotic analgesics (fentaNYL or morphine sulfate)—At least one type must be carried.				R <sup>11,12</sup>	R <sup>11,12</sup>	R <sup>11,12</sup>
Nitroglycerin, sublingual			R	R	R	R
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)			R	R	R	R
Oxygen		R	R	R	R	R
Sodium bicarbonate				R	R	R
Medication within Department-approved air ambulance service protocol for use by PHRN, PHPE or PHP on crew						R

QRS—Quick Response Service; BLS—Basic Life Support ambulance service; IALS—Intermediate Advanced Life Support ambulance service; ALS—Advanced Life Support ambulance service; CCT—Critical Care Transport ambulance service; Air—Air ambulance service.

1. EMRs and EMTs are restricted to administering this medication by intranasal and intramuscular autoinjector routes only, consistent with Statewide BLS protocols.

2. AEMTs are restricted to administering this medication by intramuscular route only, consistent with Statewide AEMT protocols. AEMTs may not administer this medication by intravenous or intraosseous route.

3. Permitted for services that meet Department requirements for training, medication stocking, and any agency or quality improvement requirements, as verified by the agency's assigned regional EMS council.

4. During interfacility transport, Ps who are authorized to function for an EMS agency that has been licensed as an ALS, CCT or air ambulance service are restricted to the maintenance and monitoring of medication administration that is initiated at the sending medical facility.

5. If carried on a CCT ambulance, this medication must be secured so that it is only accessible when a PHRN, PHPE or PHP is part of the crew. Ps who are authorized to function for an EMS agency that has been licensed as a CCT or air ambulance service may only administer this medication when in the direct physical presence of, and supervised by, a PHRN, PHPE or PHP.

6. May administer to a patient when assisting an EMS provider above the level of AEMT who has determined the dose for the patient consistent with Statewide ALS protocols.

7. For self or peer rescue only.

8. One listed type of bronchodilator medication must be carried on each licensed vehicle.

9. Appropriate for community or peer programs under the oversight of the EMS Agency Medical Director, but not for responses to 9-1-1 calls.

10. One benzodiazepine class medication must be carried on each licensed vehicle.

11. One opioid class medication must be carried on each licensed vehicle.

12. For additional information relating to security and medication tracking requirements for controlled substances, see 28 Pa. Code § 1027.5.

ALISON BEAM,  
Acting Secretary

[Pa.B. Doc. No. 21-1532. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code, Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from August 1, 2021, through August 31, 2021. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelder, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

#### Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Endoscopy Center of Central Pennsylvania, LLC	§ 553.31(a) and (b) administrative responsibilities	08/09/2021	Granted w/Conditions

#### Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Brandywine Hospital	§ 103.31 (relating to the chief executive officer)	08/09/2021	Granted w/Conditions
The Bryn Mawr Hospital	§ 153.1(a) (relating to minimum standards) 2.2-3.4.2.2(2)(a) space requirements	08/09/2021	Granted
The Children's Hospital of Philadelphia	§ 153.1(a) Chapter 2: inpatient perinatal services, page 75	08/09/2021	Granted
Crozer-Chester Medical Center	§ 153.1(a) 2.2-2.5.2.2(2)(a) space requirements	08/09/2021	Granted
Geisinger Medical Center Muncy	§ 107.26(a) and (b)(1)—(8) (relating to additional committees)	08/10/2021	Granted w/Conditions

## NOTICES

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 113.5(a) (relating to pharmacy and therapeutics committee)	08/10/2021	Granted w/Conditions
	§ 129.23(a) (relating to radiation safety committee)	08/10/2021	Granted w/Conditions
Jennersville Hospital	§ 103.31	08/09/2021	Granted w/Conditions
Penn Highlands Brookville	§ 107.26(b)(2)	08/16/2021	Granted
Penn Highlands Dubois	§ 153.1(a) 2.11-6.2.3.1 waiting area	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.12-3.2.2.3(1) hand-washing station	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.1-3.2.1.2(2)(a)(i) single-patient examination/observation room	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.1-3.8.7.1 location	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.1-3.8.11.3 clean supply room	08/16/2021	Granted
	§ 153.1(a) 2.1-7.2.2.3(3)(b) doors and door hardware	08/16/2021	Granted
	§ 153.1(a) 2.1-7.2.2.3(5)(a)(i) doors and door hardware	08/16/2021	Granted
	§ 153.1(a) 2.1-8.3.6 electrical receptacles	08/16/2021	Granted
	§ 153.1(a) 2.1-8.4.3.2(2) hand-washing station sinks	08/16/2021	Granted
	§ 153.1(a) 2.1-8.4.3.2(5) hand-washing station sinks	08/16/2021	Granted
Penn Highlands Elk	§ 107.26(b)(2)	08/16/2021	Granted w/Conditions
Penn Highlands Huntingdon	§ 107.26(b)(2)	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.1-3.2.1.2(2)(a)(i) single-patient examination/observation room	08/16/2021	Granted
	§ 153.1(a) 2.1-3.2.1.2(2)(a)(i) single-patient examination/observation room	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.1-3.8.8.2(1)(a)(iii) work areas for preparing, dispensing, and administering medications	08/16/2021	Granted
	§ 153.1(a) 2.1-3.8.11.3 clean supply room	08/16/2021	Granted
	§ 153.1(a) 2.1-6.2.1 vehicular drop-off and pedestrian entrance	08/16/2021	Granted
	§ 153.1(a) 2.1-6.2.1.3 vehicular drop-off and pedestrian entrance	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.1-7.2.2.2(1) and (2) ceiling height	08/16/2021	Granted
	§ 153.1(a) 2.1-7.2.2.3(2)(a) doors and door hardware	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.1-8.3.6 electrical receptacles	08/16/2021	Granted
	§ 153.1(a) 2.1-8.4.3.2(2) hand-washing station sinks	08/16/2021	Granted
	§ 153.1(a) 2.2-3.3.3.2(2)(b) space requirements	08/16/2021	Granted
	§ 153.1(a) 2.2-3.3.3.2(3)(b) and (c) space requirements	08/16/2021	Granted
	§ 153.1(a) 2.12-3.2.2.3(1) hand-washing station	08/16/2021	Granted w/Conditions



<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Penn Highlands Tyrone	§ 107.12(9) (relating to content of bylaws, rules and regulations)	08/16/2021	Granted w/Conditions
	§ 107.26(b)(2), (5) and (6)	08/16/2021	Granted w/Conditions
Penn State Health Hampden Medical Center	§ 107.61 (relating to written orders)	08/09/2021	Granted w/Conditions
	§ 107.62(a) and (b) (relating to oral orders)	08/09/2021	Granted w/Conditions
	§ 127.32 (relating to written orders)	08/09/2021	Granted w/Conditions
Saint Luke's Hospital—Easton Campus	§ 153.1(a) 2.2-3.4.2.2(2)(a) space requirements	08/16/2021	Granted
UPMC Cole	§ 113.5(a) and (b)	08/09/2021	Granted w/Conditions
Warren General Hospital	§ 153.1(a) 2.2-3.4.7.4(2) single-photon emission computed tomography (SPECT) facilities	08/18/2021	Granted
Wellspring York Hospital	§ 153.1(a) 2.1-8.2 heating, ventilation and air-conditioning (HVAC) systems	08/17/2021	Granted Temporary
	§ 153.1(a) 2.2-2.2.2.2(1)(a) space requirements	08/09/2021	Granted Temporary
	§ 153.1(a) 2.2-2.2.2.2(2)(a) space requirements	08/09/2021	Granted Temporary
	§ 153.1(a) 2.2-2.2.2.5 hand-washing stations	08/09/2021	Granted Temporary
	§ 153.1(a) 2.2-3.8.12 soiled holding room	08/09/2021	Granted
West Penn Hospital	§ 153.1(a) 2.1-3.4.1.4(1) number of patient care stations	08/16/2021	Granted w/Conditions
	§ 153.1(a) 2.2-3.4.8.15(2) pre- and post-procedure patient care area	08/16/2021	Granted w/Conditions

#### Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Chapel Manor	§ 205.7 (relating to basement or cellar)	08/16/2021	Granted
Forest City Nursing and Rehab Center	§ 211.9(g) (relating to pharmacy services)	08/20/2021	Granted
Messiah Lifeways at Messiah Village	§ 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB))	08/30/2021	Granted
New Eastwood Healthcare and Rehabilitation Center	§ 205.6(a) (relating to function of building)	08/23/2021	Not Needed
Villa Crest, LLC	§ 211.12(b)(f)(1) (relating to nursing services)	08/20/2021	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone 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. 21-1533. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care

Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relates to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
AHN Wexford Hospital	28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations)
Geisinger Medical Center	28 Pa. Code § 107.64 (relating to administration of drugs)
Geisinger Medical Center Muncy	28 Pa. Code § 107.2 (relating to medical staff membership)
	28 Pa. Code § 107.61 (relating to written orders)
	28 Pa. Code § 127.32 (relating to written orders)
Lecom Health Corry Memorial Hospital	28 Pa. Code § 51.23 (relating to positron emission tomography)
Wellspan Ephrata Community Hospital	28 Pa. Code § 107.12(11) (relating to content of bylaws, rules and regulations)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition*, or *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr<sup>1</sup></i>
Lecom Health Corry Memorial Hospital	2.2-3.4.1.2 imaging room classification	18
	2.2-3.4.1.3(1)(c) radiation protection	18
	2.2-3.4.1.3(1) and (2) radiation protection	18
	2.2-3.4.2.3(1)—(3) hand-washing station or hand scrub facilities	18
	2.2-3.4.7.3(6)(a)—(c) positron emission tomography (PET)	18
Penn Highlands Dubois	2.1-8.4.3.2(2) hand-washing station sinks	18-O
Penn Highlands Huntingdon	2.1-3.2.1.2(2)(a)(i) single-patient examination/observation room	18-O
	2.1-7.2.2.3(2)(a) doors and door hardware	18-O
	2.1-7.2.2.3(5)(a)(i)—(iii) doors and door hardware	18-O
	2.1-8.3.6 electrical receptacles	18-O
	2.1-8.4.3.2(2) hand-washing station sinks	18-O
Saint Vincent Hospital	2.1-3.4.1.4(1) number of patient care stations	18

<sup>1</sup> 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing-impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,  
Acting Secretary

[Pa.B. Doc. No. 21-1534. Filed for public inspection September 10, 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)):

Carbondale Nursing and Rehabilitation Center  
10 Hart Place  
Carbondale, PA 18407  
FAC ID # 030702

Scenery Hill Healthcare and Rehabilitation Center  
680 Lions Health Camp Road  
Indiana, PA 15701  
FAC ID # 192202

Schuylkill Center  
1000 Schuylkill Manor Road  
Pottsville, PA 17901  
FAC ID # 453002

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, 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. 21-1535. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Scope of Practice for Air Ambulance Services

Under 28 Pa. Code § 1027.39(d) (relating to critical care transport ambulance service), the Department of Health (Department) is publishing the expanded scope of practice for authorized paramedics (P), prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital emergency medical services physicians (PHP) when functioning for an emergency medical services (EMS) agency that has been licensed as a critical care transport (CCT) ambulance service under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies).

Under § 1027.39(d), expansion of the applicable EMS providers' scopes of practice includes EMS skills in addition to those skills included in these EMS providers'

general scopes of practice that were published 51 Pa.B. 5901 (September 11, 2021). To perform these expanded skills, EMS providers must receive education to perform these skills by having successfully completed a CCT educational program approved by the Department. Minimum requirements to become an approved CCT educational program, and a list of approved CCT educational programs, will be continuously updated on the Bureau of Emergency Medical Services' web site.

Skills identified may be performed by these EMS providers only if the provider has successfully completed training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate. These providers may only perform skills that are indicated through either Statewide or other Department-approved protocols or that are ordered online by a medical command physician.

A PHRN who is appropriately credentialed by the EMS agency medical director may perform other services authorized by The Professional Nursing Law (63 P.S. §§ 211—225.5) when authorized by a medical command physician through either online medical command or through the applicable Statewide or Department-approved EMS protocols.

A PHPE who is appropriately credentialed by the EMS agency medical director may perform services within the scope of practice of a physician assistant under the Medical Practice Act of 1985 (63 P.S. §§ 422.1—422.53) or the Osteopathic Medical Practice Act (63 P.S. §§ 271.1—271.18), whichever applies to the physician assistant, when authorized by a medical command physician through either online medical command or through applicable Statewide or Department-approved EMS protocols. When a PHPE functions in this capacity, the physician supervision requirements applicable to a physician assistant under the Medical Practice Act of 1985 or the Osteopathic Medical Practice Act do not apply.

A PHP who is appropriately credentialed by the EMS agency medical director may perform skills within a paramedic's scope of practice and other skills within the practice of medicine or osteopathic medicine, whichever applies to the physician. A PHP may not perform a skill that the PHP has not been educated and trained to perform.

To administer medications in addition to those permitted by applicable medical treatment protocols, PHRNs, PHPEs and PHPs must also receive approval to do so by the EMS agency medical director of the advanced life support ambulance service under which they are functioning.

	<i>Category</i>	<i>Skill</i>	<i>Critical Care Transport Provider (P, PHRN, PHPE or PHP)</i>
1	Airway/ventilation/oxygenation	Chest tube thoracostomy, monitoring of existing tube in a closed system (for example water seal or suction)	Yes <sup>1</sup>
2	Airway/ventilation/oxygenation	Chest tube thoracostomy, acute insertion	Yes <sup>2</sup>
3	Airway/ventilation/oxygenation	Biphasic positive airway pressure (BiPAP) for patients acutely on BiPAP for <48 hours	Yes <sup>1</sup>
4	Airway/ventilation/oxygenation	Endotracheal Intubation—paralytic assisted, rapid sequence induction (RSI)	Yes <sup>2</sup>
5	Airway/ventilation/oxygenation	Escharotomy	Yes <sup>2</sup>

	<i>Category</i>	<i>Skill</i>	<i>Critical Care Transport Provider (P, PHRN, PHPE or PHP)</i>
6	Airway/ventilation/oxygenation	Ventilation—Maintenance of previously initiated neuromuscular blockade	Yes <sup>1</sup>
7	Airway/ventilation/oxygenation	Laryngeal mask airway (LMA)	Yes <sup>1</sup>
8	Airway/ventilation/oxygenation	Ventilators, that are portable and capable of being transported with a patient and are multimodal, with a blender, that are used on patients requiring pressure control, pressure support or other advanced setting, or when there is an anticipated need by a healthcare provider involved with the care of the patient to actively titrate ventilator settings during transport, regardless of ventilation mode	Yes <sup>1</sup>
9	Airway/ventilation/oxygenation	Ventilators, transport—used in multi-modal settings, blended gas transport ventilator on patients ventilated <48 hours or anticipated need to actively titrate ventilator settings	Yes <sup>2</sup>
10	Cardiovascular/circulation	Transvenous or Epicardial pacing, Management of	Yes <sup>2</sup>
11	Cardiovascular/circulation	Hemodynamic monitoring/assist (pulmonary artery catheter, central venous pressure)	Yes <sup>2</sup>
12	Cardiovascular/circulation	Intra-aortic balloon pump or invasive cardiac assist device or extracorporeal membrane oxygenation—monitoring/assist	Yes <sup>2</sup>
13	Cardiovascular/circulation	Thrombolytic therapy—initiation	Yes <sup>2</sup>
14	Cardiovascular/circulation	Thrombolytic therapy—monitoring	Yes <sup>2</sup>
15	IV Initiation/maintenance/fluids	Sub-cutaneous indwelling catheters—access of existing catheters	Yes <sup>1</sup>
16	IV Initiation/maintenance/fluids	Venous central line (blood sampling)—obtaining	Yes <sup>1</sup>
17	IV Initiation/maintenance/fluids	Arterial line—monitoring	Yes <sup>1</sup>
18	IV Initiation/maintenance/fluids	Blood products—initiation and continued administration	Yes <sup>2</sup>
19	Medication administration routes	Enteral Feeding Devices, Management of	Yes <sup>1</sup>
20	Medications	Medications for Critical Care Transport Providers as published in <i>Pennsylvania Bulletin</i> by the Department	Yes <sup>1</sup>
21	Medications	Over-the-counter (OTC) medications ( <i>Note</i> : aspirin and glucose covered elsewhere)	Yes <sup>1</sup>
22	Patient Assessment/ management	Portable blood analysis devices, use of (glucometer covered elsewhere)	Yes <sup>1</sup>
23	Patient Assessment/management	Intracranial pressure monitoring/assist	Yes <sup>2</sup>
24	Patient Assessment/management	Urinary catheterization	Yes <sup>1</sup>

Yes—The skill is in the scope of practice for Ps, PHRNs, PHPEs and PHPs who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service.

1. Ps, PHRNs, PHPEs and PHPs who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service may only perform or assist with these skills during interfacility transport with a CCT ambulance.

2. Ps who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service may assist a PHRN, PHPE or PHP with this skill only during interfacility transport with a CCT ambulance and when in the direct physical presence of, and supervised by, the higher level provider.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Aaron M. Rhone, EMS Program Manager, Department of Health, Bureau of Emergency Medical Services, 1310 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740. Speech or hearing-impaired persons may call by using V/TT: (717) 783-6154 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

ALISON BEAM,  
*Acting Secretary*



## DEPARTMENT OF HEALTH

### Scope of Practice for Critical Care Transport Emergency Medical Service Providers

Under 28 Pa. Code § 1027.39(d) (relating to critical care transport ambulance service), the Department of Health (Department) is publishing the expanded scope of practice for authorized paramedics (P), prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital emergency medical services physicians (PHP) when functioning for an emergency medical service (EMS) agency that has been licensed as a critical care transport (CCT) ambulance service under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies).

Under § 1027.39(d), expansion of the applicable EMS providers' scopes of practice includes EMS skills in addition to those skills included in these EMS providers' general scopes of practice that were published 51 Pa.B. 5901 (September 11, 2021). To perform these expanded skills, EMS providers must receive education to perform these skills by having successfully completed a CCT educational program approved by the Department. Minimum requirements to become an approved CCT educational program, and a list of approved CCT educational programs, will be continuously updated on the Bureau of Emergency Medical Services' web site.

Skills identified may be performed by these EMS providers only if the provider has successfully completed training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate. These providers may only perform skills that are indicated through either Statewide or other Department-approved protocols or that are ordered online by a medical command physician.

A PHRN who is appropriately credentialed by the EMS agency medical director may perform other services authorized by The Professional Nursing Law (63 P.S. §§ 211—225.5) when authorized by a medical command physician through either online medical command or through the applicable Statewide or Department-approved EMS protocols.

A PHPE who is appropriately credentialed by the EMS agency medical director may perform services within the

scope of practice of a physician assistant under the Medical Practice Act of 1985 (63 P.S. §§ 422.1—422.53) or the Osteopathic Medical Practice Act (63 P.S. §§ 271.1—271.18), whichever applies to the physician assistant, when authorized by a medical command physician through either online medical command or through the applicable Statewide or Department-approved EMS protocols. When a PHPE functions in this capacity, the physician supervision requirements applicable to a physician assistant under the Medical Practice Act of 1985 or the Osteopathic Medical Practice Act do not apply.

A PHP who is appropriately credentialed by the EMS agency medical director may perform skills within a paramedic's scope of practice and other skills within the practice of medicine or osteopathic medicine, whichever applies to the physician. A PHP may not perform a skill that the PHP has not been educated and trained to perform.

To administer medications in addition to those permitted by applicable medical treatment protocols, PHRNs, PHPEs and PHPs must also receive approval to do so by the EMS agency medical director of the advanced life support ambulance service under which they are functioning.

Under 28 Pa. Code § 1023.1(a)(1)(vi) and (vii) (relating to EMS agency medical director), the EMS agency medical director must make an initial assessment of each EMS provider at or above the advanced emergency medical technician (AEMT) level, and then within 12 months of each prior assessment, to determine whether the EMS provider has the knowledge and skills to competently perform the skills within the EMS provider's scope of practice, and a commitment to adequately perform other functions relevant to the EMS provider providing EMS at that level. EMS providers at or above the AEMT level may only perform skills that the EMS agency medical director has credentialed them to perform.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Aaron M. Rhone, EMS Program Manager, Department of Health, Bureau of Emergency Medical Services, 1310 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740. Speech or hearing impaired persons may call by using V/TT, (717) 783-6154 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

	<i>Category</i>	<i>Skill</i>	<i>Critical Care Transport Provider (Paramedic, PHRN, PHPE or PHP)</i>
1	Airway/ventilation/oxygenation	Chest tube thoracostomy, monitoring of existing tube in a closed system (for example water seal or suction)	Yes <sup>1</sup>
2	Airway/ventilation/oxygenation	Chest thoracostomy (tube or finger), acute insertion	Yes <sup>2</sup>
3	Airway/ventilation/oxygenation	Biphasic positive airway pressure (BiPAP) for patients acutely on BiPAP for <48 hours	Yes <sup>1</sup>
4	Airway/ventilation/oxygenation	Endotracheal Intubation—paralytic assisted, rapid sequence induction (RSI)	Yes <sup>2</sup>
5	Airway/ventilation/oxygenation	Escharotomy	Yes <sup>2</sup>
6	Airway/ventilation/oxygenation	Ventilation—Maintenance of previously initiated neuromuscular blockade	Yes <sup>1</sup>

	<i>Category</i>	<i>Skill</i>	<i>Critical Care Transport Provider (Paramedic, PHRN, PHPE or PHP)</i>
7	Airway/ventilation/oxygenation	Laryngeal mask airway (LMA)	Yes <sup>1</sup>
8	Airway/ventilation/oxygenation	Ventilators, that are portable and capable of being transported with a patient and are multi-modal, with a blender, that are used on patients requiring pressure control, pressure support or other advanced setting, or when there is an anticipated need by a healthcare provider involved with the care of the patient to actively titrate ventilator settings during transport, regardless of ventilation mode	Yes <sup>1</sup>
9	Airway/ventilation/oxygenation	Ventilators, transport—used in multi-modal settings, blended gas transport ventilator on patients ventilated <48 hours or anticipated need to actively titrate ventilator settings	Yes <sup>2</sup>
10	Cardiovascular/circulation	Transvenous or Epicardial pacing, Management of	Yes <sup>2</sup>
11	Cardiovascular/circulation	Hemodynamic monitoring/assist (pulmonary artery catheter, central venous pressure)	Yes <sup>2</sup>
12	Cardiovascular/circulation	Intra-aortic balloon pump or invasive cardiac assist device or extracorporeal membrane oxygenation—monitoring/assist	Yes <sup>2</sup>
13	Cardiovascular/circulation	Thrombolytic therapy—initiation	Yes <sup>2</sup>
14	Cardiovascular/circulation	Thrombolytic therapy—monitoring	Yes <sup>2</sup>
15	Cardiovascular/circulation	Pericardiocentesis	Yes <sup>2</sup>
16	IV Initiation/maintenance/fluids	Sub-cutaneous indwelling catheters—access of existing catheters	Yes <sup>1</sup>
17	IV Initiation/maintenance/fluids	Venous central line (blood sampling)—obtaining	Yes <sup>1</sup>
18	IV Initiation/maintenance/fluids	Arterial line—monitoring	Yes <sup>1</sup>
19	IV Initiation/maintenance/fluids	Blood products—continued administration of blood products initiated at sending facility	Yes <sup>1</sup>
20	IV Initiation/maintenance/fluids	Blood products—initiation of infusion	Yes <sup>2</sup>
21	Medication administration routes	Enteral Feeding Devices, Management of	Yes <sup>1</sup>
22	Medications	Medications for Critical Care Transport Providers as published in <i>Pennsylvania Bulletin</i> by the Department	Yes <sup>1</sup>
23	Medications	Over-the-counter (OTC) medications ( <i>Note</i> : aspirin and glucose covered elsewhere)	Yes <sup>1</sup>
24	Patient Assessment/management	Portable blood analysis devices, use of (glucometer covered elsewhere)	Yes <sup>1</sup>
25	Patient Assessment/management	Intracranial pressure monitoring/assist	Yes <sup>2</sup>
26	Patient Assessment/management	Urinary catheterization	Yes <sup>1</sup>

Yes—The skill is in the scope of practice for Ps, PHRNs, PHPEs and PHPs who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service.

1. Ps, PHRNs, PHPEs and PHPs who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service may only perform or assist with these skills during interfacility transport with a CCT ambulance.

2. Ps who are authorized to function for an EMS agency that has been licensed as a CCT ambulance service may assist a PHRN, PHPE or PHP with this skill only during interfacility transport with a CCT ambulance and when in the direct physical presence of, and supervised by, the higher level provider.

ALISON BEAM,  
*Acting Secretary*

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## DEPARTMENT OF HEALTH

### Scope of Practice for Emergency Medical Service Providers

Under 35 Pa.C.S. §§ 8101—8157 (relating to the Emergency Medical Services System Act) and the Department of Health's (Department) regulations in 28 Pa. Code §§ 1023.24(d)(1), 1023.25(d)(1), 1023.26(d)(1), 1023.27(d)(1), 1023.28(d), 1023.29(d) and 1023.30(e) the Department is publishing the scope of practice for emergency medical responders (EMR), emergency medical technicians (EMT), advanced emergency medical technicians (AEMT), paramedics (P), prehospital registered nurses (PHRN), prehospital physician extenders (PHPE) and prehospital physicians (PHP).

Skills identified may be performed by an emergency medical service (EMS) provider at the provider's level of certification or registration only if the provider has successfully completed the approved education (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate. EMRs, EMTs, AEMTs and Ps may only perform the skills identified, through either Statewide or other Department-approved protocols, or skills that may be ordered online by a medical command physician.

As the following chart indicates, a PHRN, PHPE and PHP may perform all skills identified as within a paramedic's scope of practice. Each of these EMS providers may perform additional skills as outlined as follows.

A PHRN who is appropriately credentialed by the EMS agency medical director, may perform other services authorized by The Professional Nursing Law (63 P.S. §§ 211—225.5), when authorized by a medical command physician through either online medical command or through the applicable Statewide or Department-approved EMS protocols.

A PHPE who is appropriately credentialed by the EMS agency medical director may perform services within the scope of practice of a physician assistant under the Medical Practice Act of 1985 (63 P.S. §§ 422.1—422.53) or the Osteopathic Medical Practice Act (63 P.S. §§ 271.1—271.18), when authorized by a medical command physician through either online medical command or through

applicable Statewide or Department-approved EMS protocols. When a PHPE functions as an EMS provider, the physician supervision requirements applicable to a physician assistant under the Medical Practice Act of 1985 and the Osteopathic Medical Practice Act do not apply.

A PHP who is appropriately credentialed by the EMS agency medical director may perform skills within a paramedic's scope of practice and other skills within the practice of medicine or osteopathic medicine. A PHP may not perform a skill that the PHP has not been educated and trained to perform.

Under 28 Pa. Code § 1023.1(a)(1)(vi) and (vii) (relating to EMS agency medical director), the EMS agency medical director must make an initial assessment of each EMS provider at or above the AEMT level, and then within 12 months of each prior assessment, to determine whether the EMS provider has the knowledge and skills to competently perform the skills within the EMS provider's scope of practice, and a commitment to adequately perform other functions relevant to the EMS provider providing EMS at that level. EMS providers at or above the AEMT level may only perform skills that the EMS agency medical director has credentialed them to perform.

The Department wishes to highlight the following change to the scope of practice for all EMS providers: Effective November 29, 2014, administration of Naloxone in intranasal or auto-injector form is approved for all levels of EMS providers and is listed under the "Medications" category of this notice. This change is under sections 13.7 and 13.8 of the Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-113.7 and 780-113.8), which requires the Department, by December 31, 2014, to amend the scope of practice for EMS providers to include the administration of Naloxone. Prior to this change, Naloxone was listed on the approved drug list only for ALS ambulance services and for advanced-level EMS providers. See 42 Pa.B. 4229 (July 7, 2012).

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Category	Skill	EMR	EMT	AEMT	P*	
1	Airway/Ventilation/Oxygenation	Airway—Nonsurgical Alternative/Rescue Airway—CombiTube™, iGel® Supraglottic, King LT-D Airway™ or King LTS-D Airway™	No	No	Yes	Yes
2	Airway/Ventilation/Oxygenation	Airway—Oropharyngeal (OPA) & Nasopharyngeal (NPA)	Yes	Yes	Yes	Yes
3	Airway/Ventilation/Oxygenation	Airway—Pharyngeal tracheal lumen (PTL)	No	No	No	No
4	Airway/Ventilation/Oxygenation	Bag-valve-ETT/Nonsurgical alternative airway ventilation	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes	Yes
5	Airway/Ventilation/Oxygenation	Bag-valve-ventilation—with in-line small-volume nebulizer	No	Yes <sup>2</sup>	Yes	Yes
6	Airway/Ventilation/Oxygenation	Bag-valve-mask (BVM) ventilation	Yes	Yes	Yes	Yes
7	Airway/Ventilation/Oxygenation	Chest decompression—needle	No	No	No	Yes
8	Airway/Ventilation/Oxygenation	Chest tube thoracostomy, monitoring of existing tube in a closed system (for example water seal or suction)	No	No	No	No

<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>	
9	Airway/Ventilation/Oxygenation	Chest tube thoracostomy, monitoring of existing tube in a open system (for example vented, Heimlich valve)	No	No	No	Yes
10	Airway/Ventilation/Oxygenation	Chest tube thoracostomy, acute insertion	No	No	No	No
11	Airway/Ventilation/Oxygenation	Continuous positive airway pressure (CPAP)	No	Yes <sup>1</sup>	Yes	Yes
12	Airway/Ventilation/Oxygenation	Biphasic positive airway pressure (BiPAP) for patients chronically on BiPAP for >48 hours	No	No	No	Yes
13	Airway/Ventilation/Oxygenation	Biphasic positive airway pressure (BiPAP) for patients on BiPAP for <48 hours	No	No	No	No
14	Airway/Ventilation/Oxygenation	Cricothyrotomy—needle	No	No	No	Yes
15	Airway/Ventilation/Oxygenation	Cricothyrotomy—open/surgical	No	No	No	Yes
16	Airway/Ventilation/Oxygenation	Cricothyrotomy—overwire (Seldinger) technique	No	No	No	Yes
17	Airway/Ventilation/Oxygenation	End tidal CO <sub>2</sub> monitoring/capnography	No	No	Yes	Yes
18	Airway/Ventilation/Oxygenation	Esophageal obturator airway (EOA)/esophageal gastric tube airway (EGTA)	No	No	No	No
19	Airway/Ventilation/Oxygenation	Extubation—removal of ETT	No	No	No	Yes
20	Airway/Ventilation/Oxygenation	Gastric decompressions—Orogastric or nasogastric tube insertion	No	No	No	Yes
21	Airway/Ventilation/Oxygenation	Gastric decompression by alternative/rescue airway (CombiTube™ or King LTS-D™)	No	No	Yes	Yes
22	Airway/Ventilation/Oxygenation	Head-tilt/chin lift	Yes	Yes	Yes	Yes
23	Airway/Ventilation/Oxygenation	Inspiratory Impedance Threshold Device (ITD)	No	No	Yes <sup>1</sup>	Yes
24	Airway/Ventilation/Oxygenation	Endotracheal Intubation—by direct laryngoscopy (including video intubation devices), nasotracheal, digital and transillumination/lighted stylet techniques	No	No	No	Yes
25	Airway/Ventilation/Oxygenation	Endotracheal Intubation—paralytic assisted, rapid sequence induction (RSI)	No	No	No	No
26	Airway/Ventilation/Oxygenation	Ventilation—maintenance of previously initiated neuromuscular blockade	No	No	No	No
27	Airway/Ventilation/Oxygenation	Endotracheal Intubation—retrograde technique	No	No	No	No
28	Airway/Ventilation/Oxygenation	Laryngeal mask airway (LMA)	No	No	No	No
29	Airway/Ventilation/Oxygenation	Mouth-to-mouth, nose, stoma, barrier and pocket mask	Yes	Yes	Yes	Yes
30	Airway/Ventilation/Oxygenation	Obstruction—direct laryngoscopy (remove with forceps)	No	No	No	Yes
31	Airway/Ventilation/Oxygenation	Obstruction—manual (abdominal thrusts, finger sweep, chest thrusts) upper airway	Yes	Yes	Yes	Yes
32	Airway/Ventilation/Oxygenation	Oxygen therapy—blow-by delivery	Yes	Yes	Yes	Yes
33	Airway/Ventilation/Oxygenation	Oxygen therapy—humidifiers	No	Yes	Yes	Yes
34	Airway/Ventilation/Oxygenation	Oxygen therapy—nasal cannula	Yes	Yes	Yes	Yes
35	Airway/Ventilation/Oxygenation	Oxygen therapy—nonrebreather	Yes	Yes	Yes	Yes
36	Airway/Ventilation/Oxygenation	Oxygen therapy—partial rebreather	No	Yes	Yes	Yes
37	Airway/Ventilation/Oxygenation	Oxygen therapy—regulators	Yes	Yes	Yes	Yes
38	Airway/Ventilation/Oxygenation	Oxygen therapy—simple face mask	No	Yes	Yes	Yes
39	Airway/Ventilation/Oxygenation	Oxygen therapy—Venturi mask	No	Yes	Yes	Yes
40	Airway/Ventilation/Oxygenation	Peak expiratory flow assessment	No	No	Yes	Yes
41	Airway/Ventilation/Oxygenation	Suctioning—meconium aspiration	No	No	No	Yes
42	Airway/Ventilation/Oxygenation	Suctioning—stoma/tracheostomy	Yes	Yes	Yes	Yes
43	Airway/Ventilation/Oxygenation	Suctioning—tracheobronchial by advanced airway	No	Yes <sup>2</sup>	Yes	Yes
44	Airway/Ventilation/Oxygenation	Suctioning—upper airway (nasal)	Yes	Yes	Yes	Yes



<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>	
45	Airway/Ventilation/Oxygenation	Suctioning—upper airway (oral)	Yes	Yes	Yes	Yes
46	Airway/Ventilation/Oxygenation	Transtracheal jet ventilation	No	No	No	Yes
47	Airway/Ventilation/Oxygenation	Single mode, volume controlled automated ventilator (without blender)	No	No	Yes <sup>1</sup>	Yes <sup>1</sup>
48	Airway/Ventilation/Oxygenation	Ventilators, transport—single or multi-modal, with or without blender, using volume control mode only, on patients >1 year of age with no anticipated need to actively titrate ventilator settings during transport.	No	No	No	Yes
49	Airway/Ventilation/Oxygenation	Ventilators, that are portable and capable of being transported with a patient and are multi-modal, with a blender, that are used on patients requiring pressure control, pressure support or other advanced setting, or when there is an anticipated need by a healthcare provider involved with the care of the patient to actively titrate ventilator settings during transport, regardless of ventilation mode	No	No	No	No
50	Cardiovascular/Circulation	Blood pressure—auscultation	Yes	Yes	Yes	Yes
51	Cardiovascular/Circulation	Blood pressure—electronic non-invasive	Yes	Yes	Yes	Yes
52	Cardiovascular/Circulation	Blood pressure—palpation	Yes	Yes	Yes	Yes
53	Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—apply electrodes for single leads	No	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes
54	Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—obtain and transmit 12-lead ECG	No	Yes	Yes	Yes
55	Cardiovascular/Circulation	Electrocardiogram (ECG) monitoring—12-lead (interpret)	No	No	No	Yes
56	Cardiovascular/Circulation	Cardiac monitoring—single lead (interpret)	No	No	No	Yes
57	Cardiovascular/Circulation	Manual chest compressions—adult, child, infant	Yes	Yes	Yes	Yes
58	Cardiovascular/Circulation	Cardioversion—synchronized	No	No	No	Yes
59	Cardiovascular/Circulation	Defibrillation—counter shock—manual	No	No	No	Yes
60	Cardiovascular/Circulation	Transcutaneous cardiac pacing	No	No	No	Yes
61	Cardiovascular/Circulation	Transvenous or Epicardial pacing, Management of	No	No	No	No
62	Cardiovascular/Circulation	Defibrillation—automated external defibrillator (AED)	Yes	Yes	Yes	Yes
63	Cardiovascular/Circulation	Hemodynamic monitoring/assist (Swan Ganz, central venous pressure)	No	No	No	No
64	Cardiovascular/Circulation	Intra-aortic balloon pump or invasive cardiac assist device monitoring/assist	No	No	No	No
65	Cardiovascular/Circulation	Mechanical chest compression device use	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>
66	Cardiovascular/Circulation	Thrombolytic therapy—initiation	No	No	No	No
67	Cardiovascular/Circulation	Thrombolytic therapy—monitoring	No	No	No	No
68	IV Initiation/Maintenance/Fluids	Central venous cannulation/insertion	No	No	No	No
69	IV Initiation/Maintenance/Fluids	Central venous line—access of existing catheters with external ports	No	No	No	Yes
70	IV Initiation/Maintenance/Fluids	External jugular vein cannulation	No	No	No	Yes
71	IV Initiation/Maintenance/Fluids	Saline lock insertions as no-flow IV	No	No	Yes	Yes
72	IV Initiation/Maintenance/Fluids	Intraosseous—needle placement and infusion—tibia, femur and humerus	No	No	Yes	Yes
73	IV Initiation/Maintenance/Fluids	IV insertion, peripheral venous—initiation (cannulation)	No	No	Yes	Yes
74	IV Initiation/Maintenance/Fluids	Sub-cutaneous indwelling catheters—access of existing catheters	No	No	No	No
75	IV Initiation/Maintenance/Fluids	Venous blood sampling, peripheral—for clinical diagnostic purposes only	No	No	Yes	Yes

Category		Skill	EMR	EMT	AEMT	P*
76	IV Initiation/Maintenance/Fluids	Venous blood sampling, peripheral—for legal purposes only (Applies to Paramedics only, as defined and permitted by Act 142 or 2016)	No	No	No	Yes
77	IV Initiation/Maintenance/Fluids	Venous central line (blood sampling) obtaining	No	No	No	No
78	IV Initiation/Maintenance/Fluids	Arterial line—capped—transport	No	Yes	Yes	Yes
79	IV Initiation/Maintenance/Fluids	Arterial line—monitoring/assist	No	No	No	No
80	IV Initiation/Maintenance/Fluids	Blood/Blood-by-products administration (initiation and continuation)	No	No	No	No
81	Lifting and Moving	Patient lifting, moving and transfers	Yes	Yes	Yes	Yes
82	Lifting and Moving	Patient restraints on transport devices	Yes	Yes	Yes	Yes
83	Medication administration routes	Endotracheal (ET)	No	No	No	Yes
84	Medication administration routes	Inhalation (aerosolized/nebulized)	No	Yes	Yes	Yes
85	Medication administration routes	Intramuscular (IM)	No	No	Yes	Yes
86	Medication administration routes	Intranasal (IN)	No	No	Yes	Yes
87	Medication administration routes	Intraosseous (IO)—tibia, humerus or femur	No	No	Yes	Yes
88	Medication administration routes	Intravenous (IV)—fluid bolus	No	No	Yes	Yes
89	Medication administration routes	Intravenous (IV)—monitoring or maintaining existing intravenous infusion (crystalloid fluid as published in the EMS medication list in the <i>Pennsylvania Bulletin</i> ) during interfacility transport	No	No	Yes	Yes
90	Medication administration routes	Intravenous (IV) infusion, with added medication, including by intravenous pump	No	No	No	Yes
91	Medication administration routes	Nasogastric	No	No	No	Yes
92	Medication administration routes	Enteral feeding devices, Management of	No	No	No	No
93	Medication administration routes	Oral—over-the-counter medications for pain, fever and hypoglycemia (as listed in the approved medication list)	No	Yes	Yes	Yes
94	Medication administration routes	Rectal	No	No	No	Yes
95	Medication administration routes	Subcutaneous	No	No	Yes	Yes
96	Medication administration routes	Sublingual ( <i>Note</i> : EMT may only assist patient with his/her prescribed Nitroglycerin (NTG))	No	Yes	Yes	Yes
97	Medication administration routes	Topical	No	No	No	Yes
98	Medications	Auto-injector benzodiazepine for seizure	No	No	No	Yes
99	Medications	Auto-injector epinephrine (assist patient with his/her prescribed medication)	No	Yes	Yes	Yes
100	Medications	Auto-injected epinephrine-primary use—not patient's own prescription	No	Yes <sup>1</sup>	Yes	Yes
101	Medications	Medications as published in <i>Pennsylvania Bulletin</i> by the Department	Yes	Yes	Yes	Yes
102	Medications	Immunizations as published in the <i>Pennsylvania Bulletin</i> by the Department	No	No	No	Yes
103	Medications	Over-the-counter (OTC) medications (except as listed elsewhere for pain, fever, and hypoglycemia)	No	No	No	No
104	Medications	Oxygen	Yes <sup>1</sup>	Yes	Yes	Yes
105	Medications	Auto-injector nerve agent antidote—self or peer rescue	Yes	Yes	Yes	Yes
106	Medications	Auto-injector nerve agent antidote—patient treatment	No	Yes <sup>3</sup>	Yes <sup>3</sup>	Yes
107	Medications	Metered-dose inhaler (MDI) bronchodilator ( <i>Note</i> : EMT may only assist patient with his/her own prescribed medication)	No	Yes	Yes	Yes
108	Medications	Naloxone—Intranasal or intramuscular auto-injector	Yes <sup>1,6</sup>	Yes <sup>1,6</sup>	Yes	Yes

<i>Category</i>	<i>Skill</i>	<i>EMR</i>	<i>EMT</i>	<i>AEMT</i>	<i>P*</i>	
109	Medications	Glucagon—Intranasal (powder spray) or intramuscular auto-injector	No	Yes <sup>1</sup>	Yes	Yes
110	Patient assessment/management	Behavioral—Restrain violent patient	Yes <sup>1</sup>	Yes	Yes	Yes
111	Patient assessment/management	Blood glucose assessment	No	Yes <sup>1</sup>	Yes	Yes
112	Patient assessment/management	Portable blood analysis devices, use of (glucometer covered elsewhere)	No	No	No	No
113	Patient assessment/management	Childbirth—umbilical cord cutting	Yes	Yes	Yes	Yes
114	Patient assessment/management	Childbirth (abnormal/complications)	No	Yes	Yes	Yes
115	Patient assessment/management	Childbirth (normal)—cephalic delivery	Yes	Yes	Yes	Yes
116	Patient assessment/management	Carbon Monoxide CO-oximetry monitoring	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>
117	Patient assessment/management	Carbon Monoxide CO—Exhaled Analysis Device	No	Yes <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>
118	Patient assessment/management	Carbon Monoxide monitoring, with environmental surveillance devices	Yes	Yes	Yes	Yes
119	Patient assessment/management	Hemodynamic monitoring/assist (Swan Ganz, central venous pressure)	No	No	No	No
120	Patient assessment/management	Dislocation reduction	No	No	No	No
121	Patient assessment/management	Eye irrigation ( <i>Note</i> : irrigation through corneal contact device limited to AEMT and Paramedic)	Yes	Yes	Yes	Yes
122	Patient assessment/management	Intracranial monitoring/assist	No	No	No	No
123	Patient assessment/management	Patient management per Statewide EMS Protocols and Department approved protocols	Yes	Yes	Yes	Yes
124	Patient assessment/management	Pulse oximetry monitoring	No	Yes	Yes	Yes
125	Patient assessment/management	Splinting, extremity—manual, rigid, soft, vacuum	Yes	Yes	Yes	Yes
126	Patient assessment/management	Splinting, femur—traction	No	Yes	Yes	Yes
127	Patient assessment/management	Urinary catheterization	No	No	No	No
128	Patient assessment/management	Wound care, dressing, bandaging	Yes	Yes	Yes	Yes
129	Patient assessment/management	Wound care, removal of Taser probe/barb	No	No	No	No
130	Patient assessment/management	Wound drainage vacuum devices, monitoring	No	Yes	Yes	Yes
131	Patient assessment/management	Wound care, hemorrhage control—direct pressure, wound packing, tourniquet, bandaging, hemostatic agents	Yes	Yes	Yes	Yes
132	Patient assessment/management	Wound care, irrigation and skin closure with tape or adhesive glue	No	No	No	No
133	Spine Care	Restrict spinal motion—Cervical collar application	Yes	Yes	Yes	Yes
134	Spine Care	Restrict spinal motion—Helmet removal or stabilization	No	Yes	Yes	Yes
135	Spine Care	Restrict spinal motion—manual cervical spine stabilization	Yes	Yes	Yes	Yes
136	Spine Care	Restrict spinal motion—rapid extrication with precautions to restrict spinal movement	No	Yes	Yes	Yes
137	Spine Care	Devices to restrict spinal motion—for example—vacuum mattress, extrication devices, scoop stretcher and spine board)	No	Yes	Yes	Yes

*EMR*—Emergency Medical Responder;  
*EMT*—Emergency Medical Technician;  
*AEMT*—Advanced Emergency Medical Technician;  
*P\**—Paramedic (\*includes—PHRN/PHPE/PHP)

No—The skill is not in the scope of practice for the level of certification.  
Yes—The skill is in the scope of practice for the level of certification.

1. Additional training and authorization by EMS agency medical director is required, and this skill may only be used when functioning with a licensed EMS agency that complies with Department requirements for providing this skill.
2. May assist a P, PHRN, PHPE or PHP with this skill only when in the physical presence of and under the direct supervision of the higher level provider.
3. May perform this skill only in the physical presence of and under the direct supervision of a P, PHRN, PHPE or PHP.
4. After July 1, 2015, Statewide ALS Protocol will include any restrictions placed upon the use of this skill.
5. This skill becomes effective July 1, 2015.
6. Department-approved Act 139 training required and approval of the EMS medical director, and this skill may only be used when functioning with a licensed EMS agency that complies with Department requirements for providing this skill.

ALISON BEAM,  
*Acting Secretary*

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## DEPARTMENT OF HEALTH

### Vehicle, Equipment and Supply Requirements for Emergency Medical Services Agencies

Under 28 Pa. Code § 1027.3(c) (relating to licensure and general operating standards), the Department of Health (Department) has the authority to publish in the *Pennsylvania Bulletin*, and update as necessary, vehicle construction and equipment and supply requirements for emergency medical services (EMS) agencies based upon the types of services they provide and the EMS vehicles they operate. An EMS agency that is licensed to operate as a quick response service (QRS), basic life support ambulance, intermediate life support ambulance, advanced life support ambulance, critical care ambulance, air ambulance, basic life support squad, intermediate life support squad and advanced life support squad service by the Department under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies), shall maintain and have readily available in working order the following vehicle, equipment and supply requirements.

#### A. Ground Ambulance Requirements

*Ground Ambulances:* QRS/Basic Life Support/Intermediate Life Support/Advanced Life Support/Critical Care Transport/Basic Life Support Squad/Intermediate Life Support Squad/Advanced Life Support Squad

1. The ambulance must meet the requirements of Federal Specifications KKK 1822 and Ambulance Manufacturers Division (AMD) Standards in effect at the time of the vehicles manufacture. (Does not apply to a Squad Vehicle.)
2. The ambulance must meet the requirements in 75 Pa.C.S. (relating to Vehicle Code) for vehicle registration, annual safety inspection and liability insurance, and the requirements of all Department of Transportation regulations relating to flashing and revolving lights, including intersection lights.
3. Emblems and markings must be affixed to the ambulance exterior as follows:
  - a. The word "AMBULANCE" shall be mirror imaged in letters not less than 4" high, centered above the grill. The placement of the word "AMBULANCE" shall be on the rear of the vehicle and the curved surface of the hood or can be placed on a flat bug screen. (Does not apply to a Squad Vehicle or QRS Vehicle.)
  - b. The words "EMS SQUAD," "PARAMEDIC," "ALS SQUAD," "BLS SQUAD" or "PARAMEDIC RESCUE,"

shall be mirror imaged in letters not less than 4" high, centered above the grill. The placement of the wording identified in this section shall be on the rear of the vehicle and the curved surface of the hood, front bumper or can be placed on a flat bug screen. (Does not apply to ambulances, Fire Apparatus (for example, Rescue, Engine, Ladder, Tower and the like) that is primarily used for fire suppression or QRS Vehicle.)

c. "Star of Life" shall appear on the ambulance in the following sizes and numbers

- \* Two 3" size "Stars of Life" on each side of the word "AMBULANCE" on the hood of the vehicle or on a bug screen.
- \* Two 16" size "Stars of Life" on the right and left side panels.
- \* Two 12" size "Stars of Life" on the rear of the vehicle.
- \* One 32" size "Star of Life" on the vehicle rooftop.

*Note:* All squad units must have at least 3" size "Stars of Life," one on each side, and two in front and two on the rear of the vehicle. (Does not apply to QRS Vehicles.)

d. The Department issued licensure decal must be applied to right and left exterior sides of the vehicle in a conspicuous place.

e. A reflective chevron is not required. If used, a reflective chevron may be placed on the rear vertical surface of the exterior of the vehicle. The chevron pattern shall slant downward on both sides of the vehicle at an angle of 45° pointing in the direction of the bottom rear corner of the tailboard. The pattern shall resemble an inverted V with the point at the top center of the vehicle. The chevron shall use an alternating color pattern. The vertical panels shall be 8" to 12" wide and at least 24" in height, and consist of alternating color retro-reflective stripes at least 4" in width. If the panel height is greater than 36" the stripes shall be 6" wide, shall slope down at 45° and have a minimum of 270 square inches of retro-reflective area facing traffic.

4. The name of the EMS agency or its registered fictitious name in letters at least 3" in size must appear on both the right and left exterior sides of the vehicle. The name must be the dominant lettering. Reference the Agency Name and Fictitious Name FAQ published on January 20, 2017.

a. The word "Ambulance" or words such as Emergency Medical Services, EMS and Rescue must also appear on both exterior sides and rear of the vehicle. (Does not apply to Squad Vehicle.)



5. The EMS vehicle must be equipped with an electronically operated audible warning device with a 100-watt or higher watt speaker.

6. The ambulance must have overhead interior lighting that illuminates the entire top surface of the patient litter, stair-well lighting and courtesy lights that must illuminate the ambulance's controls. (Does not apply to a Squad Vehicle or QRS Vehicle.)

7. The ambulance must have a dual battery system. (Does not apply to Squad Vehicle or QRS Vehicle.)

8. The ambulance must have two minimum 5 pound unit fire extinguishers (ABC dry chemical or carbon dioxide) in a quick-release bracket, one in the driver/cab compartment or in the body of the ambulance reachable from outside the vehicle and one in the patient compartment. When located in either the driver or patient compartment the mounting bracket shall be of a stable design. Each fire extinguisher must be intact with a safety seal, have been inspected within the previous 12 calendar months and have the appropriate completed inspection tag attached. (Squad and QRS Vehicles are only required to have one.)

9. The ambulance must have a power supply to generate sufficient current to operate all accessories without excessive demand on the generating system. All exterior and interior lighting and onboard equipment shall be able to run for at least 5 minutes without placing a demand on the engine.

10. The ambulance must have a nonskid floor that is flat, reasonably unencumbered, free of equipment in the walk-through areas and well maintained. (Does not apply to a Squad Vehicle or QRS Vehicle.)

11. The ambulance must have minimum interior dimensions of 60" from floor to ceiling. (Does not apply to a Squad Vehicle or QRS Vehicle.)

12. The ambulance must have a patient partition to separate the patient area from the driver area. (Does not apply to a Squad Vehicle or QRS Vehicle.)

13. The ambulance must have storage cabinets with sliding doors or with latches, or have a cargo-type netting or other means to ensure against opening during vehicle movement. (Does not apply to a Squad Vehicle or QRS Vehicle.)

14. Bulky items such as portable radios and AEDs, oxygen equipment and jump bags must be secured at all times during patient transport to prevent them from falling on patients or crew or becoming projectiles if the vehicle is involved in an accident. Equipment on a Squad Vehicle or QRS must be in cabinets or otherwise secured at all times.

15. The ambulance must have two IV hangers mounted flush with the ceiling. (Does not apply to a Squad Vehicle or QRS Vehicle.)

16. The ambulance must have a litter for transporting a patient and at least five patient restraint straps (which includes a minimum of two shoulder restraint straps) in good operating condition that are secured to the litter. (Does not apply to a Squad Vehicle or QRS Vehicle.)

17. The ambulance must have a stair chair designed for patient extrication.

18. The ambulance must have a pediatric safe transport device. (Does not apply to a Squad Vehicle or QRS Vehicle.)

19. The ambulance must have doors that function properly with door seals that are not cracked, broken or missing pieces, and are otherwise in good condition.

20. The ambulance must have both "No Smoking Oxygen Equipped" and "Fasten Seat Belts" signs (in English) in both the driver and the patient compartment. A Squad and QRS Vehicle is required to have these signs in the driver compartment.

21. The ambulance must have operational heating, cooling and ventilation equipment meeting GSA KKK-1822 Standard. Must be capable of maintaining patient compartment temperature of 68°F to 78°F.

22. Required equipment and supplies shall be carried and readily available in working order and maintained in accordance with manufactures recommended/required operating standards.

23. The EMS vehicle must have current vehicle inspection validation issued by the state where the vehicle is registered.

24. The EMS vehicle must have communication equipment that is in compliance with the regional communication plan. This equipment shall allow for direct communication with a public safety answering point (PSAP) and hospitals in the agency response/service areas. A cellular phone may be used as a backup means of communication and not as the primary means of communication.

25. The ambulance must have an installed, onboard oxygen system with the following: (Does not apply to a Squad Vehicle or QRS Vehicle.)

a. At least 122 cubic feet supply of oxygen in a cylinder that is secured to provide maximum safety for patients and personnel. The oxygen cylinders shall be mounted with restraining devices, as required for the crashworthiness tests of AMD Standard 003, Oxygen Tank Retention System. A liquid oxygen system that provides the same volume of oxygen and meets AMD Standard 003 is also acceptable. Critical Care Transport ambulance must have onboard oxygen system with a capacity of a minimum of 6,800 liters.

b. The cylinder must have more than 500 liters of oxygen at all times (Critical Care Transport ambulance must have more than 1,750 liters of oxygen at all times.) and be secured with at least three metal or nylon brackets while in the compartment.

c. The unit must be equipped with a reducing valve (from 2,000 psi to 50 psi line pressure).

d. The unit must be equipped with one flow meter with a range of 0—25 lpm delivery.

26. The ambulance must have an installed onboard suctioning system with the following components or capabilities; or both: (Does not apply to Squad Vehicle.)

a. It is fitted with a large bore, nonkinking tubing.

b. It has power enough to provide within 4 seconds a vacuum of over 300 mm/Hg or 11.8 inches of water when the tube is clamped.

c. It is controllable for use on children and intubated patients. The vacuum gauge, when attached to the tubing, must be adjustable to the amount of vacuum needed to ensure that the unit can maintain vacuum levels without requiring continuous increase in control.

d. It is equipped with a lateral opening between the suction tube and the suction source.

B. *Air (Rotorcraft) Ambulance Requirements*

The following will apply to all air ambulances. The air ambulance must have:

1. The name of the air ambulance service or its registered fictitious name prominently displayed on the exterior of the aircraft. Reference the Agency Name and Fictitious Name FAQ published on January 20, 2017.
2. Exterior lighting that illuminates the tail rotor and pilot controllable search/spot/landing lights.
3. An “Air Worthiness Certificate” from the Federal Aviation Administration (FAA).
4. A patient litter capable of carrying one adult in the supine position and capable of being secured according to FAA requirements.
5. An FAA Form 337 with items 1 (which identifies the aircraft), 2 (which identifies the aircraft owner) and 7 (which shows that the aircraft is approved to “Return to Service”) completed and signed by the appropriate FAA official.
6. Climate controls for maintaining an ambient cabin temperature of between 60°—85° during flight.
7. Sufficient interior lighting to allow for close observation of patients.
8. A physical barrier between the pilot, throttle, flight controls and radios and the patients.
9. Patient litter with manufacture approved straps.

10. A 110-volt electrical outlet for each patient transported.

11. Two-way radio communications for the pilot to be able to communicate with hospitals, PSAPs and ground ambulances in areas to which the air ambulance routinely provides service.

12. At least one headsets per crew member with built in communication among the crew when the aircraft is operating and noise levels prevent normal conversation.

13. One fully charged fire extinguisher rated at least 5 B:C securely mounted where it can be reached by the pilot or crewmembers. The fire extinguisher must be intact with safety seal, have been inspected within the previous 12 calendar months and have the appropriate inspection tag attached.

14. Installed onboard suctioning equipment that meets the same requirements as a transporting ground ambulance. (See requirements under Ground Ambulances.)

15. Must have a pediatric safe transport device.

16. An onboard oxygen system with the following:

- a. Cylinders with a capacity of 1,200 liters.
- b. The cylinders must have at least 1,650 psi at the time of inspection.
- c. If a liquid oxygen system is used, manufacturer documentation must be provided that the system has at least a 1,200-liter capacity.
- d. A flow meter with a range of 0—25 lpm delivery.

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Portable Suction Unit with wide-bore tubing. Must achieve 300 mm/Hg or 11.8" in 4 sec	X	X	X	X	X	X	X	X	X
<i>Suction catheters, pharyngeal: (Must be sterile) Size is FR</i>									
Rigid (2)	X	X	X	X	X	X	X	X	X
Flexible 6 and 8 (1 each)		X	X	X	X	X	X	X	X
Flexible 10 or 12 (2)		X	X	X	X	X	X	X	X
Flexible 14 or 16 (2)		X	X	X	X	X	X	X	X
<i>Airways:</i>									
Nasopharyngeal (5 different sizes) Size 16, Size 24, Size 26, Size 32, Size 34 (1 of each)	X	X	X	X	X	X	X	X	X
Oropharyngeal (6 different sizes) Size 0, Size 1, Size 2, Size 3, Size 4, Size 5 (1 of each)	X	X	X	X	X	X	X	X	X
<i>Sphygmomanometer:</i>									
Child, Adult and Thigh (large) (1 each) Interchangeable gauges are permitted	X	X	X	X	X	X	X	X	X
Stethoscope (1) Adult and (1) Pediatric	X	X	X	X	X	X	X	X	X
Stethoscope Doppler (1)								X	X
Penlight (1)	X	X	X	X	X	X	X	X	X
<i>Portable Oxygen Unit:</i>									
Cylinder capacity of at least 300 Liters (D Size), with 500 psi Yoke Cylinder with a minimum total pressure of 500 psi	X	X	X	X	X	X	X		X

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Nonsparking wrench/tank opening device	X	X	X	X	X	X	X	X	X
Gauge/flow meter not gravity dependent and can deliver 0—25 liter per minute	X	X	X	X	X	X	X	X	X
Full spare cylinder with at least 300 liter capacity	X	X	X	X	X	X	X		X
Cylinders must be secured in the vehicle at all times	X	X	X	X	X	X	X	X	X
Folding Litter/Collapsible Device (1)		X		X		X		X	
<i>Oxygen Delivery Devices:</i>									
Nasal Cannulas adult/pediatric 1 each	X	X	X	X	X	X	X	X	X
High concentration mask capable of providing 80% or greater concentration adult, pediatric, infant—1 each	X	X	X	X	X	X	X	X	X
Humidifier bottle (1)		X		X		X		X	
Adhesive Tape (4 rolls assorted) 1 roll must be hypoallergenic	X	X	X	X	X	X	X	X	X
<i>Dressings:</i>									
Multi Trauma (10 × 30) (4)	X	X	X	X	X	X	X	X	X
Occlusive (3 × 4) (4)	X	X	X	X	X	X	X	X	X
Sterile Gauze Pads (4 × 4) (25)	X	X	X	X	X	X	X	X	X
Soft self-adhering (6 rolls)	X	X	X	X	X	X	X	X	X
Bandage Shears (1)	X	X	X	X	X	X	X	X	X
<i>Immobilization Devices:</i>									
Cervical spine device (1)		X		X		X		X	
Long spine board (1)		X		X		X		X	
Rigid/Semi-rigid neck immobilizer S, M, L, pediatric (1 each) Multi-size are permitted and will suffice for the S, M, L (3)		X	X	X	X	X	X	X	X
<i>Bag-Valve-Mask Devices:</i>									
Hand operated infant/pediatric (450—700cc) (1) Must be capable of high concentration oxygen delivery with adult and pediatric masks to include neonatal, infant and child sizes	X	X	X	X	X	X	X	X	X
Pediatric length-based Drug Dosing/Equipment Sizing Tape, most current version available				X	X	X	X	X	X
Straps—9' (5) (may substitute spider straps or speed clips for 3 straps)		X		X		X		X	
<i>Splinting Devices:</i>									
Lower extremity mechanical traction splint adult and pediatric (1 each or combination)		X		X		X		X	
Upper and Lower extremity splints (2 each)		X		X		X		X	
Sterile Water/Normal Saline (2 liters)		X	X	X	X	X	X	X	X
Sterile Burn Sheet (4' by 4') (2)	X	X	X	X	X	X	X	X	X
Cold Packs, Chemical (4)		X	X	X	X	X	X	X	X

<i>Equipment/Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Heat Packs, Chemical (4)		X	X	X	X	X	X	X	X
Triangular Bandages (8)	X	X	X	X	X	X	X	X	
Sterile OB Kits (2) (AIR 1)		X	X	X	X	X	X	X	X
Separate Bulb Syringe (1) Sterile		X	X	X	X	X	X	X	X
Sterile Thermal Blanket (Silver Swaddler) (1), or 1 roll of sterile aluminum foil for use on infants/newborns		X	X	X	X	X	X	X	X
Blankets (2)	X	X	X	X	X	X	X	X	
Sheets (4)		X		X		X		X	
Pillowcases (2)		X		X		X		X	
Pillow (1)		X		X		X		X	
Towels (4)		X		X		X		X	
Appropriate patient coverings capable of maintaining body temperature based on anticipated weather conditions									X
Disposable Tissues (1 box)		X		X		X		X	
Emesis Container (1)		X		X		X		X	
Urinal (1)		X		X		X		X	
Bed Pan (1)		X		X		X		X	
Disposable Paper Drinking Cups (3 oz.) (4)		X		X		X		X	
Regional Approved Triage Tags (20)	X	X	X	X	X	X	X	X	
Hand-lights (2)	X	X	X	X	X	X	X	X	
Hazard Warning Device (3)		X	X	X	X	X	X	X	
Emergency BLS/ALS Jump Kit (1)	X	X	X	X	X	X	X	X	
Survival Bag (1)									X
Emergency Response Guidebook (1) Current Ed.	X	X	X	X	X	X	X	X	
Thermometer—electronic digital, non-tympanic		X	X	X	X	X	X	X	X
Sharps Receptacle—Secured		X		X		X		X	
Instant Glucose (40% dextrose-d-glucose gel) or food grade substitute (for example, cake frosting) 45 grams		X	X	X	X	X	X	X	X
Personal Protective Equipment (PPE) Helmet, eye protection, gloves and high-visibility safety apparel (1 per crew member)	X	X	X	X	X	X	X	X	
Flight Helmet (1 per crew member) W/Comm.									X
<i>Personal Infection Control Kit, which includes the following:</i>									
Eye protection, clear, disposable (1 per crew member)	X	X	X	X	X	X	X	X	X
Gown/coat (1 per crew member)	X	X	X	X	X	X	X	X	X
Surgical Cap/Foot Coverings, disposable (1 set per crew member)	X	X	X	X	X	X	X	X	X
Exam Gloves (1 set per crew member)	X	X	X	X	X	X	X	X	X
Sharps Containers and Red Bags per Infectious Control Plan	X	X	X	X	X	X	X	X	X



<i>Equipment/Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
N95 respirator (1 per crew member)	X	X	X	X	X	X	X	X	X
Hand Disinfectant—Nonwater hand disinfectant (1 container)	X	X	X	X	X	X	X	X	X
Sponges, Alcohol, Prep (10)				X	X	X	X	X	X
<i>Endotracheal Tubes Sizes/Quantities:</i>									
2.5 mm or 3.0 mm (2 uncuffed)						X	X	X	X
3.5 mm or 4.0 mm (2 uncuffed)						X	X	X	X
4.5 mm or 5.0 mm (2)						X	X	X	X
5.5 mm or 6.0 mm (2)						X	X	X	X
6.5 mm or 7.0 mm (2)						X	X	X	X
7.5 mm or 8.0 mm (2)						X	X	X	X
8.5 mm or 9.0 mm (2)						X	X	X	X
(3) King LT™ Size 3, 4 and 5 or (3) i-gel® Size 3, 4 and 5 or (2) Combitubes™ Size 37 Fr and 41 Fr				X	X	X	X	X	X
Electronic Wave-Form Capnography				X	X	X	X	X	X
Laryngoscope handle with batteries and spare batteries and bulbs and the following blades:						X	X	X	X
<i>Straight</i>									
# 1 (S)						X	X	X	X
# 2 (M)						X	X	X	X
# 3 (L)						X	X	X	X
<i>Curved</i>									
# 3						X	X	X	X
# 4						X	X	X	X
Lubrication (2 cc or larger tubes) sterile water soluble (2)	X	X	X	X	X	X	X	X	X
Forceps, Magill (adult/pediatric 1 each)						X	X	X	X
<i>Medication and Supplies:</i>									
Per Statewide protocols, approved medications that must be kept within expiration dates		X	X	X	X	X	X	X	X
Nebulizer System (1)				X	X	X	X	X	X
<i>Hypodermic needles:</i>									
16—18 gauge (4), 20—22 gauge (4), 23—25 gauge, (4) Total of 12 and each must be individually wrapped and sterile. Two syringes of assorted sizes, including at least one with a 1 mL volume				X	X	X	X	X	X
<i>Defibrillator/Monitor: (FDA approved)</i>									
(HIGHER THAN IALS ONLY) Battery powered, monophasic or biphasic, energy dose range capable of treating adult and pediatric patients, paper readout, 12 lead electrocardiogram with transmit capabilities and pediatric/adult pads with pacing capabilities						X	X	X	X

<i>Equipment /Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
<i>12-Lead ECG</i>									
Battery powered, 12 lead electrocardiogram with paper print out and transmit capabilities				X*	X*				
<i>Defibrillator /Monitor Supplies:</i>									
Defibrillator pads, (1) set of adult and (1) set of pediatric, electrodes (ECG, adult and pediatric sizes 12 each)				X	X	X	X	X	X
Automated External Defibrillator with pads, (1) set of adult. and (1) set of Pedi Pads	X	X	X	X*	X*				
<i>*IALS vehicles must be capable of obtaining and transmitting a 12-lead ECG and have an AED. To meet this requirement the AED and 12-Lead ECG can be met with a single device or by having two separate</i>									
CPAP Ventilation—portable equipment with (2) disposable masks				X	X	X	X	X	X
Stylette, Malleable—adult (1) must be sterile						X	X	X	X
Phlebotomy Equipment (per protocols)						X	X	X	
Pulse Oximetry		X	X	X	X	X	X	X	X
Electronic Glucose Meter (Optional for BLS ambulance and BLS squad as of September 1, 2017)				X	X	X	X	X	X
“IV” fluid Therapy Supplies Catheters over the Needle sized 14, 16, 18, 20, 22 (4 each) and 24 (2)				X	X	X	X	X	X
Micro drip 50—60 drops/ml (2)						X	X	X	X
Macro drip 10—20 drops/ml (2)				X	X	X	X	X	X
IV solutions (2,000) ml total per Statewide protocols				X	X	X	X	X	X
Tourniquets for IV (2)				X	X	X	X	X	X
Intraosseous Needle 14—18 gauge (1 of each)						X	X	X	X
Commercial “Tactical” Tourniquet (2)	X	X	X	X	X	X	X	X	X
Copy of most current version of Statewide EMS protocols	X	X	X	X	X	X	X	X	X
Aspirin, chewable, one small bottle		X	X	X	X	X	X	X	X
Bougie endotracheal tube introducer (1)								X	X
Video capable laryngoscope with appropriate sized blades (1)								X	X
Electronic wave-form capnography, nonintubated patient, capable of wave-form display (1)								X	X
Electronic wave-form capnograph, including gas sampler for intubated patient, capable of wave-form display (1)				X	X	X	X	X	X
Portable transport ventilator which must have the capabilities that include, but are not limited to, controlling rate, volume, FiO2, I:E Ratio, PEEP and volume control, pressure control, SIMV and NPPV modes. Device must have both volume and pressure modes and low/high pressure warning alarms (1)								X	X

<i>Equipment / Supplies</i>	<i>QRS</i>	<i>BLS Ambulance</i>	<i>BLS Squad</i>	<i>IALS Ambulance</i>	<i>IALS Squad</i>	<i>ALS Ambulance</i>	<i>ALS Squad</i>	<i>CCT</i>	<i>Air</i>
Portable transport ventilator circuits appropriately sized for patient being transported (2)								X	X
3 1/4" over the needle catheter in 10, 12 or 14 gauge (2)						X	X	X	X
Automated noninvasive blood pressure monitoring device (1)								X	X
Endotracheal cuff pressure manometer (1)								X	X
Invasive pressure monitoring, electronic waveform, two-channel capability (1)								X	X
Portable Doppler (1)								X	X
Pelvic stabilization device (1)								X	X
Blood administration sets only if agency provides or maintains blood products (2)								X	X
Intravenous infusion pumps or one multi-channel unit capable of managing three simultaneous infusions (3)								X	X
Onboard oxygen with a capacity of a minimum of 6,800 liters								X	
Portable oxygen with a capacity of a minimum of 1,800 liters								X	
Inverter or generator capability of supporting all required equipment electrical needs								X	

All QRS, basic life support, intermediate advanced life support (IALS), and advanced life support (ALS) ambulances services, which also includes air (rotorcraft) agencies that are licensed to operate in this Commonwealth, shall collect, maintain and report accurate and reliable patient data and information for calls of assistance in the format prescribed using electronic forms provided or approved by the Department. An EMS agency shall file the report for any call to which it responds that results in patient care, assessment or refusal of the patient to be assessed. The report shall be made by completing an EMS patient care report and filing it, within 30 days, with the regional EMS council that is assigned responsibilities for the region in which the ambulance is based. It shall contain information specified by the Department. The Department will publish a list of the data elements and the form specifications for the EMS patient care report form in a notice in the *Pennsylvania Bulletin* and on the Department's web site. Electronic reporting shall conform with the requirements published in the *Pennsylvania Bulletin* notice. The Department will maintain a list of software it has determined to satisfy the requirements for electronic reporting.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Aaron M. Rhone, Department of Health, Bureau of Emergency Medical Services, 1310 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740. Persons with a speech or hearing impairment may use V/TT (717) 783-6154 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

ALISON BEAM,  
*Acting Secretary*

[Pa.B. Doc. No. 21-1539. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Disproportionate Share Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funds for a class of disproportionate share hospital (DSH) payments for qualifying acute care general hospitals in Fiscal Year (FY) 2021-2022. These payments will provide financial relief to

hospitals and promote access to acute care services for Pennsylvania Medical Assistance (MA) beneficiaries during the novel coronavirus (COVID-19) pandemic. The Department is updating the payment methodology for these hospitals, but the Department is not otherwise changing the eligibility criteria for these payments.

#### *Payment Methodology*

The Department will determine a qualifying hospital's annual payment amount by multiplying the hospital's number of Pennsylvania MA inpatient acute care days, both fee-for-service and managed care, by either:

- a) \$84.77 for qualifying hospitals with at least 90% MA dependence percent ranking; or,
- b) \$67.82 for qualifying hospitals with at least 75% but less than 90% MA dependence percent ranking; or,
- c) \$50.86 for qualifying hospitals with at least 50% but less than 75% MA dependence percent ranking; or,
- d) \$33.91 for qualifying hospitals with less than 50% MA dependence percent ranking.

For purposes of these DSH payments, the Department determines each hospital's MA dependence statistic by dividing the hospital's Pennsylvania MA inpatient acute care days, both fee-for-service and managed care, by the hospital's total hospital inpatient acute care days. The Department determines each hospital's MA dependence percent ranking using the hospital's MA dependence statistic in relation to all eligible hospitals. The source of the information is the FY 2017-2018 MA-336 Hospital Cost Report, as available to the Department on April 7, 2020.

All payment limitations are still 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. The Department will not redistribute DSH payments made under this class of DSH payments to qualifying hospitals as a result of a qualifying hospital exceeding its hospital-specific DSH limit.

*Fiscal Impact*

For FY 2021-2022, the Department will allocate an annualized amount of \$85.586 million in total funds (State and Federal) for these DSH payments, upon approval by the Centers for Medicare & Medicaid Services and adjusted to reflect the reconciliation factor described in Part VI of the Pennsylvania State Plan.

*Public Comment*

Interested persons are invited to submit written comments regarding this proposed payment 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-1463. (1) General Fund; (2) Implementing Year 2021-22 is \$35,193,000; (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) MA—Fee-for-Service; (8) recommends adoption. The MA—Fee-for-Service appropriation is able to absorb this increase.

[Pa.B. Doc. No. 21-1540. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Medical Assistance Program Fee Schedule Revisions; 2021 Healthcare Common Procedure Coding System Updates and Fee Adjustments; Prior Authorization Requirements

The Department of Human Services (Department) announces changes to the Medical Assistance (MA) Program Fee Schedule. These changes are effective for dates of service on and after August 23, 2021.

The Department is adding and end-dating procedure codes as a result of implementing the 2021 updates published by the Centers for Medicare & Medicaid Services to the Healthcare Common Procedure Coding System (HCPCS). The Department is also adding other procedure codes and making changes to procedure codes currently on the MA Program Fee Schedule, to include fee adjustments. As follows, some of the procedure codes being added to the MA Program Fee Schedule will require prior authorization.

*Procedure Codes Being Added or End-dated*

The Department is adding the following procedure codes, and procedure code and modifier combinations to the MA Program Fee Schedule as a result of the 2021 HCPCS updates. These procedure codes may include the modifiers SG (ASC/SPU facility support component), 80 (assistant surgeon), 26 (professional component) or TC (technical component).

<i>Procedure Codes and Modifiers</i>				
30468	30468 (SG)	32408	32408 (SG)	33741
33741 (80)	33745	33745 (80)	33746	33746 (80)
71271	71271 (26)	71271 (TC)	80189	81168
81279	92650	92651	92652	92653
94619	94619 (26)	94619 (TC)	D1321	D3471
D3471 (SG)	D3472	D3472 (SG)	D3473	D3473 (SG)
D3501	D3501 (SG)	D3502	D3502 (SG)	D3503
D3503 (SG)	D7961	D7961 (SG)	D7962	D7962 (SG)
G2213	G2214	G2215	G2216	

The Department is end-dating the following procedure codes from the MA Program Fee Schedule as a result of the 2021 HCPCS updates:

<i>Procedure Codes</i>				
19324	19366	32405	49220	57112
58293	61870	62163	63180	63182
69605	76970	78135	92585	92586
92992	92993	94250	94400	94750
94770	95071	99201	D7960	G0297

The Department is adding the following procedure codes, and procedure code and modifier combinations to



the MA Program Fee Schedule based upon clinical review. These procedure codes may include modifiers 26, TC and FP (Family Planning).

Procedure Codes and Modifiers				
87510	87510 (FP)	90471	90472	93351
93351 (26)	93351 (TC)	A9274		

*Prior Authorization Requirements*

For the following procedure codes, and procedure code and modifier combinations being added to the MA Program Fee Schedule, which are advanced radiology services, the Department will require prior authorization, under section 443.6(b)(7) of the Human Services Code (code) (62 P.S. § 443.6(b)(7)). The process for obtaining prior authorization is described in MA Bulletin 01-14-42, titled "Advanced Radiologic Imaging Services," which may be viewed online at <https://www.dhs.pa.gov/providers/FAQs/Documents/MA%20Bulletin%2001-14-42.pdf>.

Procedure Codes and Modifiers		
71271	71271 (26)	71271 (TC)

The following procedure codes being added to the MA Program Fee Schedule require prior authorization, as authorized under section 443.6(b)(7) of the code:

Procedure Codes and Modifiers	
81168	81279

The following dental procedure codes, and procedure codes and modifier combinations being added to the MA Program Fee Schedule require prior authorization, as authorized under section 443.6(b)(5) of the code:

Procedure Codes and Modifiers				
D3471	D3471 (SG)	D3472	D3472 (SG)	D3473

Procedure Codes and Modifiers				
D3473 (SG)	D3501	D3501 (SG)	D3502	D3502 (SG)
D3503	D3503 (SG)			

*Procedure Codes for Take-Home Supplies of Naloxone*

The Department is adding G2215 and G2216 as add-on procedures to the MA Program Fee Schedule to track the dispensing of take-home supplies of Naloxone. In order to identify when take-home supplies of Naloxone are dispensed, providers should use G2215 or G2216 in addition to one of the following procedure codes that are currently open on the MA Program Fee Schedule:

Procedure Codes				
99202	99203	99204	99205	99211
99212	99213	99214	99215	99281
99282	99283	99284	99285	T1015

*Updates to Procedure Codes Currently on the MA Program Fee Schedule*

*Physicians' Services*

The GT (telemedicine) modifier is being removed for the following procedure codes and POS 02 (telemedicine) is being added for providers to identify when these services are provided by means of telemedicine.

Procedure Codes				
99221	99222	99223	99231	99232
99233	99241			

The Department is adjusting the MA Program fee for the evaluation and management procedure codes identified as follows, effective August 23, 2021.

Procedure Codes	Code Description	Current Fee	New Fee
99221	Initial hospital care, per day, for the evaluation and management of a patient, which requires these three key components: a detailed or comprehensive history; a detailed or comprehensive examination; and medical decision making that is straightforward or of low complexity. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient's or family's needs, or both. Usually, the problems requiring admission are of low severity. Typically, 30 minutes are spent at the bedside and on the patient's hospital floor or unit.	\$29.50	\$79
99222	Initial hospital care, per day, for the evaluation and management of a patient, which requires these three key components: a comprehensive history; a comprehensive examination; and medical decision making of moderate complexity. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient's or family's needs, or both. Usually, the problems requiring admission are of moderate severity. Typically, 50 minutes are spent at the bedside and on the patient's hospital floor or unit.	\$29.50	\$106.37

<i>Procedure Codes</i>	<i>Code Description</i>	<i>Current Fee</i>	<i>New Fee</i>
99223	Initial hospital care, per day, for the evaluation and management of a patient, which requires these three key components: a comprehensive history; a comprehensive examination; and medical decision making of high complexity. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient's or family's needs, or both. Usually, the problems requiring admission are of high severity. Typically, 70 minutes are spent at the bedside and on the patient's hospital floor or unit.	\$42	\$156.63
99231	Subsequent hospital care, per day, for the evaluation and management of a patient, which requires at least two of these three key components: a problem focused interval history; a problem focused examination; medical decision making that is straightforward or of low complexity. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient's or family's needs, or both. Usually, the patient is stable, recovering or improving. Typically, 15 minutes are spent at the bedside and on the patient's hospital floor or unit.	\$17	\$30.06
99232	Subsequent hospital care, per day, for the evaluation and management of a patient, which requires at least two of these three key components: an expanded problem focused interval history; an expanded problem focused examination; medical decision making of moderate complexity. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient's or family's needs, or both. Usually, the patient is responding inadequately to therapy or has developed a minor complication. Typically, 25 minutes are spent at the bedside and on the patient's hospital floor or unit.	\$17	\$56.22
99233	Subsequent hospital care, per day, for the evaluation and management of a patient, which requires at least two of these three key components: a detailed interval history; a detailed examination; medical decision making of high complexity. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient's or family's needs, or both. Usually, the patient is unstable or has developed a significant complication or a significant new problem. Typically, 35 minutes are spent at the bedside and on the patient's hospital floor or unit.	\$17	\$80.79

*Ambulatory Surgical Center (ASC)/Short Procedure Unit (SPU) Services*

The Department is opening Provider Type (PT)/Specialty (Spec) combinations 01/021 (SPU), 02/020 (ASC), or both for the procedure codes identified as follows in Place of Service (POS) 24 (ASC) with the SG modifier as clinical review determined these procedure codes can be performed safely in a SPU, ASC, or both, depending on the procedure, and will be paid the facility support component fee of \$776:

<i>Procedure Code</i>	<i>New PT/Spec</i>	<i>POS</i>
19307 (SG)	01/021	24
27486 (SG)	01/021	24
63055 (SG)	01/021 02/020	24

The Department is adding POS 24 for PT/Spec 31 (Physician)/All for the following procedure code and modifier combinations as a result of clinical review and the Department's determination that this setting is appropriate for the performance of these services. These procedure codes include modifiers 80, RT (right), LT (left) or 50 (bilateral), or both.

<i>Procedure Code</i>				
19307 (RT)	19307 (LT)	19307 (50)	19307 (80) (RT)	19307 (80) (LT)
19307 (80) (50)	27486 (RT)	27486 (LT)	27486 (50)	27486 (80) (RT)
27486 (80) (LT)	27486 (80) (50)	63055	63055 (80)	

*Laboratory Services*

The Department is adding the FP modifier for the following laboratory procedure code, as determined by clinical review, in the PT/Spec/POS combinations as indicated as follows:

<i>Procedure Code</i>	<i>New Modifier</i>	<i>PT/Spec</i>	<i>POS</i>
87480	FP	01/183 (Hospital Based Medical Clinic) 08/083 (Family Planning Clinic)	22 (Outpatient Hospital) 22, 49 (Independent Clinic)

Procedure Code	New Modifier	PT/Spec	POS
		28/280 (Independent Laboratory)	81 (Independent Laboratory)

The Department is opening the following laboratory procedure codes with the FP modifier for PT/Spec combination 08/083 in POS 22 and 49, as determined by clinical review, indicated as follows:

Procedure Code and Modifier	
87660 (FP)	87661 (FP)

The following laboratory procedure code has unit and service limitation updates with and without the FP modifier as a result of clinical review and National Correct Coding Initiative edits indicated as follows:

Procedure Code	Old Unit Limit	New Unit Limit	Present Limit	New Limit
87480	1:2	1:1	Twice per day	Once per day

*Healthy Beginnings Plus (HBP) Program*

The Department is opening the following PT/Spec/POS combinations for procedure code 99241 with U9 (pricing) and HD (pregnant/parenting women’s program) modifiers, indicated as follows, to allow for the billing of services provided in the HBP Program that were previously billed with the end-dated procedure code 99201.

Procedure Code	New PT/Spec	POS
99241 (U9) (HD)	01/183	02, 22
	05/050 (Home Health Agency)	02, 12 (Home)
	08/080 (FQHC)	02, 12, 50 (FQHC)
	08/081(RHC)	02, 12, 72 (RHC)
	08/082 (Independent Medical/ Surgical Clinic)	02, 49
	08/083	02, 22, 49
	31/All	02, 11 (Office), 12, 99 (Special Treatment Room)
	33/335 (Certified Nurse Midwives)	02, 11, 99
	47/470 (Birth Center)	02, 11, 25 (Birth Center)

*Psychiatric Outpatient and Drug and Alcohol Clinic Services*

The Department is opening the following PT/Spec/POS combinations for procedure code 99241 with U7 (pricing) or UB (pricing) modifiers, indicated as follows, to allow for the billing of services that were previously billed with the end-dated procedure code 99201.

Procedure Code	Code Description	New PT/Spec	POS
99241 (U7)	Office consultation for a new or established patient, which requires these three key components: a problem focused history; a problem focused examination; and straightforward medical decision making. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient’s or family’s needs, or both. Usually, the presenting problems are self-limited or minor. Typically, 15 minutes are spent face-to-face with the patient or family. (Chemotherapy clinic visit for administration and evaluation of drugs other than methadone or drugs for opiate detox.)	08/184 (Outpatient Drug and Alcohol)	57 (Nonresidential Substance Abuse Treatment Facility)
99241 (UB)	Office consultation for a new or established patient, which requires these three key components: a problem focused history; a problem focused examination; and straightforward medical decision making. Counseling or coordination of care, or both, with other physicians, other qualified health care professionals or agencies are provided consistent with the nature of the problems and the patient’s or family’s needs, or both. Usually, the presenting problems are self-limited or minor. Typically, 15 minutes are spent face-to-face with the patient or family, or both. (Psychiatric clinic medication visit for drug administration and evaluation.)	08/110 (Psychiatric Outpatient Clinic)	49
		08/074 (Mobile Mental Health)	15 (Mobile Unit)

*Durable Medical Equipment and Medical Supplies*

The Department is changing the limitations for medical supply procedure code E0603 (NU) from “once per lifetime” to “once per calendar year” based on clinical review. This procedure code with the NU modifier still requires prior authorization for purchase, under section 443.6(b)(2) of the code. Additionally, the Department is updating the fee for the medical supply procedure code indicated as follows.

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>New Fee</i>
E0603 (NU)	Breast pump, electric (AC or DC, or both), any type	\$267.53	\$180

*Fiscal Impact*

The estimated cost for Fiscal Year 2021-2022 is \$3.944 million. The estimated annualized fiscal impact is \$5.916 million.

*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, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received will be reviewed and considered for any subsequent revisions 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 (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-1462. (1) General Fund; (2) Implementing Year 2021-22 is \$1,866,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$2,810,000; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 21-1541. Filed for public inspection September 10, 2021, 9:00 a.m.]

**DEPARTMENT OF REVENUE**

**Pennsylvania 777 Instant Lottery Game 1542**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

- Name:* The name of the game is Pennsylvania 777 (hereinafter “777”). The game number is PA-1542.
- Price:* The price of a 777 instant lottery game ticket is \$5.
- Play symbols:* Each 777 instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions, located in the “WINNING

NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 7 (SEVEN) symbol and a 777 (WIN777) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$5<sup>00</sup> (FIV DOL), \$7<sup>00</sup> (SVN DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$70<sup>00</sup> (SVNTY), \$100 (ONE HUN), \$200 (TWO HUN), \$777 (SNHNSVYSN), \$1,000 (ONE THO), \$7,000 (SVN THO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game, are: \$5, \$7, \$10, \$20, \$30, \$70, \$100, \$200, \$777, \$1,000, \$7,000 and \$250,000. A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 12,000,000 tickets will be printed for the 777 instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$250,000 (TWHNFYTH) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$7,000 (SVN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$7,000.

(c) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$7,000 (SVN THO) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$7,000.

(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 a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$777 (SNHNSVYSN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$777.



(g) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$777 (SNHNSVYSN) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$777.

(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 \$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.

(i) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(k) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(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 \$70.00 (SVNTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$70.

(m) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$70.00 (SVNTY) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$70.

(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 \$30.00 (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.

(o) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$30.00 (THIRTY) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$30.

(p) 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 \$20.00 (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.

(q) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(s) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) 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 \$7.00 (SVN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$7.

(u) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$7.00 (SVN DOL) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$7.

(v) 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.

(w) Holders of tickets upon which a 7 (SEVEN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under that 7 (SEVEN) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets:</i>
\$5 w/ 7 SYMBOL	\$5	20.69	580,000
\$5	\$5	30	400,000
\$7 w/ 7 SYMBOL	\$7	15	800,000
\$7	\$7	40	300,000
\$5 × 2	\$10	300	40,000
\$10 w/ 7 SYMBOL	\$10	150	80,000
\$10	\$10	150	80,000

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets:</i>
\$5 × 4	\$20	200	60,000
\$10 × 2	\$20	200	60,000
(\$5 w/ 7 SYMBOL) × 4	\$20	200	60,000
\$20 w/ 7 SYMBOL	\$20	150	80,000
\$20	\$20	150	80,000
\$5 × 6	\$30	600	20,000
(((\$10 w/ 7 SYMBOL) × 2) + (\$5 w/ 7 SYMBOL) × 2)	\$30	600	20,000
\$30 w/ 7 SYMBOL	\$30	200	60,000
\$30	\$30	600	20,000
\$7 × 10	\$70	2,400	5,000
(\$7 w/ 7 SYMBOL) × 10	\$70	333.33	36,000
(\$10 w/ 7 SYMBOL) × 7	\$70	342.86	35,000
\$70 w/ 7 SYMBOL	\$70	400	30,000
\$70	\$70	2,000	6,000
\$10 × 10	\$100	24,000	500
\$20 × 5	\$100	24,000	500
(\$10 × 8) + (\$5 × 4)	\$100	24,000	500
(((\$7 w/ 7 SYMBOL) × 5) + (\$20 × 2) + (\$5 × 5))	\$100	24,000	500
(\$10 w/ 7 SYMBOL) × 10	\$100	4,000	3,000
\$100 w/ 7 SYMBOL	\$100	4,800	2,500
\$100	\$100	24,000	500
\$20 × 10	\$200	24,000	500
\$100 × 2	\$200	60,000	200
(\$70 × 2) + (\$30 × 2)	\$200	24,000	500
(\$20 w/ 7 SYMBOL) × 10	\$200	24,000	500
\$200 w/ 7 SYMBOL	\$200	24,000	500
\$200	\$200	60,000	200
\$777 w/ 777 SYMBOL	\$777	1,714	7,000
\$777	\$777	24,000	500
\$100 × 10	\$1,000	1,200,000	10
(\$100 w/ 7 SYMBOL) × 10	\$1,000	1,200,000	10
\$1,000 w/ 7 SYMBOL	\$1,000	1,200,000	10
\$1,000	\$1,000	1,200,000	10
\$7,000 w/ 7 SYMBOL	\$7,000	600,000	20
\$7,000	\$7,000	1,200,000	10
\$250,000	\$250,000	1,200,000	10

Reveal a "7" (SEVEN) symbol, win prize shown under that symbol automatically.

Reveal a "777" (WIN777) symbol, win \$777 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 777 instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of 777, prize money from winning 777 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the 777 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote 777 or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 21-1542. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Boo Buck\$ Instant Lottery Game 1544

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Boo Buck\$ (hereafter “Boo Buck\$”). The game number is PA-1544.

2. *Price:* The price of a Boo Buck\$ instant lottery game ticket is \$1.

3. *Play symbols:* Each Boo Buck\$ instant lottery game ticket will contain one play area. The play/prize symbols and their captions, located in the play area, are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup>

(TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN) and a BOO (DOUBLE) symbol.

4. *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$200, \$400, \$1,000 and \$2,500. A player can win one time on a ticket.

5. *Approximate number of tickets printed for the game:* Approximately 5,400,000 tickets will be printed for the Boo Buck\$ instant lottery game.

6. *Second Chance Drawing:* The Pennsylvania Lottery will conduct a Haunted House Second-Chance Drawing for which non-winning Boo Buck\$ lottery game tickets may be eligible as provided for in section 9.

7. *Determination of prize winners:*

(a) Holders of tickets upon which three matching play/prize symbols of \$2,500 (TWYFIVHUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$2,500.

(b) Holders of tickets upon which three matching play/prize symbols of \$1,000 (ONE THO) appear in the play area, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which three matching play/prize symbols of \$400 (FOR HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which two matching play/prize symbols of \$200 (TWO HUN) and a BOO (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets upon which three matching play/prize symbols of \$200 (TWO HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which two matching play/prize symbols of \$100 (ONE HUN) and a BOO (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which three matching play/prize symbols of \$100 (ONE HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which three matching play/prize symbols of \$40<sup>00</sup> (FORTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which two matching play/prize symbols of \$20<sup>00</sup> (TWENTY) and a BOO (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which three matching play/prize symbols of \$20<sup>00</sup> (TWENTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which two matching prize play symbols of \$10<sup>00</sup> (TEN DOL) and a BOO (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which three matching play/prize symbols of \$10<sup>00</sup> (TEN DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which two matching play/prize symbols of \$5<sup>00</sup> (FIV DOL) and a BOO (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which three matching play/prize symbols of \$5<sup>.00</sup> (FIV DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which three matching play/prize symbols of \$4<sup>.00</sup> (FOR DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets upon which two matching play/prize symbols of \$2<sup>.00</sup> (TWO DOL) and a BOO (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets upon which three matching play/prize symbols of \$2<sup>.00</sup> (TWO DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which two matching play/prize symbols of \$1<sup>.00</sup> (ONE DOL) and a BOO (DOUBLE)

symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which three matching play/prize symbols of \$1<sup>.00</sup> (ONE DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$1.

(t) Holders of tickets upon which three matching play/prize symbols of FREE (TICKET) appear in the play area, on a single ticket, shall be entitled to a prize of one Boo Buck\$ instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal 3 Like Amounts, Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
3—FREEs	FREE \$1 TICKET	10	540,000
3—\$1s	\$1	47.62	113,400
2—\$1s w/ BOO	\$2	37.04	145,800
3—\$2s	\$2	200	27,000
2—\$2s w/ BOO	\$4	50	108,000
3—\$4s	\$4	200	27,000
3—\$5s	\$5	52.63	102,600
2—\$5s w/ BOO	\$10	66.67	81,000
3—\$10s	\$10	1,000	5,400
2—\$10s w/ BOO	\$20	1,200	4,500
3—\$20s	\$20	2,000	2,700
2—\$20s w/ BOO	\$40	1,500	3,600
3—\$40s	\$40	6,000	900
3—\$100s	\$100	12,000	450
2—\$100s w/ BOO	\$200	30,000	180
3—\$200s	\$200	120,000	45
2—\$200s w/ BOO	\$400	30,000	180
3—\$400s	\$400	120,000	45
3—\$1,000s	\$1,000	540,000	10
3—\$2,500s	\$2,500	540,000	10

Reveal 2 like amounts and a “BOO” (DOUBLE) symbol, DOUBLE that amount!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second Chance Drawing:* Pennsylvania Lottery's Haunted House Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the “Drawing”):

(a) *Qualifying Tickets:* Non-winning PA-1541 Jack-O-Lantern Jackpot (\$5), PA-1543 Monster Money (\$2) and PA-1544 Boo Buck\$ (\$1) instant lottery game tickets are eligible for entry into 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](https://www.palottery.com). 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 Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.



(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Haunted House Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. September 12, 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 Pennsylvania Lottery's publicly accessible web site.

(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-1541 Jack-O-Lantern Jackpot (\$5) = five entries, PA-1543 Monster Money (\$2) = two entries and PA-1544 Boo Buck\$ (\$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 those 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-1541 Jack-O-Lantern Jackpot	2,246,500	2
PA-1543 Monster Money	1,392,112	3
PA-1544 Boo Buck\$	1,412,393	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 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 \$31,000, less required income tax withholding.

(ii) The fourth through the eighth 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 \$10,000, less required income tax withholding.

(iii) The ninth through the thirteenth 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 \$5,000.

(iv) The fourteenth through the twenty-third 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 \$1,300.

(v) The twenty-fourth through the seventy-third 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 a lump-sum cash payment 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 Pennsylvania 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 a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9RoofTops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, 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 Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same 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 account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Boo Buck\$ instant lottery game tickets.

11. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000.

Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

12. *Unclaimed prize money:* For a period of 1 year from the announced close of Boo Buck\$, prize money from winning Boo Buck\$ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Boo Buck\$ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

13. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

14. *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 Boo Buck\$ or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 21-1543. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Jack-O-Lantern Jackpot Instant Lottery Game 1541

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Jack-O-Lantern Jackpot (hereafter "Jack-O-Lantern Jackpot"). The game number is PA-1541.

2. *Price:* The price of a Jack-O-Lantern Jackpot instant lottery game ticket is \$5.

3. *Play symbols:* Each Jack-O-Lantern Jackpot instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play

symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), Spooky Eyes (WIN20) symbol and a JACKPOT (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$40<sup>.00</sup> (FORTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 6,000,000 tickets will be printed for the Jack-O-Lantern Jackpot instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Haunted House Second-Chance Drawing for which non-winning Jack-O-Lantern Jackpot lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(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 \$1,000 (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.

(c) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in two of the "Prize" areas, a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in eight of the "Prize" areas and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in four of the "Prize" areas, 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 \$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.

(f) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$40<sup>.00</sup> (FORTY) appears in five of the "Prize" areas and a prize symbol of

\$20<sup>.00</sup> (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$40<sup>.00</sup> (FORTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(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 \$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.

(i) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in eight of the "Prize" areas and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(l) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in two of the "Prize" areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in two of the "Prize" areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which a JACKPOT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in eight of the "Prize" areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50<sup>.00</sup> (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.

(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 \$40<sup>.00</sup> (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(p) 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 \$20<sup>.00</sup> (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.



(q) Holders of tickets upon which a Spooky Eyes (WIN20) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “Prize” area under that Spooky Eyes (WIN20) symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10.<sup>00</sup> (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.

(s) 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.<sup>00</sup> (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.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$5	\$5	8.33	720,000
\$5 × 2	\$10	28.57	210,000
\$10	\$10	27.27	220,000
\$5 × 4	\$20	600	10,000
\$10 × 2	\$20	600	10,000
\$20 w/ SPOOKY EYES	\$20	30	200,000
\$20	\$20	600	10,000
\$5 × 8	\$40	600	10,000
\$10 × 4	\$40	600	10,000
(\$20 w/ SPOOKY EYES) + (\$5 × 4)	\$40	600	10,000
(\$20 w/ SPOOKY EYES) × 2	\$40	600	10,000
\$40	\$40	600	10,000
\$10 × 5	\$50	600	10,000
(\$20 w/ SPOOKY EYES) + (\$10 × 2) + (\$5 × 2)	\$50	600	10,000
(\$20 w/ SPOOKY EYES) + (\$5 × 6)	\$50	600	10,000
(((\$20 w/ SPOOKY EYES) × 2) + (\$5 × 2)	\$50	600	10,000
\$50	\$50	600	10,000
JACKPOT w/ ((\$10 × 8) + (\$5 × 4))	\$100	800	7,500
JACKPOT w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	800	7,500
\$10 × 10	\$100	12,000	500
(((\$20 w/ SPOOKY EYES) × 3) + (\$10 × 4)	\$100	2,400	2,500
(((\$20 w/ SPOOKY EYES) × 4) + (\$5 × 4)	\$100	2,400	2,500
(\$20 w/ SPOOKY EYES) × 5	\$100	2,400	2,500
\$100	\$100	12,000	500
JACKPOT w/ ((\$20 × 8) + (\$10 × 4))	\$200	6,000	1,000
JACKPOT w/ ((\$50 × 2) + (\$10 × 10))	\$200	6,000	1,000
\$20 × 10	\$200	40,000	150
\$50 × 4	\$200	24,000	250
(((\$20 w/ SPOOKY EYES) × 5) + (\$20 × 3) + (\$10 × 4)	\$200	24,000	250
(\$20 w/ SPOOKY EYES) × 10	\$200	24,000	250
\$200	\$200	60,000	100



<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
JACKPOT w/ (( $\$50 \times 2$ ) + ( $\$40 \times 10$ ))	\$500	60,000	100
JACKPOT w/ (( $\$100 \times 2$ ) + ( $\$40 \times 5$ ) + ( $\$20 \times 5$ ))	\$500	60,000	100
$\$50 \times 10$	\$500	120,000	50
$\$100 \times 5$	\$500	120,000	50
(( $\$20$ w/ SPOOKY EYES) $\times 5$ ) + ( $\$100 \times 4$ )	\$500	120,000	50
(( $\$20$ w/ SPOOKY EYES) $\times 10$ ) + $\$200$ + $\$100$	\$500	120,000	50
$\$500$	\$500	120,000	50
JACKPOT w/ (( $\$100 \times 8$ ) + ( $\$50 \times 4$ ))	\$1,000	600,000	10
JACKPOT w/ (( $\$200 \times 2$ ) + ( $\$100 \times 2$ ) + ( $\$50 \times 8$ ))	\$1,000	600,000	10
$\$500 \times 2$	\$1,000	600,000	10
$\$1,000$	\$1,000	600,000	10
$\$100,000$	$\$100,000$	600,000	10

Reveal a "Spooky Eyes" (WIN20) symbol, win \$20 instantly.

Reveal a "JACKPOT" (WINALL) symbol, win ALL 12 PRIZES shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's Haunted House Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1541 Jack-O-Lantern Jackpot (\$5), PA-1543 Monster Money (\$2) and PA-1544 Boo Buck\$ (\$1) instant lottery game tickets are eligible for entry into 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 Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Haunted House Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. September 12, 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 Pennsylvania Lottery's publicly accessible web site.

(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-1541 Jack-O-Lantern Jackpot (\$5) = five entries, PA-1543 Monster Money (\$2) = two entries and PA-1544 Boo Buck\$ (\$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 10(e), or those 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-1541 Jack-O-Lantern Jackpot	2,246,500	2
PA-1543 Monster Money	1,392,112	3
PA-1544 Boo Buck\$	1,412,393	3

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first 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 \$31,000, less required income tax withholding.

(ii) The fourth through the eighth 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 \$10,000, less required income tax withholding.

(iii) The ninth through the thirteenth 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 \$5,000.

(iv) The fourteenth through the twenty-third 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 \$1,300.

(v) The twenty-fourth through the seventy-third 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 a lump-sum cash payment 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 Pennsylvania 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 a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, 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 Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same 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

10(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 account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Jack-O-Lantern Jackpot instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Jack-O-Lantern Jackpot, prize money from winning Jack-O-Lantern Jackpot instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Jack-O-Lantern Jackpot instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Jack-O-Lantern Jackpot or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 21-1544. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Monster Money Instant Lottery Game 1543

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Monster Money (hereafter "Monster Money"). The game number is PA-1543.

2. *Price:* The price of a Monster Money instant lottery game ticket is \$2.

3. *Play symbols:* Each Monster Money instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area, are: Spider Web (WEB) symbol, Ghost (GHOST) symbol, Witch Hat (HAT) symbol, Pumpkin (PUMPKIN) symbol, Skull (SKULL) symbol, Bat (BAT) symbol, Spider (SPIDER) symbol, Cat (CAT) symbol, Haunted House (HOUSE) symbol, Mummy (MUMMY) symbol, Candy Corn (CORN) symbol, Cauldron (CAULDRN) symbol, Money (MONEY) symbol and a Monster (WINALL) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the play area, are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$13,000 (THRTN THO).

5. *Prizes:* The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$200, \$500, \$1,000 and \$13,000. A player can win up to ten times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 5,400,000 tickets will be printed for the Monster Money instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Haunted House Second-Chance Drawing for which non-winning Monster Money lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$13,000 (THRTN THO) appears in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$13,000.

(b) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of



\$100 (ONE HUN) appears in two of the “prize” areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the “prize” areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in two of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in five of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in four of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in three of the “prize” areas and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of

\$5<sup>00</sup> (FIV DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$30.

(q) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the “prize” areas, a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in two of the “prize” areas and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in six of the “prize” areas, on a single ticket, shall be entitled to a prize of \$30.

(r) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in five of the “prize” areas and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$30.

(s) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(t) Holders of tickets upon which a Monster (WINALL) symbol appears in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$5.

(x) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$4.

(y) Holders of tickets upon which a Money (MONEY) symbol appears in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “prize” area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal A “Money” (MONEY) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$2	\$2	9.04	597,600
\$2 × 2	\$4	68.18	79,200



## NOTICES

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<i>Reveal A "Money" (MONEY) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$4	\$4	150	36,000
\$5	\$5	18.75	288,000
\$2 × 5	\$10	150	36,000
\$5 × 2	\$10	300	18,000
(\$4 × 2) + \$2	\$10	300	18,000
\$10	\$10	150	36,000
\$5 × 3	\$15	750	7,200
(\$4 × 2) + \$5 + \$2	\$15	750	7,200
\$10 + \$5	\$15	500	10,800
\$15	\$15	300	18,000
MONSTER w/ (\$2 × 10)	\$20	150	36,000
\$4 × 5	\$20	1,500	3,600
\$10 × 2	\$20	1,500	3,600
\$20	\$20	1,500	3,600
MONSTER w/ ((\$4 × 5) + (\$2 × 5))	\$30	800	6,750
MONSTER w/ ((\$5 × 2) + (\$4 × 2) + (\$2 × 6))	\$30	800	6,750
\$15 × 2	\$30	24,000	225
(\$5 × 4) + (\$2 × 5)	\$30	24,000	225
(\$10 × 2) + (\$5 × 2)	\$30	24,000	225
\$30	\$30	24,000	225
MONSTER w/ (\$5 × 10)	\$50	1,500	3,600
MONSTER w/ ((\$10 × 2) + (\$5 × 4) + (\$2 × 3) + \$4)	\$50	1,500	3,600
\$10 × 5	\$50	40,000	135
(\$15 × 2) + (\$4 × 5)	\$50	60,000	90
(\$20 × 2) + (\$5 × 2)	\$50	60,000	90
\$50	\$50	40,000	135
MONSTER w/ (\$10 × 10)	\$100	6,000	900
MONSTER w/ ((\$20 × 2) + (\$10 × 4) + (\$5 × 4))	\$100	6,000	900
\$20 × 5	\$100	60,000	90
(\$30 × 2) + (\$20 × 2)	\$100	60,000	90
\$50 + \$30 + \$20	\$100	60,000	90
\$100	\$100	60,000	90
MONSTER w/ (\$20 × 10)	\$200	24,000	225
MONSTER w/ ((\$30 × 5) + (\$10 × 5))	\$200	24,000	225
\$50 × 4	\$200	120,000	45
\$100 × 2	\$200	120,000	45
\$200	\$200	120,000	45
MONSTER w/ (\$50 × 10)	\$500	540,000	10
MONSTER w/ ((\$100 × 2) + (\$50 × 4) + (\$30 × 2) + (\$20 × 2))	\$500	540,000	10
\$100 × 5	\$500	540,000	10
\$500	\$500	540,000	10
MONSTER w/ (\$100 × 10)	\$1,000	540,000	10
\$1,000	\$1,000	540,000	10
\$13,000	\$13,000	540,000	10

Reveal a "Monster" (WINALL) symbol, win all 10 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Pennsylvania Lottery's Haunted House Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1541 Jack-O-Lantern Jackpot (\$5), PA-1543 Monster Money (\$2) and PA-1544 Boo Buck\$ (\$1) instant lottery game tickets are eligible for entry into 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 Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one Haunted House Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. September 12, 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 Pennsylvania Lottery's publicly accessible web site.

(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-1541 Jack-O-Lantern Jackpot (\$5) = five

entries, PA-1543 Monster Money (\$2) = two entries and PA-1544 Boo Buck\$ (\$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 10(e), or those 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-1541 Jack-O-Lantern Jackpot	2,246,500	2
PA-1543 Monster Money	1,392,112	3
PA-1544 Boo Buck\$	1,412,393	3

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first 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 \$31,000, less required income tax withholding.

(ii) The fourth through the eighth 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 \$10,000, less required income tax withholding.

(iii) The ninth through the thirteenth 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 \$5,000.

(iv) The fourteenth through the twenty-third 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 \$1,300.

(v) The twenty-fourth through the seventy-third 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 a lump-sum cash payment 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 Pennsylvania 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 a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, 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 Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same 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 10(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 account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Monster Money instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Monster Money, prize money from winning Monster Money instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Monster Money instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Monster Money or through normal communications methods.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 21-1545. Filed for public inspection September 10, 2021, 9:00 a.m.]



## DEPARTMENT OF REVENUE

### Pennsylvania WILLY WONKA GOLDEN TICKET™ Instant Lottery Game 1540

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania WILLY WONKA GOLDEN TICKET™ (hereafter “WILLY WONKA GOLDEN TICKET™”). The game number is PA-1540.

2. *Price:* The price of a WILLY WONKA GOLDEN TICKET™ instant lottery game ticket is \$10.

3. *Play symbols:* Each WILLY WONKA GOLDEN TICKET™ instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and an “OOMPA LOOMPA™ BONUS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT), Golden Ticket (TICKET) symbol and a Wonkavator (WINALL) symbol. The play symbols and their captions, printed in black ink and located in the “OOMPA LOOMPA™ BONUS” area, are: Factory (TRYAGAIN) symbol, Willy Wonka (TRYAGAIN) symbol, Cup and Saucer (NOMULT) symbol, Gate (TRYAGAIN) symbol, Golden Egg (TRYAGAIN) symbol, Wonka Car (NOMULT) symbol, Drinks (NOMULT) symbol, Mushrooms (TRYAGAIN) symbol, Lollipops (NOMULT) symbol and a Shrink (NOMULT) symbol. The play symbols and their captions, printed in violet ink and located in the “OOMPA LOOMPA™ BONUS” area, are: Factory (TRYAGAIN) symbol, Willy Wonka (TRYAGAIN) symbol, Cup and Saucer (NOMULT) symbol, Gate (TRYAGAIN) symbol, Golden Egg (TRYAGAIN) symbol, Wonka Car (NOMULT) symbol, Drinks (NOMULT) symbol, Mushrooms (TRYAGAIN) symbol, Lollipops (NOMULT) symbol, Shrink (NOMULT) symbol and a 5X (5TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game, are: \$10, \$20, \$30, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$500,000. Each WILLY WONKA GOLDEN TICKET™ instant lottery game ticket contains a feature that can multiply the prize won. For a complete list of prizes, and how those prizes can be won, see section 9 (relating to

number and description of prizes and approximate odds). A player can win up to 15 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct an EVERLASTING MILLION Second-Chance Drawing from the Pennsylvania Lottery for which non-winning WILLY WONKA GOLDEN TICKET™ instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate number of tickets printed for the game:* Approximately 16,200,000 tickets will be printed for the WILLY WONKA GOLDEN TICKET™ instant lottery game.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$500,000 (FIVHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$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.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and a 5X (5TIMES) symbol, with the play symbol and caption printed in violet ink, appears in the “OOMPA LOOMPA™ BONUS” area, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, 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, a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and a 5X (5TIMES) symbol, with the play symbol and caption printed in violet ink, appears in the “OOMPA LOOMPA™ BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a Wonkavator (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$200 (TWO HUN) appears in three of the “prize” areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Wonkavator (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols 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.

(i) Holders of tickets upon which a Golden Ticket (TICKET) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Golden Ticket (TICKET) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and a 5X (5TIMES) symbol, with the symbol and caption printed in violet ink, appears in the “OOMPA LOOMPA™ BONUS” area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which a Wonkavator (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in 11 of the “prize” areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in one of the “prize” areas and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which a Wonkavator (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in three of the “prize” areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in 11 of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and a 5X (5TIMES) symbol, with the play symbol and caption printed in violet ink, appears in the “OOMPA LOOMPA™ BONUS” area, on a single ticket, shall be entitled to a prize of \$250.

(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 \$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.

(o) Holders of tickets upon which a Golden Ticket (TICKET) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Golden Ticket (TICKET) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which a Wonkavator (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in 12 of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which a Wonkavator (WINALL) symbol appears in the “YOUR NUMBERS”

area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$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.

(s) Holders of tickets upon which a Golden Ticket (TICKET) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Golden Ticket (TICKET) symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and a 5X (5TIMES) symbol, with the play symbol and caption printed in violet ink, appears in the “OOMPA LOOMPA™ BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50<sup>00</sup> (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.

(v) Holders of tickets upon which a Golden Ticket (TICKET) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Golden Ticket (TICKET) symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and a 5X (5TIMES) symbol, with the play symbol and caption printed in violet ink, appears in the “OOMPA LOOMPA™ BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$30<sup>00</sup> (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.

(y) Holders of tickets upon which a Golden Ticket (TICKET) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under that Golden Ticket (TICKET) symbol, on a single ticket, shall be entitled to a prize of \$30.

(z) 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 \$20<sup>00</sup> (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.

(aa) Holders of tickets upon which a Golden Ticket (TICKET) symbol appears in the “YOUR NUMBERS”

area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that Golden Ticket (TICKET) symbol, on a single ticket, shall be entitled to a prize of \$20.

(bb) 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<sup>00</sup> (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.

(cc) Holders of tickets upon which a Golden Ticket (TICKET) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that Golden Ticket (TICKET) symbol, on a single ticket, shall be entitled to a prize of \$10.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 16,200,000 Tickets:</i>
\$10 w/ GOLDEN TICKET	\$10	16.22	999,000
\$10	\$10	16.22	999,000
\$10 × 2	\$20	200	81,000
(\$10 w/ GOLDEN TICKET) + \$10	\$20	60	270,000
\$20 w/ GOLDEN TICKET	\$20	28.57	567,000
\$20	\$20	150	108,000
\$20 + \$10	\$30	600	27,000
(\$10 w/ GOLDEN TICKET) × 3	\$30	200	81,000
\$30 w/ GOLDEN TICKET	\$30	30	540,000
\$30	\$30	600	27,000
\$10 × 5	\$50	600	27,000
(((\$10 w/ GOLDEN TICKET) × 2) + (\$10 × 3))	\$50	600	27,000
\$10 w/ VIOLET 5X	\$50	46.15	351,000
\$50 w/ GOLDEN TICKET	\$50	120	135,000
\$50	\$50	600	27,000
\$20 × 5	\$100	800	20,250
(\$10 × 2) w/ VIOLET 5X	\$100	800	20,250
(\$10 w/ GOLDEN TICKET) × 10	\$100	2,400	6,750
\$20 w/ VIOLET 5X	\$100	685.71	23,625
\$100 w/ GOLDEN TICKET	\$100	2,400	6,750
\$100	\$100	2,400	6,750
WONKAVATOR w/ ((\$20 × 5) + (\$10 × 10))	\$200	923.08	17,550
WONKAVATOR w/ ((\$30 × 2) + (\$10 × 12) + \$20)	\$200	1,091	14,850
\$20 × 10	\$200	12,000	1,350
(\$10 × 4) w/ VIOLET 5X	\$200	4,000	4,050
(\$20 × 2) w/ VIOLET 5X	\$200	3,429	4,725
\$200 w/ GOLDEN TICKET	\$200	12,000	1,350
\$200	\$200	12,000	1,350
WONKAVATOR w/ ((\$50 × 3) + (\$30 × 11) + \$20)	\$500	4,800	3,375
WONKAVATOR w/ ((\$100 × 2) + (\$20 × 11) + \$50 + \$30)	\$500	4,800	3,375
\$100 × 5	\$500	60,000	270
(((\$10 w/ GOLDEN TICKET) × 10) + (\$200 × 2))	\$500	24,000	675

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 16,200,000 Tickets:</i>
(\$50 × 2) w/ VIOLET 5X	\$500	24,000	675
\$100 w/ VIOLET 5X	\$500	12,000	1,350
\$500 w/ GOLDEN TICKET	\$500	24,000	675
\$500	\$500	24,000	675
WONKAVATOR w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	40,000	405
WONKAVATOR w/ ((\$200 × 3) + (\$50 × 2) + (\$30 × 10))	\$1,000	40,000	405
\$200 w/ VIOLET 5X	\$1,000	120,000	135
\$1,000	\$1,000	120,000	135
\$1,000 w/ VIOLET 5X	\$5,000	1,620,000	10
\$5,000	\$5,000	1,620,000	10
\$500,000	\$500,000	1,620,000	10

Reveal a “Golden Ticket” (TICKET) symbol, win prize shown under that symbol automatically.

Reveal a “Wonkavator” (WINALL) symbol, win all 15 prizes shown!

OOMPA LOOMPA™ BONUS: Reveal a “VIOLET 5X” (5TIMES) symbol, multiply any prize won in the play area below!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery’s EVERLASTING MILLION Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the “Drawing”):

(a) *Qualifying Tickets:* Non-winning PA-1540 WILLY WONKA GOLDEN TICKET™ instant lottery game tickets are eligible for entry into 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 Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one EVERLASTING MILLION Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. September 12, 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 Pennsylvania 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. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1540 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 section 10(g), or those mentioned anywhere else in these rules.



(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(3) The first through the thirty-fifth 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 10(e) (relating to EVERLASTING MILLION CHALLENGE™ trip prize package description) of these rules.

(4) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(5) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(6) A computer-generated randomizer will be used to select the Drawing winners.

(e) *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.<sup>00</sup> (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 participate in the CHALLENGE Event.

(2) The CHALLENGE Event shall afford each Trip Prize Package Prize 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 Package Prize 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 10, 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 10(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 10(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 10(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, 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 second-chance drawing prize and 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 drawing prize and 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 10. 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 brows-

ers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, 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 Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) 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 eight 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 eight 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) 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.

(13) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(14) 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 same Drawing will be disqualified and a replacement entry will be selected.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell WILLY WONKA GOLDEN TICKET™ instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of the WILLY WONKA GOLDEN TICKET™ instant lottery game, prize money from winning WILLY WONKA GOLDEN TICKET™ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the WILLY WONKA GOLDEN TICKET™ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote the WILLY WONKA GOLDEN TICKET™ instant lottery game or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 21-1546. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Public Utility Realty Tax Act; Surcharge Rate Notice for the Tax Year Beginning January 1, 2022

Section 1111-A(d) of the Tax Reform Code of 1971 (act) (72 P.S. § 8111-A(d)) requires the Secretary of Revenue to publish the rate of the Public Utility Realty Tax Act (PURTA) surcharge in the form of a notice in the *Pennsylvania Bulletin* by October 1, 2003, and by each October 1 thereafter. The tax rate established in section 1111-A(d) of the act shall be imposed upon gross receipts taxes as provided in section 1111-A(d) of the act for the period beginning the next January 1.

The result of the PURTA surcharge calculation provided in section 1111-A of the act for the tax year beginning January 1, 2022, is zero mills (0.0000). Therefore, no PURTA surcharge under section 1111-A(d) of the act will be imposed for the taxable period beginning January 1, 2022.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 21-1547. Filed for public inspection September 10, 2021, 9:00 a.m.]

Additional information is available on the Department of State's publicly accessible web site at [www.dos.pa.gov](http://www.dos.pa.gov).

VERONICA DEGRAFFENREID,  
*Acting Secretary*

[Pa.B. Doc. No. 21-1548. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF STATE

### Election for the Office of Judge of the Court of Common Pleas of Philadelphia County

On August 26, 2021, the Acting Secretary of the Commonwealth (Acting Secretary) received written notice that Judge Arnold L. New has revoked his declaration of candidacy for retention as a Judge of the Court of Common Pleas of Philadelphia County. Under the Constitution and laws of the Commonwealth, an election for the judicial office held by Judge New will occur as part of the Municipal Election to be held November 2, 2021.

In the Municipal Election, the electors of Philadelphia County will now elect 12 Judges of the Court of Common Pleas of Philadelphia County. Each elector will be entitled to vote for up to 12 candidates, with the 12 candidates receiving the largest number of valid votes being elected.

In the Municipal Primary held May 18, 2021, the electors of the Democratic Party nominated eight candidates for the office of Judge of the Court of Common Pleas of Philadelphia County. No Republican candidates appeared on the ballot in the Republican Municipal Primary. Further, as the result of three earlier retention revocations by three other Judges of the Court of Common Pleas of Philadelphia County, a ninth, tenth and eleventh vacancy for the Court were previously added to the 2021 Municipal Election ballot, with nominations for those vacancies to occur under nomination certificates and nomination papers. See 51 Pa.B. 4034 (July 24, 2021), 51 Pa.B. 5320 (August 21, 2021), 51 Pa.B. 5499 (August 28, 2021) and 51 Pa.B. 5798 (September 4, 2021). Now, due to Judge New's retention revocation, 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 one additional candidate for Court of Common Pleas of Philadelphia County 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 a candidate 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](http://www.dos.pa.gov).

VERONICA DEGRAFFENREID,  
*Acting Secretary*

[Pa.B. Doc. No. 21-1549. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF STATE

### Election for the Office of Judge of the Court of Common Pleas of Allegheny County

On August 27, 2021, the Acting Secretary of the Commonwealth (Acting Secretary) received written notice that Judge Guido A. DeAngelis has revoked his declaration of candidacy for retention as a Judge of the Court of Common Pleas of Allegheny County. Under the Constitution and laws of the Commonwealth, an election for the judicial office held by Judge DeAngelis will occur as part of the Municipal Election to be held November 2, 2021.

In the Municipal Election, the electors of Allegheny County will now elect ten Judges of the Court of Common Pleas of Allegheny County. Each elector will be entitled to vote for up to ten candidates, with the ten candidates receiving the largest number of valid votes being elected.

In the Municipal Primary held May 18, 2021, the electors of the Democratic Party and Republican Party each nominated nine candidates for the office of Judge of the Court of Common Pleas of Allegheny County. 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—will be permitted to nominate one additional candidate for Court of Common Pleas of Allegheny County 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 a candidate 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).



## DEPARTMENT OF STATE

### Election for the Office of Judge of the Philadelphia Municipal Court

On August 31, 2021, the Acting Secretary of the Commonwealth (Acting Secretary) received written notice that Judge Marsha H. Neifield has revoked her declaration of candidacy for retention as a Judge of the Philadelphia Municipal Court. Under the Constitution and laws of the Commonwealth, an election for the judicial office held by Judge Neifield will occur as part of the Municipal Election to be held November 2, 2021.

In the Municipal Election, the electors of Philadelphia County will now elect five Judges of the Philadelphia Municipal Court. Each elector will be entitled to vote for up to five candidates, with the five candidates receiving the largest number of valid votes being elected.

In the Municipal Primary held May 18, 2021, the electors of the Democratic Party nominated three candidates for the office of Judge of the Philadelphia Municipal Court. No Republican candidates appeared on the ballot in the Republican Municipal Primary. Further, as the result of an earlier retention revocation by another Judge of the Philadelphia Municipal Court, a fourth vacancy for the Court was previously added to the 2021 Municipal Election ballot, with nominations for those vacancies to occur under nomination certificates and nomination papers. See 51 Pa.B. 3948 (July 17, 2021) and 51 Pa.B. 5941 (September 11, 2021). Now, due to Judge Neifield's retention revocation, by law, each of the certified State-wide 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 one additional candidate for the 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 a candidate 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](http://www.dos.pa.gov).

VERONICA DEGRAFFENREID,  
*Acting Secretary*

[Pa.B. Doc. No. 21-1550. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Pedalcycle and Pedestrian Advisory Committee Virtual Meeting

The Pedalcycle and Pedestrian Advisory Committee (Committee) will hold a virtual meeting on Tuesday, September 14, 2021, at 1 p.m. This meeting will be held by means of Microsoft Teams. For more information,

contact the Multimodal Deputate at (717) 787-8197 or [BikePedPA@pa.gov](mailto:BikePedPA@pa.gov). To call into the virtual meeting, dial (267) 332-8737 and enter 178030895# as the meeting code. To view the meeting agenda, visit the Department of Transportation's web site at [www.penndot.gov](http://www.penndot.gov) (click on "About PennDOT" then select "Pedalcycle and Pedestrian Advisory Committee" from the list of links under "Commissions & Committees").

YASSMIN GRAMIAN,  
*Secretary*

[Pa.B. Doc. No. 21-1551. Filed for public inspection September 10, 2021, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### State Transportation Commission Virtual Meeting

The State Transportation Commission (Commission) will hold a virtual meeting on Wednesday, September 15, 2021, from 10 a.m. to 12 p.m. This virtual meeting will be held by means of Microsoft TEAMS. Additional meeting information including the agenda is available at <https://talkpatransportation.com/get-involved/upcoming-events/event-details?s=stc-meeting-september-2021>.

Individuals can join the virtual meeting at [https://teams.microsoft.com/l/meetup-join/19:meeting-ytg5mjyxmwityme4os00mgillwe2ztkzmi4ymzjy2rjy2thread.v2/0?context={\"tid\": \"418e2841-01284dd5-9b6c-47fc5a9a1bde\", \"oid\": \"645b9cc2-eec4-41e4-bc55-1916f075ef55\"}](https://teams.microsoft.com/l/meetup-join/19:meeting-ytg5mjyxmwityme4os00mgillwe2ztkzmi4ymzjy2rjy2thread.v2/0?context={\). The call-in number is (267) 332-8737. The conference ID is 696 943 918#.

For more information, contact the Commission, (717) 787-2913, [RA-PennDOTSTC@pa.gov](mailto:RA-PennDOTSTC@pa.gov).

YASSMIN GRAMIAN,  
*Secretary*

[Pa.B. Doc. No. 21-1552. Filed for public inspection September 10, 2021, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### PA Homeowner Assistance Fund Plan

#### Chapter 1. General

##### § 1.1. Overview.

Under section 3206 of the American Rescue Plan Act of 2021 (Pub.L. No. 117-2) up to \$9.961 billion was provided for states, the District of Columbia, U.S. territories, Tribes or Tribal entities, and the Department of Hawaiian Home Lands to provide relief for our country's most vulnerable homeowners. On April 14, 2021, Treasury released "Homeowner Assistance Fund Guidance" (HAF Guidance) which outlined policy guidelines for states' HAF programs. This included a description of qualified expenses, eligibility criteria, and protocols for HAF Plan submission to Treasury for approval.

The statute required the Department of the Treasury to make allocations for each state, the District of Columbia, and Puerto Rico based on homeowner need, determined by reference to (1) the average number of unemployed



individuals; and (2) the number of mortgagors with mortgage payments that are more than 30 days past due or mortgages in foreclosure.<sup>1</sup>

Based on the identified methodology PA was allocated \$350 million. On June 25, 2021, the PA General Assembly authorized Pennsylvania Housing Finance Agency (PHFA), as the administrator of this program. PHFA has titled this program PA Homeowner Assistance Fund (PAHAF) and under newly released Treasury guidance, dated August 2, 2021 has created this plan document for public comment and input.

### § 1.2. PAHAF Program Objective & Program Operating Principals.

The purpose of PAHAF is to mitigate financial hardships associated with the coronavirus pandemic by providing funds to eligible homeowners for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, delinquent property taxes, loss of utilities or home energy services, and displacements of homeowners due to financial hardships experienced after January 21, 2020.

### § 1.3. Program Operating Principals.

a) Maximize the number of PA eligible households at the greatest risk for mortgage delinquency, default and foreclosure.

b) Utilizing proactive outreach and marketing programs to ensure income eligible homeowners are reached.

c) Ensure that the application, approval, and disbursement process is easily accessible, clear, and straightforward.

d) Put homeowners in best position to succeed in the future while maximizing existing federal, state, and local resources to avoid duplication of services, programs and dollars.

## Chapter 2. Key Treasury Guidance & Definitions

### § 2.1. Eligible Homeowners.

Homeowners are eligible to receive amounts allocated to a HAF participant under the HAF if they experienced a financial hardship after January 21, 2020 (including a hardship that began before January 21, 2020 but continued after that date) and have incomes equal to or less than 150% of the area median income (AMI) or 100% of the median income for the United States, whichever is greater. PAHAF may provide HAF funds only to a homeowner with respect to qualified expenses related to the dwelling that is such homeowner's primary residence.

For purposes of PAHAF, PHFA has determined eligibility at 150% of the county area median income.

### § 2.2. Targeting.

Not less than 60% of amounts made available to each HAF participant must be used for qualified expenses that assist homeowners having incomes equal to or less than 100% of the area median income or equal to or less than 100% of the median income for the United States, whichever is greater. For purposes of PAHAF, PHFA has determined eligibility at 100% of the county area median income. This targeting also includes socially disadvantaged borrowers as well as those with specific types of federally backed loans.

The Agency will be undertaking both comprehensive and specific efforts to engage with local stakeholders,

community groups and other trusted partners to ensure the targeting provisions are reached.

Any amount not made available to homeowners that meet this income-targeting requirement must be prioritized for assistance to socially disadvantaged individuals, with funds remaining after such prioritization being made available for other eligible homeowners

### § 2.3. Treasury definitions for purposes of this program guidance.

*100% of the area median income for a household*—two times the income limit for very-low-income families, for the relevant household size, as published by the Department of Housing and Urban Development (HUD) in accordance with 42 U.S.C. § 1437a(b)(2) for purposes of the HAF.

*150% of the area median income for a household*—three times the income limit for very-low-income families, for the relevant household size, as published by HUD in accordance with 42 U.S.C. § 1437a(b)(2) for purposes of the HAF.

*Mortgage*—any credit transaction (1) that is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is (a) a one- to four-unit dwelling, or (b) a residential real property that includes a one- to four-unit dwelling; and (2) the unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit. For purposes of this definition, the conforming loan limit means the applicable limitation governing the maximum original principal obligation of a mortgage secured by a single-family residence, a mortgage secured by a two-family residence, a mortgage secured by a three-family residence, or a mortgage secured by a four-family residence, as determined and adjusted annually under § 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. § 1717(b)(2)) and § 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. § 1454(a)(2)). A reverse mortgage, a loan secured by a manufactured home, or a contract for deed (also known as a land contract) may fall within this definition if it satisfies the criteria in this paragraph, in accordance with applicable state law.

*Socially disadvantaged individuals*—those whose ability to purchase or own a home has been impaired due to diminished access to credit on reasonable terms as compared to others in comparable economic circumstances, based on disparities in homeownership rates in the HAF participant's jurisdiction as documented by the U.S. Census. The impairment must stem from circumstances beyond their control. Indicators of impairment under this definition may include being a (1) member of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society, (2) resident of a majority-minority Census tract; (3) individual with limited English proficiency; (4) resident of a U.S. territory, Indian reservation, or Hawaiian Home Land, or (5) individual who lives in a persistent-poverty county, meaning any county that has had 20% or more of its population living in poverty over the past 30 years as measured by the three most recent decennial censuses. In addition, an individual may be determined to be a socially disadvantaged individual in accordance with a process developed by a HAF participant for determining whether a homeowner is a socially disadvantaged individual in accordance with applicable law, which may reasonably rely on self-attestations.

<sup>1</sup> Specific data and methodology for funding can be found here: <https://home.treasury.gov/system/files/136/HAF-state-territory-data-and-allocations.pdf>.

**Chapter 3. PAHAF Homeowner Needs Assessment**

The Commonwealth used a variety of data sets to determine the extent to which various types of homeowners may be at risk of default, foreclosure, or housing instability. The following combination of public and proprietary data were used to develop estimates of COVID-related homeowner needs in Pennsylvania: Home Mortgage Disclosure Act (HMDA) (12 U.S.C §§ 2801–2811), loan-level data (2007 to 2019), U.S. Census American Community Survey (Census ACS) 5-Year Estimates (2015–19), PHFA borrower records, Bureau of Labor Statistics’ Local Area Unemployment Statistics program (2020 to Q1 2021), zip code-level Mortgage Analytics and Performance Dashboard (MAPD) data on loan performance collected and compiled by the private research firm Black Knight, LLC. and accessed from the Federal Reserve Bank of Atlanta (2020 to Q1 2021)<sup>2</sup>, tax delinquency data from Allegheny County (courtesy of the Western Pennsylvania Regional Data Center) and the

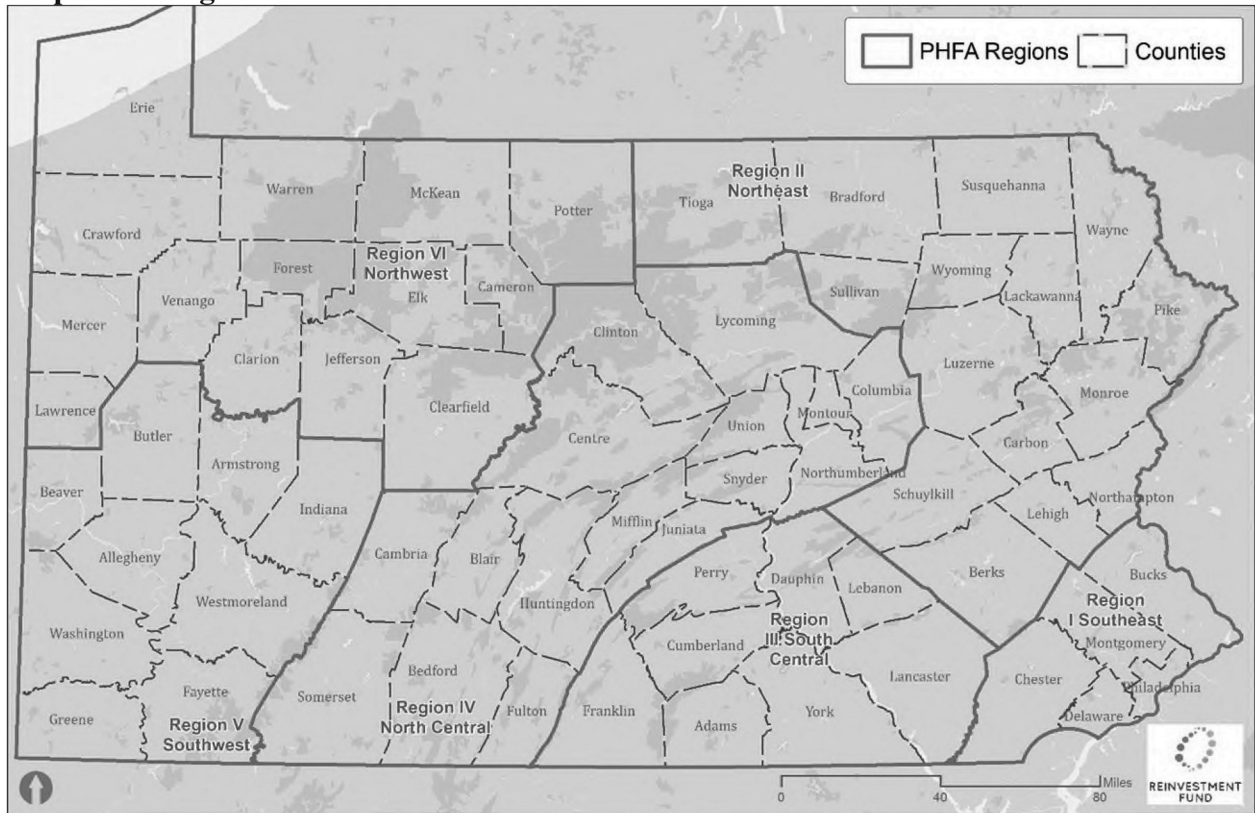
City of Philadelphia (courtesy of OpenDataPhilly), and delinquent utility account information from the Pennsylvania Utilities Law Project.

These data were analyzed to understand the contemporary volume of homeowners across the Commonwealth and how homeownership varies across different regions of the state and among different populations. These analyses were developed with a particular focus on estimating the total population of PA homeowners who could benefit from support from the HAF related to mortgage assistance, and other housing related costs such as utilities, taxes, condominium association fees, etc.

**§ 3.1. Homeownership Landscape in Pennsylvania.**

Pennsylvania is home to 3,480,978 owner-occupied households. The state is divided into six regions established by the PA Housing Finance Agency (see Map 1). These regions are used throughout this document to describe the state’s demographic, economic and housing conditions and how they vary geographically.

**Map 1. PA Regions**



<sup>2</sup> Atlanta Fed calculations using Black Knight’s McDash Flash daily mortgage performance data (available with a two-day lag), U.S. Census Bureau 2017 FIPS Codes.

The number of homeowners and homeownership rates vary considerably across the state's different regions—from a high of 71.9% in the Northwest to a low of 65.3% in the Southeast. However, in every region the homeownership rates for households of color are well below those of white homeowners. Homeownership rates for households of color are highest in the Philadelphia region (Southeast) and in the Northeast—those regions of the state with the largest number of owner-occupied households of color (See Table 1).

**Table 1. Homeowners & Homeownership Rates by PHFA Region**

PHFA Region	All Households		Households of Color		
	Owner Occupied Households	Homeownership Rate	Owner Occupied Households	Percent of All Owner Occupied Households	Homeownership Rate
Region I Southeast	1,015,464	65.3%	261,383	25.7%	49.2%
Region II Northeast	621,048	70.7%	62,097	10.0%	43.4%
Region III South Central	533,060	70.4%	39,256	7.4%	38.1%
Region IV North Central	304,921	70.9%	5,725	1.9%	32.2%
Region V Southwest	736,526	69.7%	42,311	5.7%	37.0%
Region VI Northwest	269,959	71.9%	6,696	2.5%	35.9%
<b>Pennsylvania</b>	<b>3,480,978</b>	<b>68.9%</b>	<b>417,468</b>	<b>12.0%</b>	<b>45.0%</b>

\*Source – ACS 2015-2019

The vast majority of homeowners in PA live in single-family homes (93.5%). Of the nearly three and half million owner-occupied housing units, about three million (3,253,640) are one-unit detached or attached dwellings. Only about 90,000 units are in small and large multifamily buildings, and about one hundred thirty thousand (133,560) homeowning households live in manufactured homes, both in manufactured home communities (MHCs) or on privately-owned land. (See Table 2.)

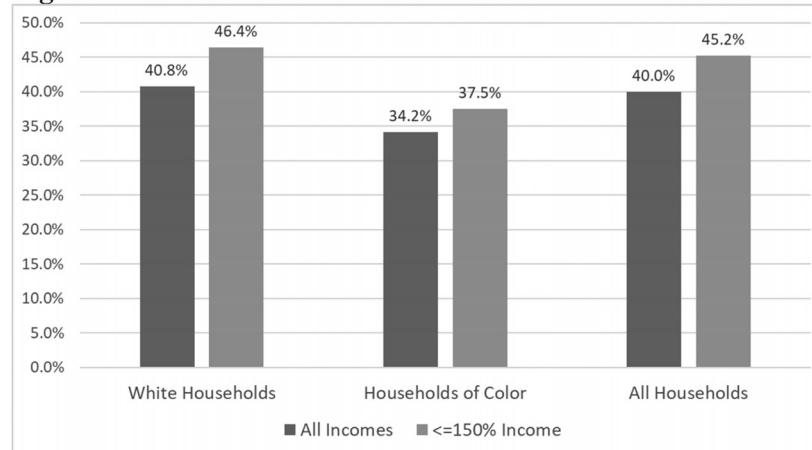
**Table 2. Owner-Occupied Housing Types in Pennsylvania**

	Housing Units		Population	
	#	%	#	%
1 Unit	3,253,640	93.5%	8,455,835	94.9%
2-4 Units	43,829	1.3%	86,869	1.0%
5+ Units	49,053	1.4%	76,685	0.9%
Manufactured	133,560	3.8%	284,795	3.2%
Boat, RV, Van, Etc.	896	0.0%	2,016	0.0%
<b>Total</b>	<b>3,480,978</b>	<b>100%</b>	<b>8,906,200</b>	<b>100%</b>

\*Source—ACS 2015—2019

Figure 1 presents the share of PA homeowners who own their homes free and clear.

**Figure 1. Share of Homeowners Who Own Their Homes Free and Clear**



	White	Households of Color	All Households
<b>All Incomes</b>	1,244,621	141,425	1,386,046
<b>%</b>	40.8%	34.2%	40.0%
<b>&lt;=150% AMI</b>	1,027,041	124,496	1,151,537
<b>%</b>	46.4%	37.5%	45.2%

Approximately forty percent (40%) or 1,386,046 households do not have a mortgage. A substantially greater share of white households than households of color own their homes unencumbered from mortgage debt; forty-one percent (41%) and thirty-four percent (34%), respectively. In addition, a greater share of lower income households, regardless of their race and ethnicity, own their homes without a mortgage than the overall population of homeowners; forty-five percent (45%) for households making less than one hundred fifty percent (150%) of the area median income versus forty percent (40%) for households of all incomes. (See Figure 1.)

According to Home Mortgage Disclosure Act (HMDA) data on home loans originated between 2007 and 2019, about a third of Pennsylvania homeowners purchased their homes with non-conventional mortgages secured by the Federal Housing Administration (FHA), the U.S. Department of Veterans Affairs (VA) or the United States Department of Agriculture's (USDA) Rural Housing Service or Farm Service Agency (RSA/FSA). The overall volume of these non-conventional mortgages is concentrated in the greater Philadelphia area (Southeast), greater Pittsburgh (Southwest), and the Northeast (See Table 3). Because they generally offer more flexible qualification requirements, non-conventional loans are more prevalent among lower income and Socially Disadvantaged borrowers.<sup>3</sup>

**Table 3. Share of Government-Secured Mortgages, by Region**

PHFA Region	All Originations	Conventional	FHA-insured	VA-guaranteed	FSA/RHS-guaranteed
Region I Southeast	460,247	328,938	112,702	14,764	3,843
	100%	71.5%	24.5%	3.2%	0.8%
Region II Northeast	232,024	140,413	70,712	12,621	8,278
	100%	60.5%	30.5%	5.4%	3.6%
Region III South Central	243,092	147,124	61,580	18,742	15,646
	100%	60.6%	25.3%	7.7%	6.4%
Region IV North Central	88,595	59,532	15,876	6,000	7,187
	100%	67.2%	17.9%	6.8%	8.1%
Region V Southwest	288,416	193,338	74,037	13,684	7,357
	100%	67.0%	25.7%	4.7%	2.6%
Region VI Northwest	73,496	48,337	16,452	4,798	3,909
	100%	67.0%	22.4%	6.5%	5.3%
Statewide	1,385,869	917,681	351,359	70,609	46,220
	100%	66.2%	25.4%	5.1%	3.3%

Source: HMDA 2007 - 2019

<sup>3</sup> [https://www.fha.com/fha\\_loan\\_requirements](https://www.fha.com/fha_loan_requirements)



Map 2 presents the Census tract share of all home purchase originations that were made to buyers with incomes at or below 100% of their Area Median Income.

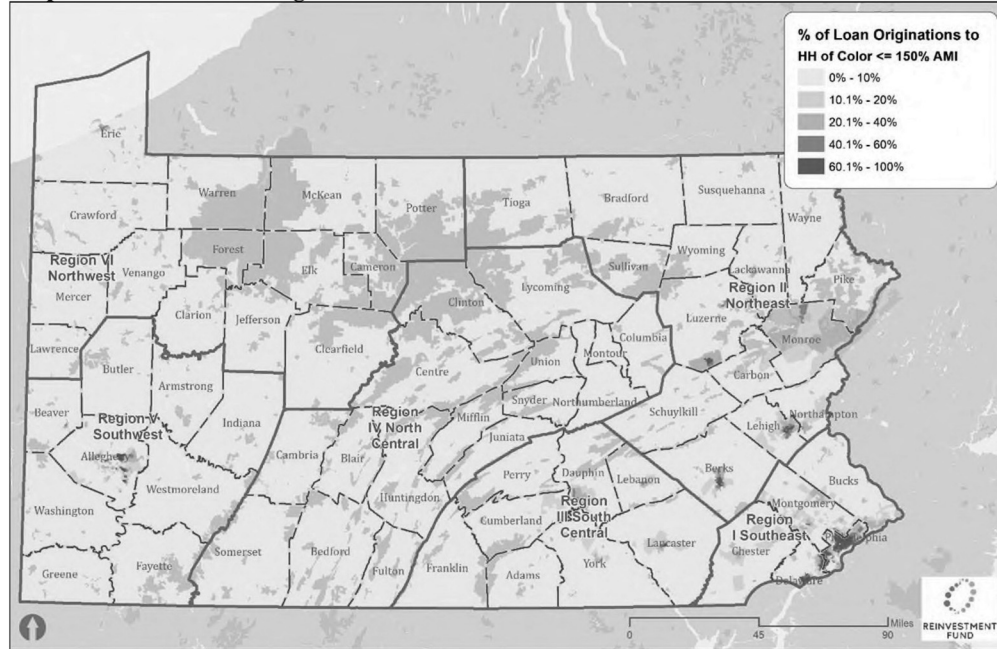
**Map 2. Share of Loan Originations to Low-Income Households**



PHFA Regions	Originations to Households <= 100% AMI			Originations to Households > 100% AMI	All Originations
	White Households	Households of Color	Total		
Region I Southeast	150,378 (33%)	60,904 (13%)	211,282 (46%)	248,965 (54%)	460,247 (100%)
Region II Northeast	98,661 (43%)	23,905 (10%)	122,566 (53%)	109,458 (47%)	232,024 (100%)
Region III South Central	116,853 (48%)	14,664 (6%)	131,517 (54%)	111,575 (46%)	243,092 (100%)
Region IV North Central	41,331 (47%)	1,324 (1%)	42,655 (48%)	45,940 (52%)	88,595 (100%)
Region V Southwest	126,733 (44%)	9,449 (3%)	136,182 (47%)	152,234 (53%)	288,416 (100%)
Region VI Northwest	36,705 (50%)	1,568 (2%)	38,273 (52%)	35,223 (48%)	73,496 (100%)
Statewide	570,661 (41%)	111,814 (8%)	682,475 (49%)	703,394 (51%)	1,385,869 (100%)

Approximately forty nine percent (49%) of home purchase originations between 2007 and 2019 were for households with incomes at or below their Area Median Income (AMI). Approximately eleven percent (11%) of home purchase originations were for households of color with incomes at or less than one hundred and fifty percent (150%) of the AMI. Analysis of the data at the census tract level reveals that most of these low-income households, and particularly households of color, are concentrated in cities (Philadelphia, Pittsburgh, Harrisburg, Allentown), as well as the Northeastern part of the state. Map 3 presents the Census tract share of home purchase originations made to households of color with incomes up to 150% of their Area Median Incomes.

Map 3. Share of Loan Originations to Low- and Moderate- Income Households of Color



PHFA Regions	Originations to Households <= 150% AMI			Originations to Households > 150% AMI	All Originations
	White Households	Households of Color	Total		
Region I Southeast	242,264 (53%)	80,214 (17%)	322,478 (70%)	137,769 (30%)	460,247 (100%)
Region II Northeast	149,971 (65%)	30,334 (13%)	180,306 (78%)	51,718 (22%)	232,024 (100%)
Region III South Central	173,683 (71%)	19,427 (8%)	193,110 (79%)	49,982 (21%)	243,092 (100%)
Region IV North Central	64,155 (72%)	2,102 (2%)	66,257 (75%)	22,338 (25%)	88,595 (100%)
Region V Southwest	192,320 (67%)	13,529 (5%)	205,849 (71%)	82,567 (29%)	288,416 (100%)
Region VI Northwest	54,367 (74%)	2,111 (3%)	56,478 (77%)	17,018 (23%)	73,496 (100%)
Statewide	876,760 (63%)	147,717 (11%)	1,024,477 (74%)	361,392 (26%)	1,385,869 (100%)

Source: Home Mortgage Disclosure Act, 2007—2019.

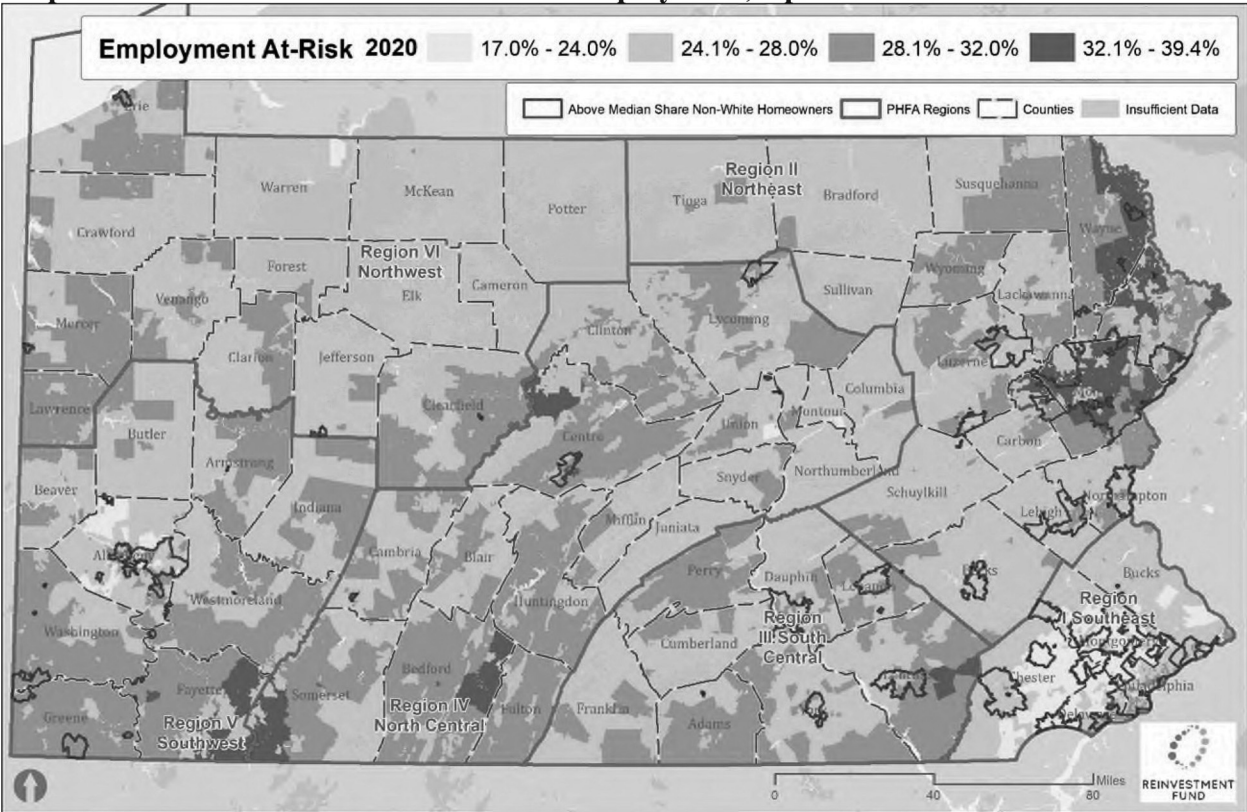
Overall, the greatest volume of home purchase lending to low to moderate-income households is concentrated in the Southeast, Southwest and South Central regions of the state. The largest volume and share of low to moderate-income homebuyers of color are concentrated in the Southeast and Northeast regions of the state.

**§ 3.2. Coronavirus Pandemic Impact.**

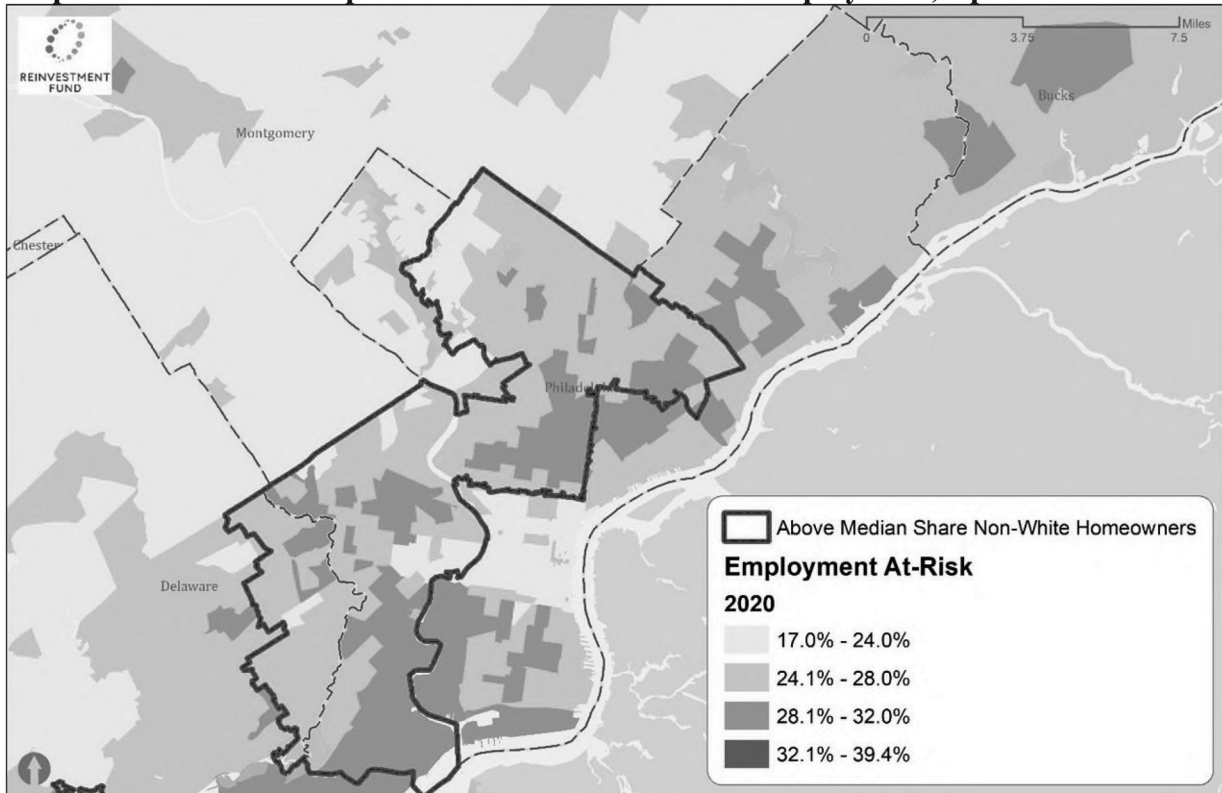
Throughout the Spring of 2020, the health system in the Commonwealth and throughout the country strained against surging COVID-19 cases, and millions of Pennsylvanians followed the stay-at-home order. For some, that meant working from home, but for many, the closure of non-essential businesses and the stay-at-home order meant temporary reduction or loss of income, and in some cases, long-term unemployment. By April 2020, the Pennsylvania economy lost about 926,000 jobs.<sup>4</sup> The State’s initial unemployment claims peaked in the first week of April at 390,753.<sup>5</sup> In April 2020, the Philadelphia Federal Reserve developed a methodology to identify workers who would be at the greatest risk of unemployment due to nationwide closures of unessential businesses and shifts to remote work.<sup>6</sup> Maps 4—6 present the distribution of at-risk workers across the Commonwealth, and large urban centers, at the outset of the pandemic.

<sup>4</sup> <https://data.bls.gov/timeseries/LASST420000000000003>  
<sup>5</sup> <https://www.workstats.dli.pa.gov/Products/UCActivity/Pages/default.aspx>  
<sup>6</sup> <https://www.philadelphiafed.org/community-development/housing-and-neighborhoods/which-neighborhoods-and-households-will-be-most-impacted-by-covid-19>; <https://www.philadelphiafed.org/community-development/workforce-and-economic-development/which-workers-will-be-most-impacted>

Map 4. Share of Workforce At-Risk of Unemployment, April 2020

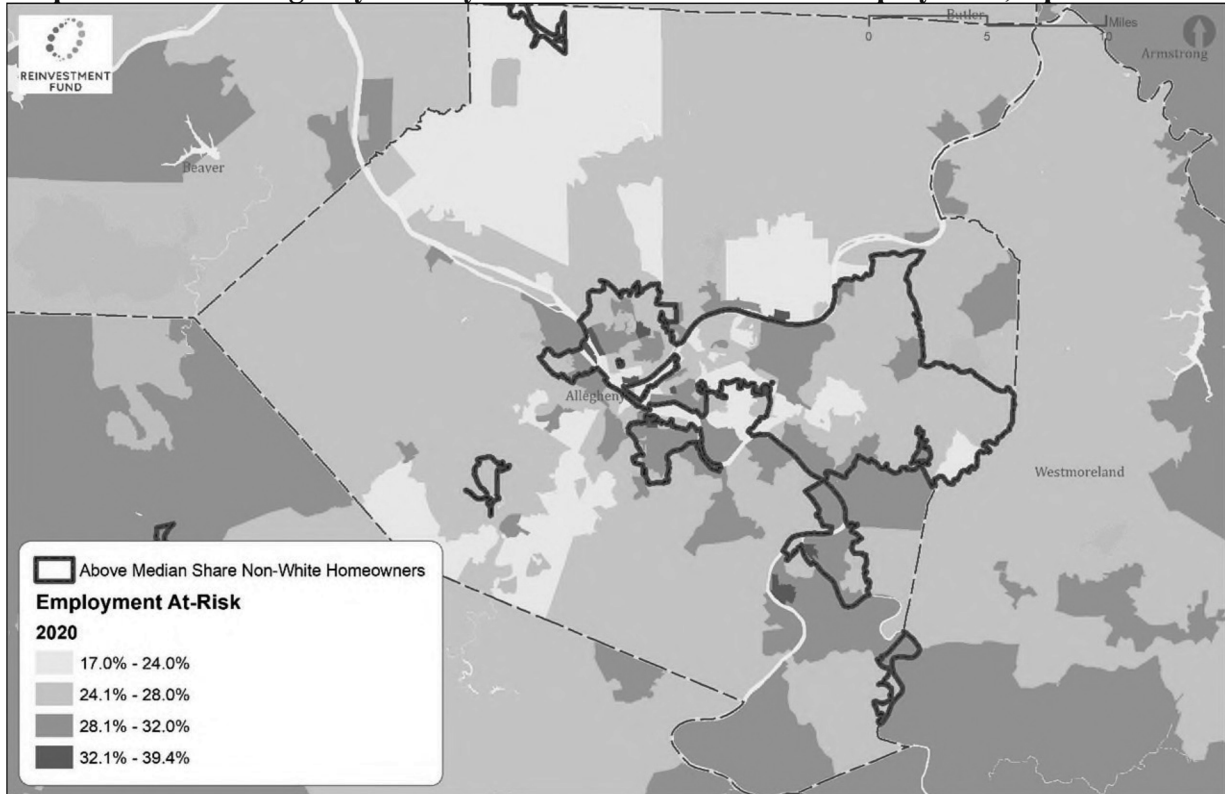


Map 5. Share of Philadelphia Workforce At-Risk of Unemployment, April 2020



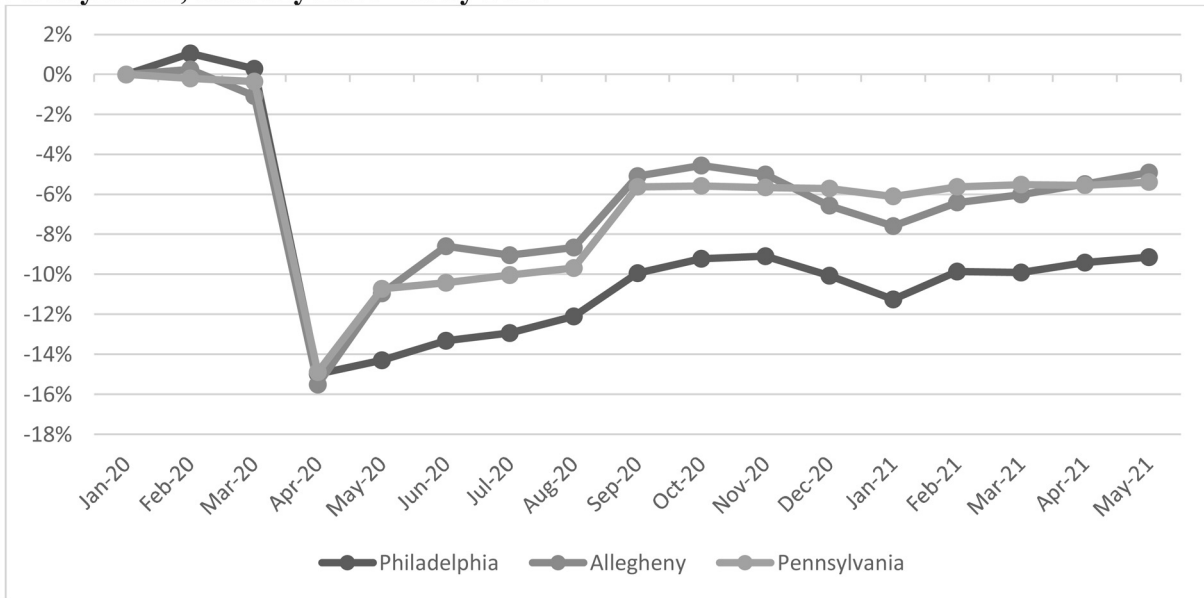


**Map 6. Share of Allegheny County Workforce At-Risk of Unemployment, April 2020**



Pandemic-related job losses were widespread throughout Pennsylvania, but the pace of the ongoing recovery has varied across Pennsylvania’s counties. Figure 2 presents the changes in employment for Pennsylvania, along with Philadelphia and Allegheny counties.

**Figure 2: Change in Employment in Philadelphia, Allegheny County (Pittsburgh), and Pennsylvania, January 2020 – May 2021**



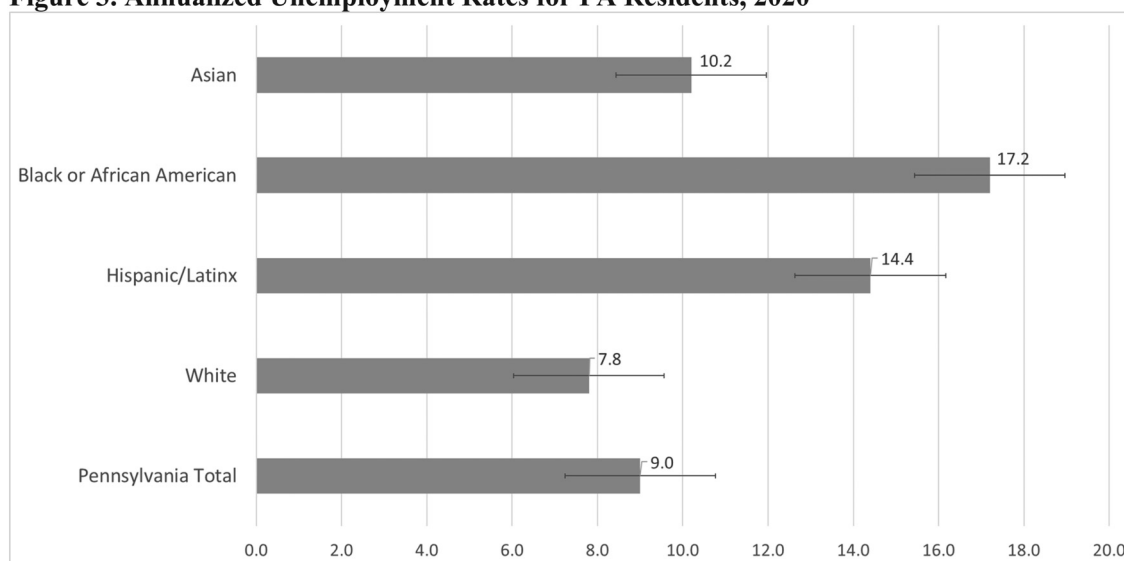
Source: Bureau of Labor Statistics’ Local Area Unemployment Statistics



Employment levels bottomed out in April 2020, when employment was down fifteen percent (-15%) statewide compared to January, 2020, before the pandemic hit. Employment in Philadelphia (-15%) and Allegheny (-16%) counties declined by about the same share as statewide. Philadelphia has recovered job losses more slowly than the rest of the State or Allegheny County. As of May 2021, employment had rebounded to five percent (-5%) below pre-pandemic levels in Allegheny County and statewide but were still ten percent (-9%) below pre-pandemic levels in Philadelphia.

The impact of pandemic-related job losses in Pennsylvania has been felt disproportionately by people of color. Black and Hispanic Pennsylvanians have faced much higher unemployment rates than white Pennsylvanians. Figure 3 presents the 2020 annualized unemployment rates for PA residents of different racial and ethnic groups.

**Figure 3. Annualized Unemployment Rates for PA Residents, 2020**



Source: Bureau of Labor Statistics' Local Area Unemployment Statistics

Black Pennsylvanians had an annualized unemployment rate of 17.2% in 2020, and Hispanic Pennsylvanians had an annualized unemployment rate of 14.4%, compared to a 7.8% unemployment rate for white Pennsylvanians.<sup>7</sup> The annualized unemployment rate for Asian Pennsylvanians was also higher (10.2%) than white residents, although within the survey margin of error.

### § 3.3. Estimating Target Populations for HAF Supports.

ACS 2015-19 records provide the most reliable way to identify areas in Pennsylvania with high populations of low income and Socially Disadvantaged homeowners—those with and without mortgages who may be eligible for assistance under one of the PAHAF programs. Table 4 presents the number of owner-occupied homes with and without a mortgage, disaggregated by pre-pandemic income and Socially Disadvantaged status.

**Table 4. Households in Owner-Occupied Housing Units by Mortgage Status, Income, and Socially Disadvantaged Status**

	Homeowners with a Mortgage	Homeowners w/o a Mortgage	Total
All Households	2,079,022	1,386,046	3,465,068
<= 100% AMI	881,392	935,422	1,816,814
100-150% AMI	512,701	216,115	728,816
<b>TOTAL &lt;= 150% AMI</b>	<b>1,394,093</b>	<b>1,151,537</b>	<b>2,545,630</b>
Socially Disadvantaged Households	272,280	141,425	413,705
<= 100% AMI	153,351	107,521	260,872
100-150% AMI	54,351	16,975	71,326
<b>TOTAL &lt;= 150% AMI</b>	<b>207,702</b>	<b>124,496</b>	<b>332,198</b>

<sup>7</sup> <https://www.bls.gov/lau/ex14tables.htm>

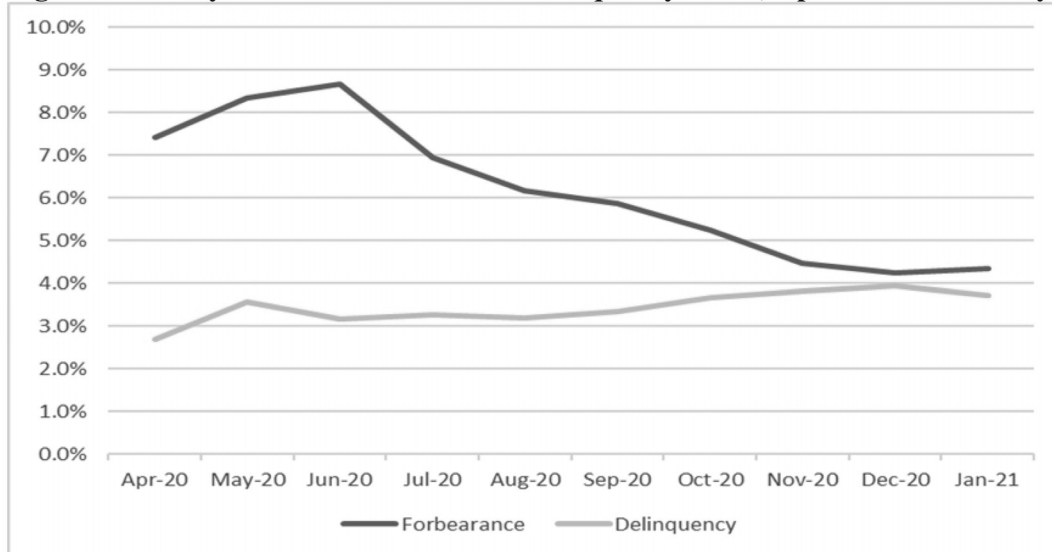
Using the estimated target populations in Table 4, each population segment was further broken down by their vulnerability to foreclosure. Target populations who are the most likely to need assistance may be homeowners with a mortgage who are coming out of a forbearance plan; homeowners without a mortgage who were unable to pay their real estate tax obligations; homeowners who may be delinquent on their home loan; or homeowners in condominiums who are delinquent on association fees.

**§ 3.4. Estimating At-Risk Homeowners.**

The federal CARES Act, passed in March 2020, provides forbearances for homeowners with federally backed mortgages. The Mortgage Analytics and Performance Dashboard (MAPD) data, which was compiled by the private research firm Black Knight and provided to PHFA by the Federal Reserve Bank of Atlanta, shows that for a sample of six hundred thousand (600,000) mortgages, the statewide delinquency rate increased from below three percent (2.7%) in April 2020 to just under four percent (3.7%) by January 2021. The forbearance rate peaked in June 2020 at 8.7% and has declined steadily since to 4.3% in January 2021 (See Figure 4).

According to data from the Mortgage Bankers Association (MBA), about 6.6 percent of mortgages in the state were delinquent in Q4 2019, prior to the pandemic. By Q4 of 2020, the delinquency rate had increased to almost 9 percent among Pennsylvania homeowners (See Figure 4).

**Figure 4. Pennsylvania Forbearance & Delinquency Rates, April 2020 – January 2021**



Source: Black Knight; Federal Reserve Bank of Atlanta

Figure 5 shows that forbearance rates were (and remain) much higher in the Philadelphia (Southeast) Region and the Northeast compared to the rest of the state—both during the peak and as the crisis has eased. Forbearance rates began trending up in the North Central and Northwest regions towards the end of 2020 and into 2021.

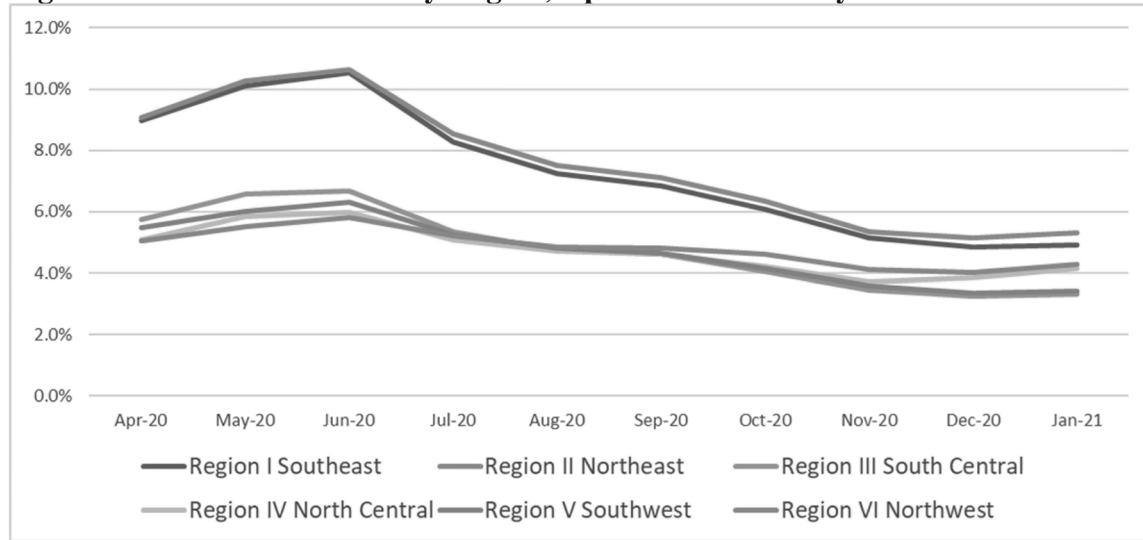
Applying a combined average mortgage forbearance and delinquency rate observed in Figures 5 and 6 (10.5%) to the population of PA homeowners with incomes below 100% of AMI (See Table 3), approximately 62,633 PA owner-occupied households were delinquent and 28,676 were in forbearance in the first quarter of 2021. In total, an approximated 91,309 owner-occupied households with incomes below 100% of AMI are currently in forbearance or delinquent on their mortgages. Table 5 presents the estimated number of households in delinquency and forbearance across different racial and ethnic groups, using nationally estimated delinquency and forbearance rates for different racial and ethnic groups.<sup>8</sup>

**Table 5. Estimated Count of Income Eligible Households in Delinquency or Forbearance by Racial/Ethnic Groups**

	<i>Total Households</i>
Black	11,870
Hispanic	18,262
Asian	4,565
Other Race	1,826
White	54,785
Total	91,309

<sup>8</sup> [https://files.consumerfinance.gov/f/documents/cfpb\\_characteristics-mortgage-borrowers-during-covid-19-pandemic\\_report\\_2021-05.pdf](https://files.consumerfinance.gov/f/documents/cfpb_characteristics-mortgage-borrowers-during-covid-19-pandemic_report_2021-05.pdf)

**Figure 5. Forbearance Rates by Region, April 2020 – January 2021**

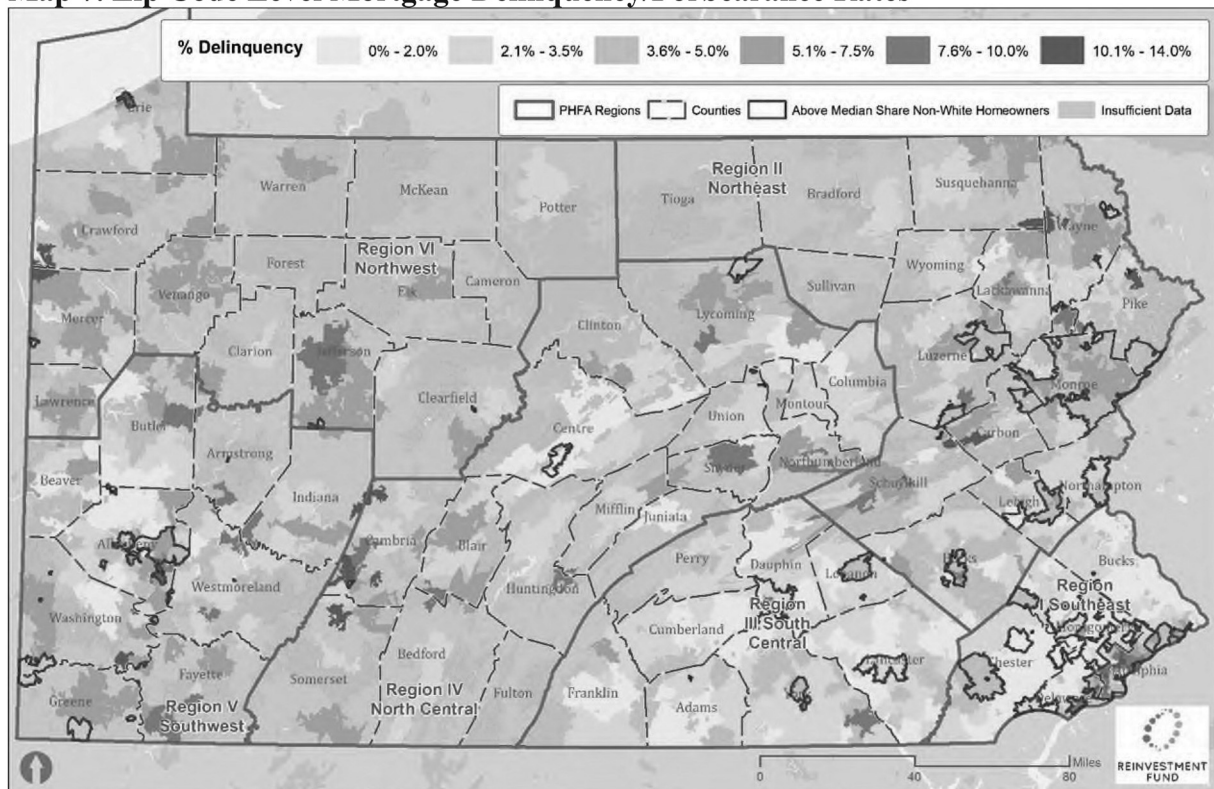


Source: Black Knight; Federal Reserve Bank of Atlanta

\* Source: IPUMS (ACS 2015–2019), Mortgage Bankers Association, Federal Reserve Bank

Table 5 suggests that roughly 36,500 socially disadvantaged homeowners’ mortgages are either in forbearance or delinquent. Map 7 presents the zip-code level geographic distribution of the combined delinquency/forbearance rate across the Commonwealth, along with zip-codes with elevated populations of socially disadvantaged households (i.e. above the state median).

**Map 7. Zip Code Level Mortgage Delinquency/Forbearance Rates**



There are zip codes across the Commonwealth with combined delinquency/forbearance rates above 10%—from Philadelphia to Scranton, Johnstown, in the Southwest and Northwest. The greatest concentrations of zip codes with elevated populations of Social Disadvantaged households tend to be clustered in the Southeast (Philadelphia), Northwest (Erie), South-Central (Harrisburg and York), Northeast (Monroe), and Pittsburgh areas.

### § 3.5. Anticipated Needs for Property Tax Assistance.

Many Pennsylvania homeowners without mortgages have income losses from the COVID-19 pandemic that have resulted in property tax arrearages, including many socially disadvantaged homeowners. Based on American Community Survey, 2015–2019 data from Integrated Public Use Microdata Series (IPUMS), an estimated 952,213 Pennsylvania homeowners are income eligible at 100% of AMI and do not currently have a mortgage, including 108,698 socially disadvantaged homeowners. Socially disadvantaged homeowners without a mortgage live predominately in Philadelphia (43%), Allegheny (8%), Montgomery (7%), and Delaware (7%) counties. Income-eligible Hispanic homeowners without a mortgage also commonly live in Berks (9%) and Lehigh (8%) counties.

Tax delinquency data from Philadelphia and Allegheny counties suggest that homeowners with COVID-related income losses could be thousands of dollars behind on property taxes. Tables 7 and 8 show the number of tax delinquent homeowners in these counties and the distribution of property tax arrearages.

**Table 7: Property Tax Delinquency in Philadelphia County**

When Delinquent	Count Delinquent	Avg. Amount Behind	Q1 Amount Behind	Median Amount Behind	Q3 Amount Behind
Before 2020	11,973	\$7,783	\$1,538	\$3,898	\$9,293
In 2020	2,271	\$1,153	\$117	\$661	\$1,580
<b>Total</b>	<b>14,244</b>	<b>\$6,252</b>	<b>\$826</b>	<b>\$2,648</b>	<b>\$7,080</b>

**Table 8: Property Tax Delinquency in Allegheny County**

When Delinquent	Count Delinquent	Avg. Amount Behind	Q1 Amount Behind	Median Amount Behind	Q3 Amount Behind
Before 2020	12,544	\$3,034	\$431	\$1,410	\$3,750
In 2020	700	\$1,743	\$490	\$1,172	\$2,515
<b>Total</b>	<b>13,244</b>	<b>\$2,966</b>	<b>\$437</b>	<b>\$1,395</b>	<b>\$3,603</b>

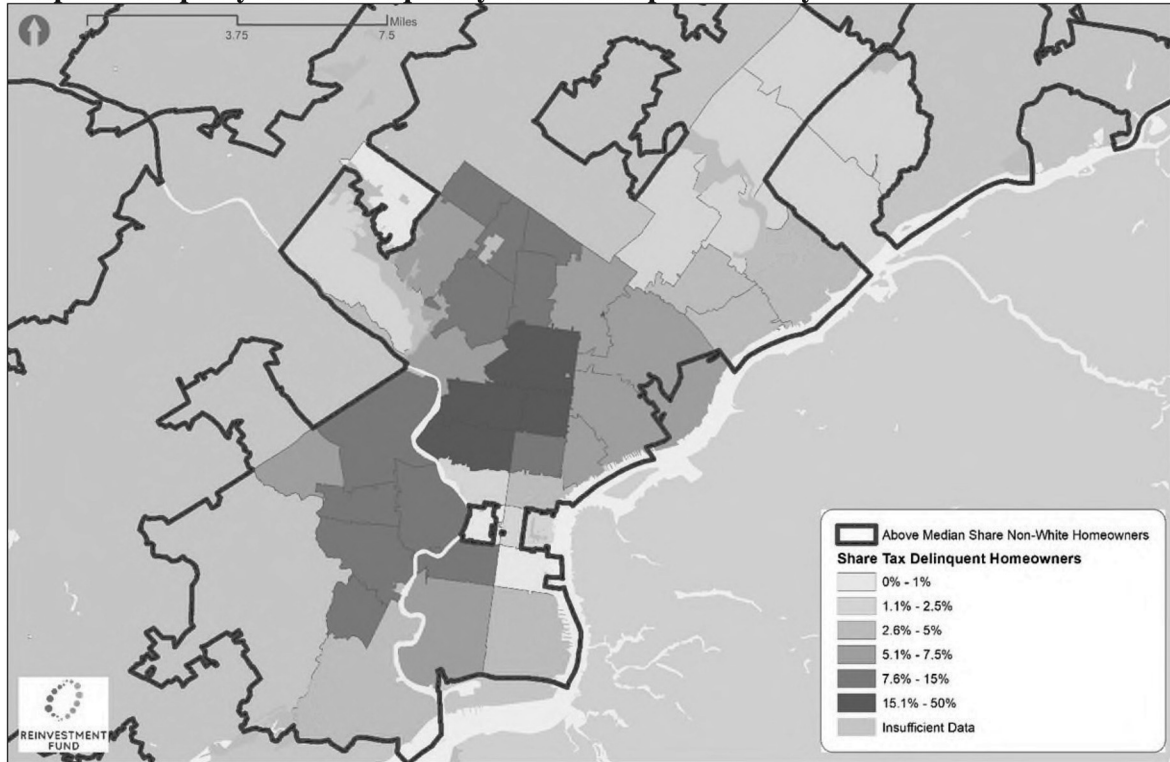
In Philadelphia, 2,271 homeowners became newly delinquent on property taxes in 2020, possibly because of COVID-related income losses. These homeowners were typically about \$611 dollars in arrears, although the average is almost twice that amount (\$1,153). In Allegheny County 700 homeowners were newly tax delinquent in 2020,<sup>9</sup> with a median delinquency arrearage of \$1,172 and average of \$1,743.

<sup>9</sup> Not all municipalities in Allegheny County had reported 2020 tax liens by the time of this writing, so this number understates the extent of need for property tax assistance there.

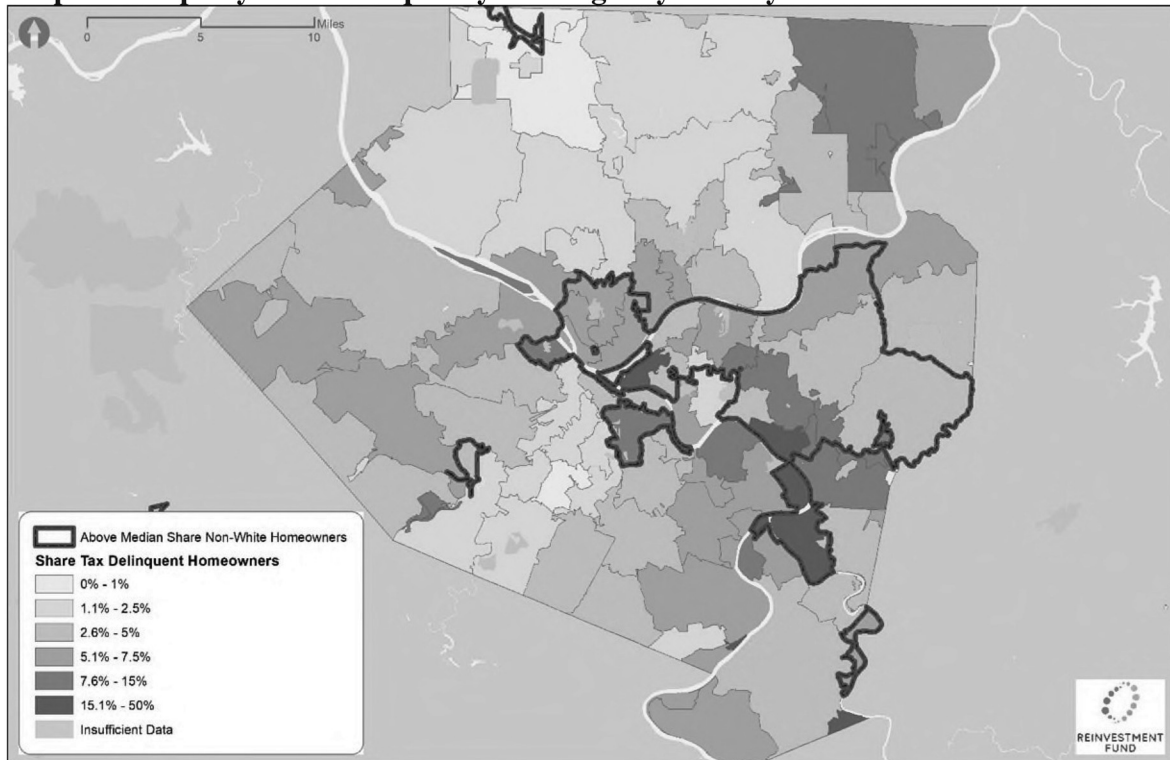


Map 12 shows where in Philadelphia homeowners behind on their taxes live and shows that likely the majority of these homeowners are socially disadvantaged. The geography of property tax delinquency in Allegheny County (see Map 13 below) also suggests that many socially disadvantaged homeowners may need assistance with property tax arrearages.

**Map 12: Property Tax Delinquency in Philadelphia County**



**Map 13: Property Tax Delinquency in Allegheny County**



### § 3.6. Anticipated Needs for Utility Assistance.

In addition to household needs for mortgage assistance and tax arrearages a great deal of low to moderate income households in PA could also benefit from support for utilities arrearages incurred due to income losses associated with the COVID-19 pandemic. Accessing reliable data for utility arrearages is challenging due to the diverse range of providers, both public and private, across the Commonwealth. However, the Pennsylvania Utility Law Project (PULP) collects a range of data points from the Commonwealth's largest utility providers on a semi-annual basis to track 'at risk' accounts and dollar values of arrearages associated with these accounts.

In February 2021 there were 814,508 'at risk' accounts associated with \$852,054,166 in outstanding debt reported by most of the state's largest utility providers to PULP. This represents roughly 16% of all PA households. While it is not possible to know which of these delinquent accounts are associated with renters and those associated with homeowners, a conservative estimate of 10% of the income eligible owner-occupied households in PA in need of utilities assistance would represent roughly 182,000 households. And a recent report from Philadelphia's Community Legal Services and the PA Utility Law Project found that utility delinquencies are disproportionately concentrated among socially disadvantaged residents.<sup>10</sup>

### Chapter 4. Stakeholder Engagement and Public Comment

Pennsylvania has a robust network of non-profit Legal Service Providers operating across the entire Commonwealth and PHFA has established a solid working relationship with the network. PHFA held a meeting on July 6, 2021 and received comments from PA Legal Service Providers June 15, 2021 and July 20, 2021 specific to all of the elements of HAF funding pursuant to Treasury guidance and specific to the PAHAF under consideration. In addition, PHFA has an active and engaged Housing Counseling Network and administers its own funding along with grant funding from HUD and Neighborworks to 65 agencies across the state. PHFA held three virtual meetings with the Housing Counseling network with over 164 participants in the month of July. Housing Counselors were encouraged to provide ongoing feedback and input into the PAHAF plan elements. The Agency has also held conversations with many other individual community and stakeholder groups, including numerous state elected officials briefing them on various aspects of the program plan and implementation.

PHFA will hold two statewide hearings detailing the Treasury guidance requirements for eligible homeowners, qualified expenses and qualified hardships. The forum will be a virtual public meeting designed to solicit feedback from community members, legal service providers, advocates, and housing counseling agencies, as well as the public. PHFA has partnered with numerous community agencies, particularly those that coordinate services for socially disadvantaged homeowners, across the state to encourage their local program partners and constituents to attend the hearing and provide feedback. Those community agencies will be sending email blasts, social media posts and organizing in-person sessions for those without internet access to attend the on-line public forum.

The public meeting will be advertised through PHFA's social media and email list serve. A PHFA HAF page was created and a list of interested parties has been accumu-

lating. All names on that Listserv will be notified. Public notices will be issued in the *PA Bulletin*, on the PHFA website and distributed widely to community groups.

PHFA will also take stakeholder comments from PA Mortgage Bankers, Community Development Financial Institutions (CDFIs), Community Development Corporations (CDCs), community-based non-profits that serve the target audience, elected officials, legal service providers and housing counseling agencies. Additionally, separate meetings have been held where requested to address specific issues related to socially disadvantaged individuals.

The public comment period is open from September 11, 2021 to October 11, 2021. Public comments will be recorded and addressed, informing the final version of the PAHAF Plan.

The public may submit written comments regarding PAHAF Plan to [HAFCommentsphfa.org](mailto:HAFCommentsphfa.org). The plan and information about submitting public comments is also posted on the PHFA website [www.phfa.org/haf/](http://www.phfa.org/haf/).

### § 4.1. Housing Finance Agency Coordination.

The National Council of State Housing Agencies holds meetings twice a week with mortgage servicers and state agency leaders to discuss best practices, coordination of activity where applicable, and review program requirements. Several members of the Pennsylvania Housing Finance Agency team have actively participated in these meetings. In addition, one-on-one meetings have been held with a number of states, particularly those that administered Hardest Hit Funds, in order to ascertain best practices and lessons learned from those programs that would apply to the PAHAF program.

### Chapter 5. PAHAF Program Design

#### § 5.1. Definitions.

The following words and terms shall have the following meanings:

*Applicant*—A homeowner or a program partner applying on behalf of a homeowner.

*Homeowner*—The owner-occupant of a dwelling consisting of one-to-four-unit dwelling who has experienced a material reduction in income or material increase in living expenses after January 21, 2020, associated with the coronavirus pandemic. This term is interchangeable with the term "mortgagor".

*Income*—Includes compensation for services, including fees, commissions, fringe benefits, and similar items. Income will also include all gross income derived from businesses.

*Lender*—A mortgagee whose debt is secured by a first lien on the property of a homeowner. This term is interchangeable with the term "mortgagee."

*Mortgage*—A lien, other than a judgment, on a fee simple or leasehold interest in real property which constitutes the principal residence of the homeowner, located in this Commonwealth together with credit instruments secured thereby. The term also includes an obligation evidenced by a security lien on real property upon which an owner-occupied mobile home is located.

*Mortgagee*—A lender whose debt is secured by a first lien on the property of a homeowner. This term is interchangeable with the term "lender."

*Mortgagor*—The owner-occupant of a dwelling consisting of a one- to four-unit dwelling, who has experienced a

<sup>10</sup> [https://clsphila.org/wp-content/uploads/2021/03/CLS\\_UtilityReport\\_20200324.pdf](https://clsphila.org/wp-content/uploads/2021/03/CLS_UtilityReport_20200324.pdf)

financial hardship after January 21, 2020, due to the COVID-19 pandemic. This term is interchangeable with the term “homeowner.”

**Qualified Financial Hardship**—A material reduction in income or material increase in living expenses associated with the Coronavirus pandemic that has created or increased the risk of mortgage delinquency, mortgage default, foreclosure, loss of utilities or home energy services, or displacement for a homeowner. The homeowner has experienced a material reduction in income and/or a material increase in living expenses associated with the COVID-19 pandemic that began, continued or worsened any time after January 21, 2020 (including a hardship that began before January 21, 2020, but continued after that date).

### § 5.2. Eligible Homeowners.

Eligible Homeowners must meet the following criteria:

a) Homeowner must be a natural person or trustee of a living trust that holds title to the property. Heirs, equitable owners, and successors-in-interest, as that term is defined in section 1024.31 of Title 12 of the Code of Federal Regulations (12 CFR 1024.31), meet this ownership requirement. A reverse mortgage, a loan secured by a manufactured home, or a contract for deed (also known as a land contract) may fall within this definition.

b) Homeowner must have experienced a Qualified Financial Hardship after January 21, 2020 (including a hardship that began before January 21, 2020, but continued after that date).

c) Homeowner must currently own and occupy the property as their primary residence and be located in Pennsylvania.

d) Homeowner must meet the Homeowner Income Eligibility Requirements.

e) Homeowner must agree to provide all necessary documentation to satisfy program guidelines within timeframes established by the State, including self-attestation.

f) The original, unpaid principal balance of the homeowner’s first mortgage or housing loan, at the time of origination, was not greater than the conforming loan limits in effect at time of origination.

g) Based on Treasury guidance, HAF funds should supplement other loss-mitigation efforts. Thus, homeowners will be encouraged to utilize other loss mitigation resources, if available, while simultaneously applying for HAF.

### § 5.3. Qualified Expenses.

HAF participants may use funding from the HAF only for the following types of qualified expenses:

a) Expenses that are for the purpose of preventing homeowner mortgage delinquencies, homeowner mortgage defaults, homeowner mortgage foreclosures, and displacements of homeowners experiencing financial hardship:

- 1) mortgage payment assistance;
- 2) financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing-related costs related to a period of forbearance, delinquency, or default;
- 3) facilitating mortgage interest rate reductions;

Assistance is available for a first mortgage on the property of an eligible homeowner, subject to all other eligibility criteria. PAHAF Funds will be used to bring accounts fully current, with no remaining delinquent

amounts, and to repay amounts advanced by the lender or servicer on the borrower’s behalf for property charges, including property taxes, hazard insurance premiums, flood or wind insurance premiums, ground rents, condominium fees, cooperative maintenance fees, planned unit development fees, homeowners’ association fees or utilities that the servicer advanced to protect lien position. Payment may also include any reasonably required legal fees.

b) Expenses that are for the purpose of preventing homeowner mortgage delinquencies, homeowner mortgage defaults, homeowner mortgage foreclosures, and displacements of homeowners experiencing financial hardship:

- 1) Forward payment assistance for a period of 6-months forward.

Assistance is available for a first mortgage on the property of an eligible homeowner, subject to all other eligibility criteria. PAHAF Funds will be used to pay the monthly mortgage including property taxes, hazard insurance premiums, flood or wind insurance premiums, ground rents, condominium fees, cooperative maintenance fees, planned unit development fees, or homeowners’ association fees that the servicer will advance to protect lien position.

c) Expenses that are for the purpose of preventing homeowner mortgage foreclosures, and displacements of homeowners experiencing financial hardship for those homeowners that currently do not have a mortgage or have a reverse mortgage on the property.

d)

- 1) Property taxes; and
- 2) Property Insurance.

e) Expenses for past due utility bills, particularly for those utility bills where no program currently exists in PA to assist the homeowner that could result in liens, possible foreclosure and homeowner displacement. Homeowners will be required to apply for identified utility assistance, prior to making application for the PA HAF utility portion of the program.

### § 5.4. Estimating Anticipated Program Costs to Meet Need.

Assistance will be limited to a maximum of \$30,000 per household over the life of the program. Based on available data related to the monthly mortgage costs for income eligible borrowers (roughly \$1,219)<sup>11</sup> and the length of delinquency or forbearance (almost half of eligible owners were behind 3 months or fewer),<sup>12</sup> the estimated total cost of catching up all income-eligible homeowners in delinquency, forbearance, and foreclosure would be roughly \$725.5 million.

Approximately \$50 million of the HAF funds will be used to develop and administer the program, and for housing counseling and legal services. After accounting for Administrative and Housing Counseling & Legal Service Provider expenses to develop and administer the fund, PAHAF will have approximately \$300 million available for eligible homeowners in PA.

To maximize the number of homeowners that can receive assistance under the PAHAF program, three separate scenarios were analyzed to identify a cap for the amount of support individual homeowners could receive

<sup>11</sup> IPUMS (ACS 2015–2019), adjusted to 2021 dollars. In 2021, the median monthly costs for income-eligible owners with a mortgage, including principal, interest, taxes, insurance, and utilities was \$1,219.

<sup>12</sup> Mortgage Bankers Association, Federal Reserve Bank 13 <https://libertystreeteconomics.newyorkfed.org/2021/05/whats-next-for-forborne-borrowers.html>



under the program: \$20,000; \$30,000; and \$40,000. These cap levels were selected under the assumption that these amounts of support should be sufficient to meet the needs of the vast majority of income-eligible homeowners in the Commonwealth.

Building estimates of homeowner supports per household to each cap level involved the following steps:

a) Assign eligible homeowners in need a ‘number of months’ behind. Although nearly half of qualifying owners were behind three months or fewer, the Federal Reserve Bank of New York<sup>13</sup> estimates that one in eight owners is behind 11 months or more. For the 91,309 eligible households the number of months behind was assigned based on estimations from 100 simulations that assigned a months-behind on the basis of the share of homeowners with varying months behind using forbearance and delinquency records from the NY Fed—duration of forbearance and delinquency ranged from one to 11-months;

b) Assign a monthly owner cost, sampled from the 2015-2019 ACS microdata for income eligible homeowners with a mortgage;

c) Homeowner total costs = (months behind+1) multiplied by monthly owner costs;

1) One additional month was added to the ‘months behind’ to ensure that supports provided would fully cover outstanding costs for homeowners & timing difference between application & fund disbursement. d) Limit benefits for homeowners over the cap.

The \$30,000 cap established for PAHAF supports for individual households will be sufficient to meet the needs of the vast majority of PA homeowners in need of assistance. Table 6 presents the amount of assistance, the number and share of eligible homeowners who could be supported, and the number and share of eligible homeowners whose need would fall above the \$30,000 cap limits for direct PAHAF support for homeowners.

**Table 6. Average Assistance and Homeowners Supported by \$30,000 Assistance Cap**

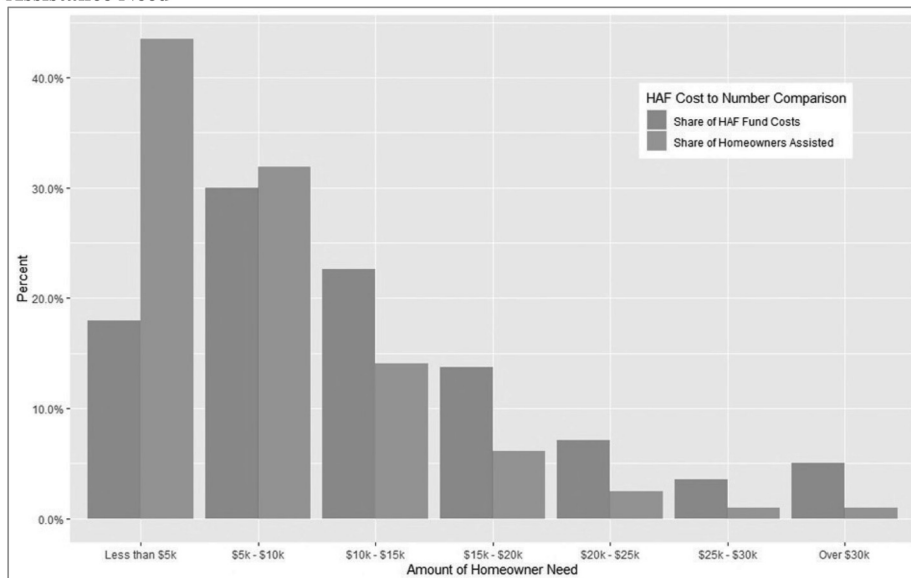
Average Assistance Provided	\$7,843
Total Homeowners Assisted	38,251
% of Income Eligible Homeowners Assisted	41.9%
Income Eligible Homeowners Above Cap	957
% Income Eligible Homeowners Above Cap	1.0%

\*Data Sources: IPUMS (ACS 2015-2019); Mortgage Bankers Association; Black Knight; Atlanta & New York Federal Reserve

\*Data Sources: IPUMS (ACS 2015—2019); Mortgage Bankers Association; Black Knight; Atlanta & New York Federal Reserve

Table 6 suggests that direct HAF assistance for eligible PA homeowners could support 38,251 homeowners—roughly 42% of all income eligible homeowners in the Commonwealth. Additionally, only 1% of income eligible homeowners would likely need support above the \$30,000 cap for HAF supports. Indeed, based on these estimates, the greatest share of HAF supports will likely go to homeowners with the lowest needs, while only a small share of homeowners will need assistance up to the \$30,000 cap—although these homeowners will require a greater share of the overall HAF supports. Figure 6 presents the estimated share of homeowners and the share of HAF costs that will be deployed at different levels of support under the proposed HAF program with a \$30,000 cap.

**Figure 6: Share of Homeowners and Share of HAF Costs by Amount of Homeowner Assistance Need**





As seen in Figure 6, over 40% of homeowners in need of \$5,000 or less will account for less than 20% of the HAF available funding, while the roughly 1% of homeowners who need support up to the \$30,000 cap will account for about 5% of the total HAF funds committed under the proposed program. Overall, a \$30,000 cap per household will be sufficient to meet the needs of the vast majority of the eligible households across the Commonwealth, with the majority of HAF funds being deployed to households with needs well below this threshold.

## **Chapter 6. Marketing and Outreach**

### **§ 6.1. Target Populations.**

Homeowners in Pennsylvania with incomes equal to or less than 100% AMI of the county area median income of the United States.

Socially disadvantaged homeowners in Pennsylvania with incomes equal to or less than 150% AMI of the county area median income.

Numerous counties and communities have significant proportions of socially disadvantaged homeowners. The PAHAF program will expend extensive time and resources to ensure that our marketing and outreach efforts are focused on engaging these homeowners to apply for program funds.

### **§ 6.2. Marketing and Outreach Campaign.**

PHFA is a primary provider of affordable housing in Pennsylvania and has been communicating with low-income and moderate-income families, and communities of color for decades. PHFA has direct experience marketing housing programs and services to socially disadvantaged populations and has built strong relationships with business partners tied to these communities. PHFA has established credibility and trust in the communities the PAHAF was created to serve.

The outreach campaign will employ several strategies to reach homeowners struggling in the wake of the pandemic. Communication strategies, incorporating earned and paid media will be tailored to the audience with messaging translated and delivered in both English and Spanish and potentially additional languages, as those needs are identified. The communication initiative will include a paid media campaign, utilizing digital

advertising. The digital ads will look to emphasize short videos over plain text. Digital advertising has a number of key advantages, including demographic targeting for language, geographic targeting to reach low-income communities and affordability. Nextdoor & Facebook ads are an extremely successful and cost effective medium with potential to reach a broad audience, while also targeting specific demographics eligible for PAHAF.

Earned media will be another component of the campaign. PHFA has extensive history working with a variety of publications and local news stations. Press releases and interviews with local and state-wide journalist will be a useful tool to get the word out about PAHAF through trusted information sources. Virtual and in-person town halls focused in key geographic areas with targeted outreach to local government and community message boards will also be employed tactics.

Partnerships with community and business partners and state legislatures that have already established trust with eligible homeowners is another key strategy. Information can be shared with these groups through a specialized web portal, or through virtual seminars that can accommodate hundreds of partner participants dispersed widely around Pennsylvania. It may also include developing an Outreach Tool Kit to share with Community Action Agencies, Housing Counseling Agencies, PA Non-Profits that work with the target audience, Legal Service Providers, faith-based leaders and community-based organizations, with a particular focus in the county's/region's with high concentrations of potential PAHAF homeowners.

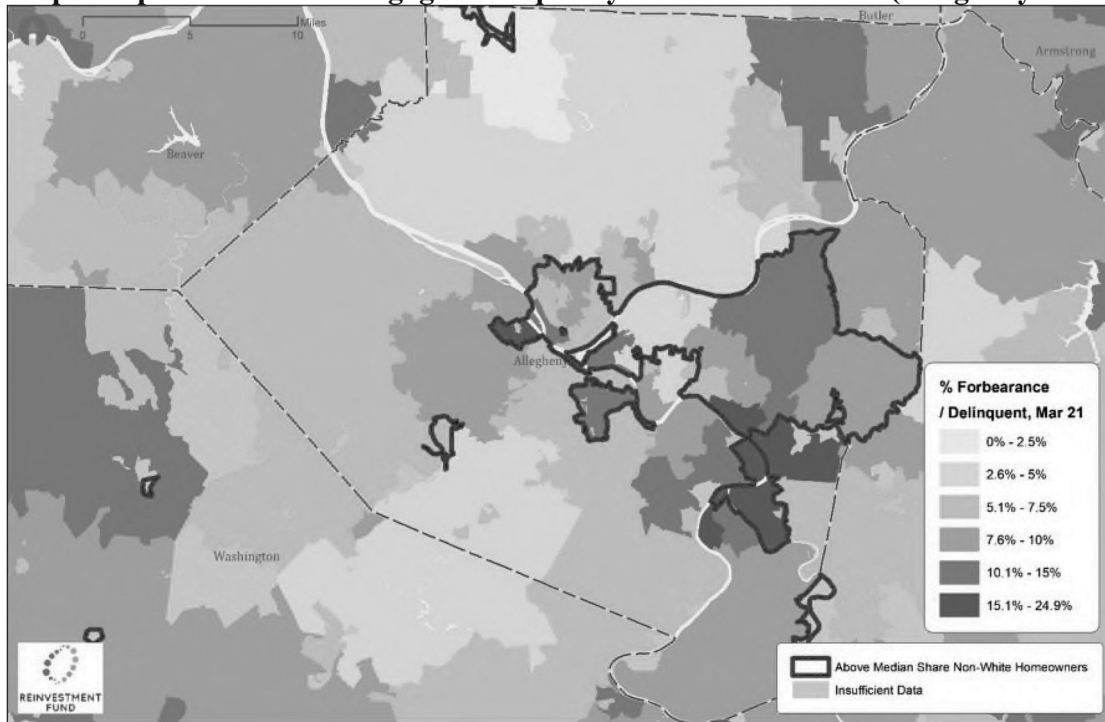
Additionally, PHFA will utilize its partnership with the PA Mortgage Bankers, Community Development Financial Institutions (CDFI), Community Development Corporations (CDC) and loan servicers with PA eligible clients to engage those groups as a referral source for PAHAF applicants.

### **§ 6.3. Data Driven Methodology.**

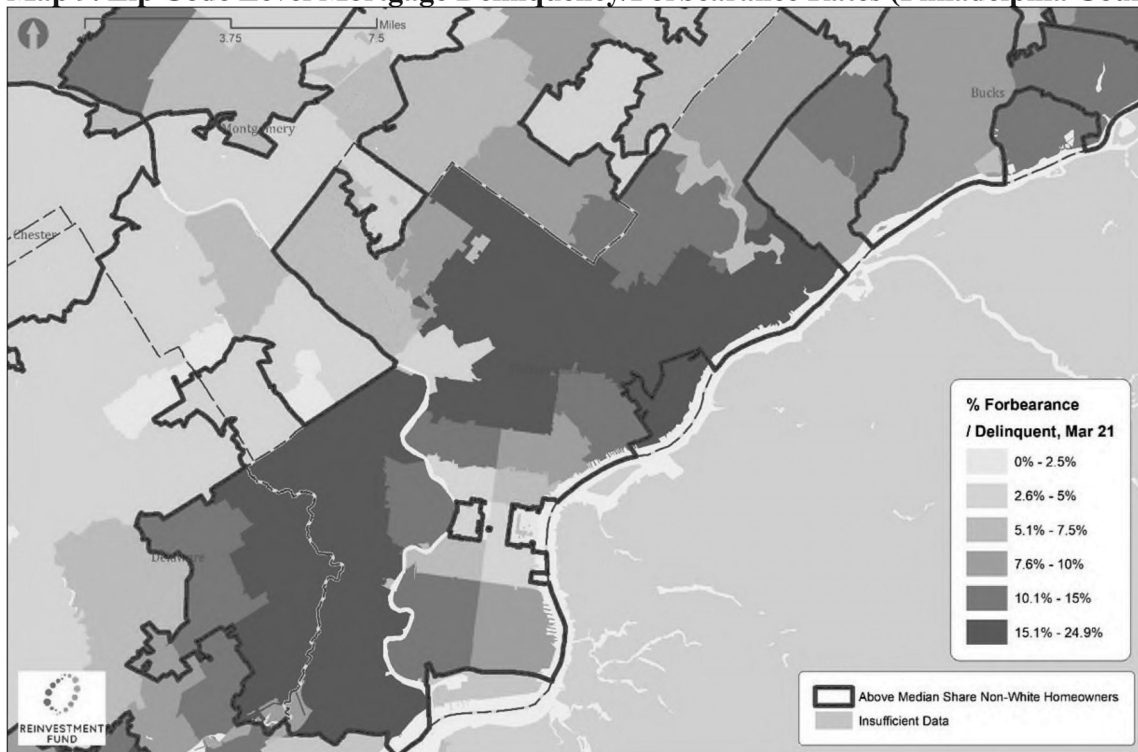
The PAHAF program will utilize a data driven approach to targeting the most at need low-to-moderate homeowners earning less than 150% of AMI and socially disadvantaged. By using this data driven approach PAHAF will focus messaging to target audiences to maximize marketing dollars.

For instance, Maps 8—11, below present forbearance/delinquency rates in Philadelphia, Allegheny, Lackawanna, and Monroe counties, and identify areas with a high concentration of homeowners that will be a target population for the PAHAF program. In addition, we have also identified high concentrations of target population homeowners with no mortgage in the following counties: Philadelphia, Allegheny, Montgomery, Delaware, Chester, Bucks Lehigh, Berks, Dauphin, and Monroe counties. PHFA will continue to refine these data to ensure marketing resources are focused on reaching the most vulnerable for the PAHAF program.

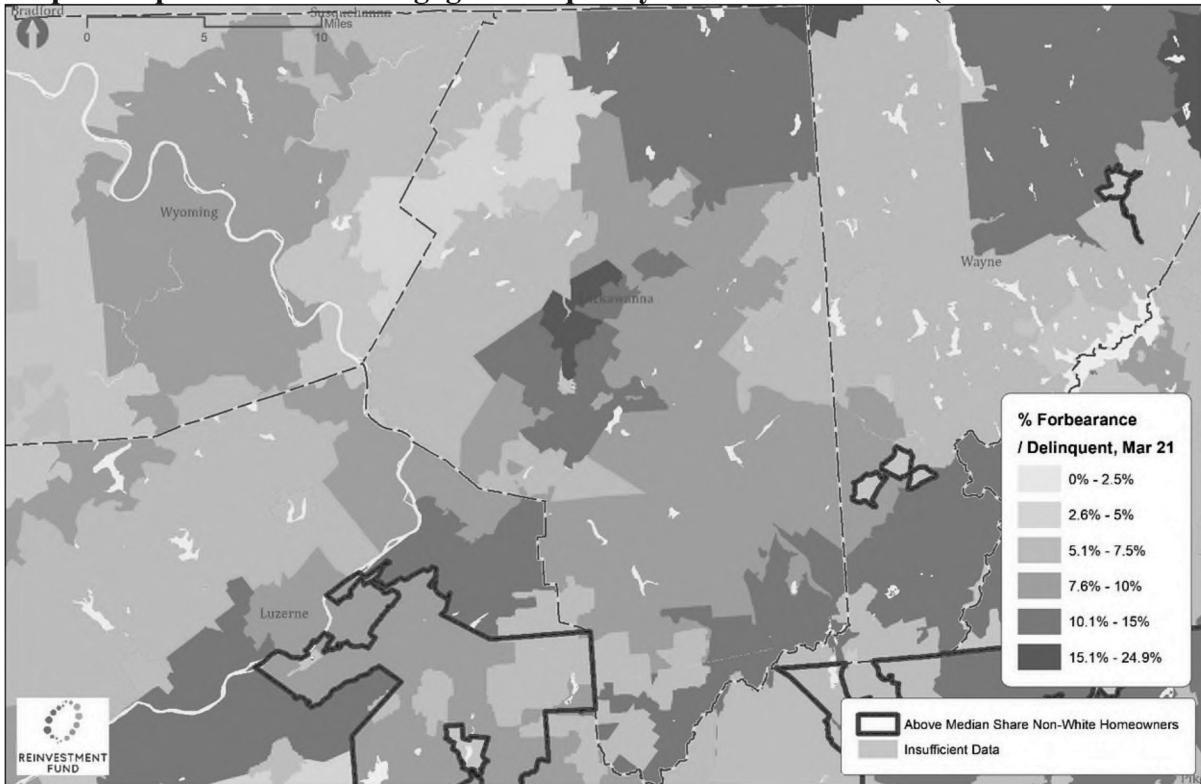
**Map 8. Zip Code Level Mortgage Delinquency/Forbearance Rates (Allegheny County)**



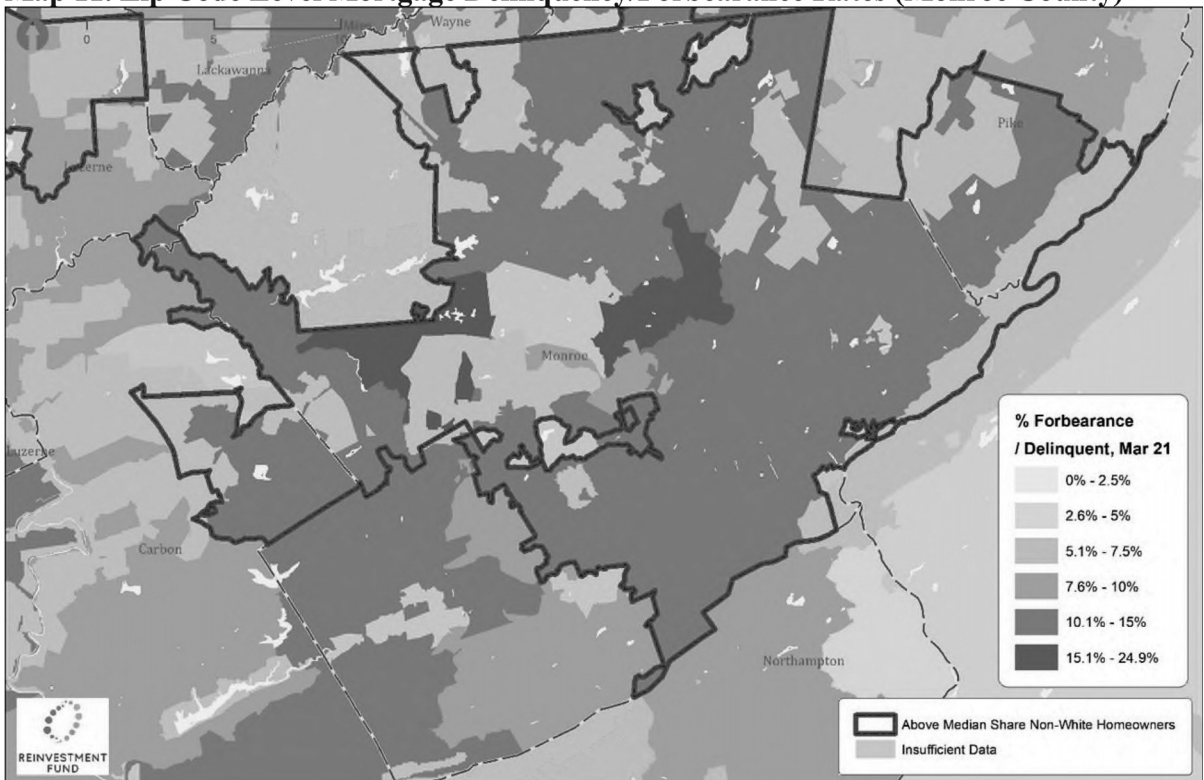
**Map 9. Zip Code Level Mortgage Delinquency/Forbearance Rates (Philadelphia County)**



**Map 10. Zip Code Level Mortgage Delinquency/Forbearance Rates (Lackawanna County)**



**Map 11. Zip Code Level Mortgage Delinquency/Forbearance Rates (Monroe County)**





Feedback will be a critical component of the Marketing/Community Outreach Campaign. Listening to impacted homeowners and trusted partners will ensure a more impactful campaign and help fine tune the marketing approach to reach the target audience. PHFA will be constantly monitoring the different dimensions of the marketing program and will make adjustments, as needed, to ensure a successful PAHAF program.

#### Chapter 6. Budget

PHFA is planning to outsource this program to a highly qualified Third-Party vendor(s) to develop the software and manage the overall operations including the administrative task identified below to utilize their expertise in rapid deployment of critical funds to eligible homeowners.

A total of \$35 million is allocated for administrative expenses, which include PHFA administrative cost and Third-Party Vendor cost, as defined below:

- a) Administration of intake, eligibility review, escalations, disbursal of assistance.
- b) Application portal creation and management.
- c) Call center operations, including language line and accessibility services.
- d) Marketing and outreach by organizations with experience and capacity for reaching low-to-moderate income homeowners and socially disadvantaged populations.
- e) Data analysis and reporting, compliance and technical assistance
- f) Technology vendors

Allocation of 5% (\$17,500,000) for Housing Counseling and Legal Aid Services Funds are to be made available for the provision of holistic foreclosure prevention housing counseling and non-profit legal aid services to homeowners to prevent foreclosure and/or displacement, and to aid homeowners who may be eligible for HAF in applying. Agencies funded to provide general housing counseling (as distinct from legal assistance) must be HUD approved.

Funds disbursed under the program \$297.5 million.

The administrative budget for this program based on Treasury and PA legislation is expected to be \$35 million. However, PHFA and our supplier partners that are administering this program, are committed to our responsibility as fiscal stewards of these funds and will work together to manage costs with a focus on providing as much assistance as possible to our communities.

ROBIN L. WIESSMANN,  
*Executive Director*

[Pa.B. Doc. No. 21-1553. Filed for public inspection September 10, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of Giant Eagle, Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2020-0161(F), Doc. No. UT21-08-025

The proceedings in this matter will be governed by 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 any other relevant provisions of law.

A prehearing telephone conference initiated by this office is scheduled for September 27, 2021, at 9:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before September 24, 2021. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be electronically filed with the Hearings Administrator on or before September 13, 2021. The e-mail address to be used for the Administrative Hearings Office shall be ra-hearings@pa.gov. Answer to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before September 24, 2021.

Persons with a disability who wish to attend the previously-referenced administrative proceedings 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. 21-1554. Filed for public inspection September 10, 2021, 9:00 a.m.]

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Environmental Assessment Approval for PENNVEST Funding Consideration

*Scope:* Clean Water and Drinking Water State Revolving Fund Projects for October 20, 2021, Pennsylvania Infrastructure Investment Authority (PENNVEST) Board meeting consideration

*Description:* PENNVEST, which administers the Commonwealth's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following projects. The Department of Environmental Protection's (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identified any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment for each project. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by Tuesday, October 12, 2021. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto: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 "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.



For more information about the approval of the following Environmental Assessments or the Clean Water and Drinking Water State Revolving Loan Programs contact Richard Wright, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059, riwright@pa.gov, or visit the Department's web site at [www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx](http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx).

Comments received during the comment period, along with the Department's comment and response document will be available on the Department's web site at [www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx](http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx).

Upon approval, the complete list of approved projects and their costs can be found in a press release on PENNVEST's web site at [www.pennvest.pa.gov](http://www.pennvest.pa.gov).

*CWSRF Projects Being Considered:*

<i>Applicant:</i>	Greater Johnstown Water Authority
<i>County:</i>	Cambria
<i>Applicant Address:</i>	640 Franklin Street Johnstown, PA 15901

*Project Description:* The proposed project consists of the installation/rehabilitation of approximately 9,700 linear feet of 8-inch to 10-inch sanitary sewer collection pipes, manholes, and appurtenances, 6,450 linear feet of 6-inch lateral pipes and the separation of storm sewers from the existing sanitary sewer system. The project will serve 11 of the 12 neighborhoods that make up the City of Johnstown, including Oakhurst, Morrellville, Prospect, Woodvale, Roxbury, Moxham, Hornerstown, Walnut Grove, Cooperstown, Cambria City and Minersville.

*Problem Description:* The system consists of approximately 520,000 linear feet of sanitary sewer mainline. A consent order and agreement (CO&A) between the City of Johnstown and the Department on July 14, 2010, requires the elimination of all sanitary sewer overflows (SSO) from the collection system. Under the CO&A, the City of Johnstown was obligated to implement a rehabilitation plan that would reduce infiltration/inflow (I/I) entering the collection system during wet weather events and thus eliminate SSO discharges into the Stonycreek and Conemaugh Rivers. The system was purchased by the Greater Johnstown Water Authority from the City of Johnstown in the fall of 2020. The obligations under the CO&A have been entered into by the Greater Johnstown Water Authority upon system transfer.

<i>Applicant:</i>	Milton Regional Sewer Authority
<i>County:</i>	Northumberland
<i>Applicant Address:</i>	5585 State Route 405 Milton, PA 17847

*Project Description:* The project consists of the abandonment of Lewis Township's existing wastewater treatment plant and the installation of a pumping station at the former treatment plant site to convey sewage to Milton Regional Sewer Authority's existing gravity collection system on Vincent Avenue. Approximately 17,870 linear feet of forcemain will be installed along Susquehanna Trail, 8th Street Drive and Vincent Avenue to complete the connection. In addition, a smaller pump station and 1,590 linear feet of gravity sewer and forcemain will be constructed to serve the Susquehanna

Trail/Route 54 corridor with a connection made to the existing Lewis Township collection system.

*Problem Description:* The existing Lewis Township Wastewater Treatment Plant is nearing its capacity. While the plant is not currently overloaded, high diurnal loadings from the Warrior Run School District campus have caused inefficiencies in the biological treatment process. Currently, Warror Run School District has plans to expand its campus to include a regional elementary school which will increase the number of students served from roughly 1,000 to 1,600. Between the Warrior Run School District's plans and expected growth in Lewis Township, the plant needs to be upgraded or replaced to ensure effluent limits can be met. Connection of the elementary school cannot occur until either an upgrade or replacement of the plant has been completed.

<i>Applicant:</i>	Borough of Shoemakersville
<i>County:</i>	Berks
<i>Applicant Address:</i>	242 Main Street P.O. Box 190 Shoemakersville, PA 19555

*Project Description:* A new screen will be installed at the Shoemakersville Sewer Plant to remove rags and other debris from the wastewater. This will protect the wastewater plant equipment from clogs and damage. A new sludge press will be installed to replace the existing sludge press. The new press will improve the dewatering process and reduce disposal costs.

*Problem Description:* After a complete evaluation of the wastewater treatment plant in 2014, five major process repairs or upgrades were recommended: (1) raw sewage screening upgrade; (2) sludge dewatering upgrade; (3) disinfection system upgrade; (4) clarifier roof repairs; and (5) return activated sludge (RAS) and waste activated sludge (WAS) pump rebuilds or replacement. The Borough of Shoemakersville is in the process of addressing each of these major infrastructure items and has addressed the clarifier roof repairs and RAS and WAS pump refurbishment to date. The next two highest priority items are the raw sewage screening upgrade and the sludge dewatering upgrade.

*DWSRF Projects Being Considered*

<i>Applicant:</i>	Alexandria Borough Water Authority
<i>County:</i>	Huntingdon
<i>Applicant Address:</i>	7561 Bridge Street P.O. Box 336 Alexandria, PA 16611-0336

*Project Description:* The proposed project includes the replacement of approximately 40,000 linear feet of water mains. The Alexandria Borough Water Authority is also proposing to replace pre-filter strainers, raw water feed tank, air compressor, valves, chemical feed pumps, transfer pumps, flow meters, turbidimeters, pressure switches, pressure and temperature transmitters, chlorine analyzers, check valves, O-rings, gaskets, finished water booster pumps, waste pumps, backwash pumps and submersible pumps as well as installing a new supervisory control and data acquisition system. A 300,000-gallon finished water storage tank is also proposed to add more finished water storage.

*Problem Description:* The distribution piping is around 100 years old and past its life expectancy. Many distribu-

tion system components are almost 20 years old and at the end of their useful lives. The system is also in need of additional finished water storage to help meet peak demand.

<i>Applicant:</i>	Alexandria Borough Water Authority
<i>County:</i>	Huntingdon
<i>Applicant Address:</i>	7561 Bridge Street P.O. Box 336 Alexandria, PA 16611-0336

*Project Description:* Alexandria Borough Water Authority's dam requires structural rehabilitation, including but not limited to a new concrete spillway and retaining walls. New reservoir and stream intakes will be constructed and a new raw water transmission main will connect the new stream intakes to the existing water treatment plant.

*Problem Description:* The dam at the Robinson Run Reservoir requires repair to remain structurally sound. The intake structures, which are a part of the dam structure and the adjacent stream intake structures are also at the end of their useful lives.

<i>Applicant:</i>	Greenfield Township Municipal Authority
<i>County:</i>	Blair
<i>Applicant Address:</i>	P.O. Box 372 Claysburg, PA 16625

*Project Description:* The Greenfield Township Municipal Authority is proposing the development of a new groundwater source (Well # 4) capable of pumping 504,000 gallons per day (GPD). A disinfection facility will be constructed for Well # 4 effluent.

*Problem Description:* The system currently has two well sources, Well # 1 and Well # 3, each capable of pumping 540,000 GPD and 230,000 GPD, respectively. The average daily flow is about 162,000 GPD with a peak demand of 255,000 GPD. The system is unable to meet adequate source redundancy during peak water demand. The new source will provide the system with sufficient water to meet peak demand in the event Well # 1 is offline.

<i>Applicant:</i>	Municipal Authority of the Borough of Somerset
<i>County:</i>	Huntingdon
<i>Applicant Address:</i>	347 West Union Street P.O. Box 71 Somerset, PA 15501

*Project Description:* The project consists of replacing approximately 51,500 linear feet of waterline and about 554 large diameter water meters, demolishing the Laurel Hill filtration plant, constructing a one million gallon per day (MGD) potable water tank, improving the Shaffer Run chemical building, installing standby generators at all critical facilities (North Somerset pump station, Coxes Creek water treatment plant, Shaffer Run Well # 2, Coxes Creek Well # 7 and Coxes Creek Well # 8) and installing two solar panel systems.

*Problem Description:* The Municipal Authority of the Borough of Somerset currently blends well water with

Laurel Hill reservoir water prior to processing at the Laurel Hill filtration plant. Operation and maintenance costs can be significantly reduced by removing the surface water source, shutting down the filtration plant and increasing well water production. A new one MGD storage tank with gravity discharge will eliminate the need for pumping. In addition, the distribution system is old, leaky and in some cases, constructed of cast iron pipe with lead joints. The goals of the project are to eliminate the health risk associated with lead, reduce water loss and reduce energy consumption.

<i>Applicant:</i>	Hooversville Borough
<i>County:</i>	Somerset
<i>Applicant Address:</i>	50 Main Street P.O. Box 17 Hooversville, PA 15936

*Project Description:* Hooversville Borough is installing approximately 9,000 linear feet of waterline and a pump station to provide an interconnect with the Conemaugh Township Municipal Authority. In addition, 190 customer water meters will be replaced, 20 fire hydrants will be installed and about 14,000 linear feet of waterlines will be replaced throughout the distribution system. The current treatment plant is anticipated to be abandoned upon project completion.

*Problem Description:* The system is currently experiencing roughly 55% water loss throughout the distribution system. In addition, the Conemaugh Township Municipal Authority is experiencing problems with treating raw water from the Stonycreek River during periods of elevated turbidity. The settling tank lacks sufficient volume.

PATRICK McDONNELL,  
*Secretary*  
*Department of Environmental Protection*

BRION JOHNSON,  
*Executive Director*  
*Pennsylvania Infrastructure Investment Authority*

[Pa.B. Doc. No. 21-1555. Filed for public inspection September 10, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Connect Everyone, LLC; Doc. No. P-2021-3023915

The Pennsylvania Public Utility Commission (Commission) provisionally approved the petition of Connect Everyone, LLC (Connect Everyone) for designation as an eligible telecommunications carrier (ETC), by order entered on August 26, 2021, at Doc. No. P-2021-3023915.

To be eligible to receive the Federal high-cost support funding that it was awarded in the Federal Communications Commission's (FCC) Rural Digital Opportunity Fund Auction (Auction 904), Connect Everyone is required to obtain designation as an ETC from the Commission in the eligible census blocks where it has been awarded Auction 904 Federal high-cost support. Connect Everyone filed its ETC petition at the Commission on January 29, 2021. The Commission invited comments on the petition by notice published at 51 Pa.B. 3219 (June 5,

2021). After review, the Commission has provisionally approved Connect Everyone's petition, and Connect Everyone has 90 days to satisfy the condition to obtain its ETC designation in its proposed designated service area in the Commonwealth.

Documents related to this docket are available for inspection by searching under the petitioner's docket number on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-1556. Filed for public inspection September 10, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held  
August 26, 2021

*Commissioners Present:* Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

*Electric Generation Supplier License Cancellations of  
Companies with an Expired Financial Security,  
Insufficient Financial Security Amount or Language;  
M-2021-3023559*

#### Tentative Order

*By the Commission:*

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferably in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

While we recognize that the COVID-19 pandemic has provided some challenges related to the continuance of normal business operations, it is imperative that the Commission have an approved financial security in place with each EGS to ensure compliance with 52 Pa. Code § 54.40(d). On March 25, 2020, Commission staff issued an EGS Financial Security Filing Guidance Memo (Guidance Memo) that stated the following:

- Where practical, EGSs should file an original bond, letter of credit, continuation certificate, amendment, or other financial instrument. These original financial instruments should display "wet" signatures or digital signatures, preferably in blue ink, and display a "raised seal" or original notary stamp.

- EGSs should email a copy of the original financial instrument directly to Secretary Chiavetta at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov). Secretary Chiavetta has waived the restriction on emailed filings that contain confidential and proprietary material. As such, financial security instruments will be permitted to be filed by email for the duration of the Commission's work from home order.

- If an EGS is unable to acquire a "raised seal" or original notary stamp on the financial security during the pendency of the COVID-19 emergency, the Secretary's Bureau will not reject the financial security.

- If an EGS has been granted a reduction in its financial security, and it is time to renew the annual reduction, please file an original annual compliance filing with the Secretary's Bureau and a copy via email at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov).

Please note that the requirement that EGSs maintain a valid financial security on file with the Commission, remains in effect.

Be advised that emailed financial security instruments—after review and acceptance of the Secretary's Bureau and the Bureau of Technical Utility Services—will be provisionally approved by the Commission until Commission staff resume working in the Keystone Building. EGSs must still mail the original bond with original signatures and notary stamp as per the Commission's normal practice.

On July 27, 2020, the Commission issued a Secretarial Letter which modified certain filing and service requirements.<sup>1</sup> Specifically, this Secretarial Letter amended the Emergency Order issued on March 20, 2020, at Docket No. M-2020-3019262 regarding the filing of certain confidential documents. At the time the Emergency Order was issued, the Commission did not have access to its physical location. However, since that time the Commission has secured limited access to its place of business. Under these circumstances and consistent with the authority provided to the Secretary by the Emergency Order, the Secretarial Letter requires that confidential filings made pursuant to 52 Pa. Code § 54.40(a) (EGS financial securities), must be filed with the Secretary by overnight delivery and are not to be filed electronically with the Secretary.

As of August 17, 2021, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

<sup>1</sup> Docket No. M-2020-3019262.



*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2010-2197104	AOBA ALLIANCE, INC.	8/12/2021	Yes
A-2010-2195856*	APN STARFIRST LP	8/10/2021	No
A-2019-3012767	CONNECT ENERGY RESOURCES, LLC	7/18/2021	Yes
A-2012-2328004*	DISCOUNT POWER, INC.	8/12/2021	No
A-2016-2562204	MARIELLEN DONOHUE	7/20/2021	Yes
A-2009-2137244	MITCHELL ENERGY MANAGEMENT SERVICES, INC.	7/30/2021	Yes
A-2016-2579236	TRIANGLEENERGY, LLC	7/18/2021	Yes
A-2009-2129027	YOUR CHOICE ENERGY, LLC	8/12/2021	Yes

\*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier's assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2021-3023559 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System per the Commission's Emergency Order dated March 20, 2020, at Docket No. M-2020-3019262. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at [http://www.puc.pa.gov/filing\\_resources.aspx](http://www.puc.pa.gov/filing_resources.aspx). Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov) rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: August 26, 2021

ORDER ENTERED: August 26, 2021

[Pa.B. Doc. No. 21-1557. Filed for public inspection September 10, 2021, 9:00 a.m.]



## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### General Rule Transaction; Transfer of Ownership

**A-2021-3028219. Verizon Select Services, Inc.** Pro forma application of Verizon Select Services, Inc. for an internal restructure transferring ownership to Verizon Communications, Inc.

The Pennsylvania Public Utility Commission (Commission) is in receipt of the pro forma application of Verizon Select Services, Inc. for an internal restructure transferring ownership to Verizon Communications, Inc. filed as a pro forma transaction under 52 Pa. Code § 63.325(a) (relating to Commission approval of a pro forma transaction subject to 66 Pa.C.S. §§ 1102(a)(3) and 1103), which has been docketed to the previously referenced number.

However, the intra-company consolidation results in the transfer of 100% of the assets and control of Verizon Select Services, Inc. Under 52 Pa. Code § 63.324(a) (relating to Commission approval of a general rule transaction subject to 66 Pa.C.S. §§ 1102(a)(3) and 1103), a transaction that results in the transfer of 20% or more of the assets or of the direct or indirect control of an applicant is a general rule transaction. The Commission therefore reclassifies the application as a general rule transaction per 52 Pa. Code § 63.325(b).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, September 27, 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 Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Verizon Select Services, Inc.

*Through and By Counsel:* Suzan D. Paiva, Esquire, Verizon, 900 Race Street, 6th Floor, Philadelphia, PA 19107

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-1558. Filed for public inspection September 10, 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 27, 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 27, 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](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

### Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

**A-2021-3028152. Narjes Transit, LLC** (1004 Bingham Street, Philadelphia, Philadelphia County, PA 19115) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David Temple, Esquire, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

### 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 the application.*

**A-2021-3028136. Hybrid Planet Chauffeur Service, LLC** (200 James Drive, Havertown, Delaware County, PA 19083) for the discontinuance and cancellation of the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority, as originally docketed at A-2010-2194455.

**A-2021-3028156. Emery E. Gipe, t/a Gipe's Transport Service** (785 Gebhart Road, Windsor, York County, PA 17366) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6420740, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Lancaster and York, to points in Pennsylvania, and return.

**A-2021-3028158. Denise Miller, t/a Graybeal's Transportation** (123 Creekview Drive, Paradise, Lancaster County, PA 17562) discontinuance of service and cancellation of its certificate for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Lancaster and Perry, to points in Pennsylvania, and return.

**A-2021-3028166. Billtown Jitney, LLC** (2345 Bedaro Drive, South Williamsport, Lycoming County, PA 17702) discontinuance of service and cancellation of its certificate to transport, as a common carrier by motor vehicle, persons in paratransit service, who reside in independent and assisted living facilities located in Lycoming County, from such facilities to points in the Counties of Columbia, Luzerne, Montour, Northumberland and Union and return, subject to the following conditions, restrictions and limitations: 1. That such service shall be for nonmedical purposes, for individuals who are ambulatory; 2. That no right, power or privilege is sought, or shall be granted, to provide service under written or oral agreements with Federal, State or local agencies such as, but not limited to, the Department of Transportation, the Department of Human Services, the Area Agency on Aging and the Shared-Ride Program.

**A-2021-3028176. V & M Transit, Inc.** (1715 South 13th Street, Philadelphia, Philadelphia County, PA 19148) discontinuance of service and cancellation of its certificate to transport, as a common carrier, persons in paratransit service, limited to persons requiring nonemergency and wheelchair transportation to medical appointments, between points in the City and County of Philadelphia, and return.

**A-2021-3028212. JK Logistics, LLC** (7646 Waters Road, Cheltenham, Montgomery County, PA 19012) discontinuance of service and cancellation of its certificate to transport, as a common carrier, by motor vehicle, persons in paratransit service, for sporting and leisure events, from points in the City and County of Philadelphia, to points in the Counties of Bucks, Delaware and Montgomery, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-1559. Filed for public inspection September 10, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Youngsville Television Corporation, d/b/a Blue Fiber Corp.; Doc. No. P-2021-3023604**

The Pennsylvania Public Utility Commission (Commission) approved the petition of Youngsville Television Corporation, d/b/a Blue Fiber Corp. (YTV) for designation as an eligible telecommunications carrier (ETC), by order entered on August 26, 2021, at Doc. No. P-2021-3023604.

To be eligible to receive the Federal high-cost support funding that it was awarded in the Federal Communications Commission's (FCC) Rural Digital Opportunity Fund Auction (Auction 904), YTV was required to obtain designation as an ETC from the Commission. YTV filed its ETC petition at the Commission on January 6, 2021. The Commission invited comments on the petition by notice published at 51 Pa.B 764 (February 6, 2021). After review, the Commission has approved the petition. YTV is now required to certify to the FCC that it has received designation as an ETC in the eligible census block groups

in the Commonwealth so that it may become qualified to receive the Federal high-cost support it has been awarded by the FCC in Auction 904.<sup>1</sup>

Documents relative to this docket are available for inspection by searching under the petitioner's docket number on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-1560. Filed for public inspection September 10, 2021, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

**Service of Notice of Motor Carrier Applications in the City of Philadelphia**

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than September 27, 2021. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-21-08-05. Bakar Cab, LLC** (40 Richfield Road, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-21-08-06. BIM Logistic Taxi, LLC** (6619 Harley Street, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 21-1561. Filed for public inspection September 10, 2021, 9:00 a.m.]

<sup>1</sup> Auction 904 winning bids were actually awarded to NexTier Consortium, which assigned its winning bids in Pennsylvania to YTV, which was a part of that consortium.

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' request concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

October 6, 2021	Stephen H. Stetler Pension Interest Issue	1 p.m.
November 23, 2021	Michael P. Flynn Disability Retirement Issue	1 p.m.
December 17, 2021	Timothy G. Collins Retirement Age Issue	1 p.m.

October 6, 2021	Stephen H. Stetler Pension Interest Issue	1 p.m.
January 12, 2022	Justin L. Weaver Disability Retirement Issue	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRILL J. SANCHEZ,  
*Secretary*

[Pa.B. Doc. No. 21-1562. Filed for public inspection September 10, 2021, 9:00 a.m.]





# RULES AND REGULATIONS

## Title 58—RECREATION

### PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 1401a—1411a ]

#### Sports Wagering

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. § 13C02 (relating to regulatory authority) adds Chapters 1401a—1411a regarding sports wagering to read as set forth in Annex A, and reserves Chapters 1401—1411.

#### *Purpose of this Final-Form Rulemaking*

This final-form rulemaking establishes the regulatory oversight structure for the conduct of retail and interactive or mobile sports wagering in this Commonwealth.

#### *Explanation*

Subpart Q (relating to sports wagering) establishes the regulations necessary for the Board to issue sports wagering certificates to slot machine licensees who wish to offer sports wagering, as well as the licensing of the principals and key employees of the certificate holders and other entities involved such as sports wagering operators, manufacturers, suppliers and gaming service providers. In addition, Subpart Q provides rules for player accounts, licensed operator duties and restrictions, and accounting and internal controls governing the conduct of sports wagering. Finally, Subpart Q addresses advertising, compulsive and problem gambling, and self-exclusion of players from sports wagering in this Commonwealth.

#### *Chapter 1401a. General Sports Wagering Provisions*

Section 1401a.1 (relating to scope) provides the scope of the subpart and its applicability to retail and interactive or mobile sports wagering. This section clarifies that any sports wagering certificate holder that offers interactive or mobile sports wagering must also comply with the provisions contained in Subpart L (relating to interactive gaming), as interactive or mobile sports wagering operations are considered a form of interactive gaming.

Section 1401a.2 (relating to definitions) provides the general definitions of terms used throughout Subpart Q for the conduct of retail and interactive or mobile sports wagering. Section 1401a.3 (relating to initial and renewal authorization and license fees) addresses the initial granting of sports wagering certificates to slot machine licensees in the Commonwealth, and section 1401a.4 (relating to sports wagering certificate petition and standards) outlines the information required in a petition from a slot machine licensee to be considered for a sports wagering certificate. This information is what will be reviewed by the Board to determine if a slot machine licensee has established the necessary organizational framework to operate a successful sports wagering operation.

Section 1401a.5 (relating to conduct of sports wagering generally) outlines the general provisions relating to sports wagering operations. It addresses who may conduct sports wagering operations, where sports wagering may be offered, the offering of sports wagering through a sports wagering operator, prohibitions on minors and involuntary-excluded or self-excluded individuals from engaging in sports wagering, requirements to ensure

sports wagering is only conducted by individuals within the boundaries of the Commonwealth and requirements to ensure the integrity of sports wagering operations before they can commence offerings ports wagering. Under the Pennsylvania Race Horse Development and Gaming Act (4 Pa.C.S. §§ 1101—1904) (act), Sports wagering may be conducted in a sports wagering area at the sports wagering certificate holder's licensed facility, a temporary facility adjacent to the licensed facility, or a nonprimary location of a Category 1 slot machine licensee. An amendment to the Fiscal Code in Act 23 of 2020 of May 29, 2020 (P.L. 158, No. 23) also permits a certificate holder to operate a sports wagering area in a Category 4 licensed facility owned by a Category 1, 2 or 3 slot machine licensee. Unlike interactive gaming, a sports wagering certificate holder may only partner with one sports wagering operator to offer sports wagering in this Commonwealth and thus may only have one sports wagering web site and mobile application. The web sites and mobile applications created by a sports wagering operator must clearly identify the sports wagering certificate holder with whom the operator has partnered with.

Section 1401a.6 (relating to permitted sports wagering activities) describes the permitted sports wagering activities that may be offered within this Commonwealth. This includes the types of sporting events that may be wagered upon and the types of wagers that an individual can place. The Board permits sports wagers to be placed on professional sporting events, collegiate sporting events, and certain amateur events approved by the Board. Amateur events may be wagered upon when the participants involved are not minors and there is satisfactory oversight of the event to ensure the integrity of sports wagers placed on the event. This is consistent with industry standards. This section also addresses the concept of layoff wagers, which occur in one of two ways: (1) a sports wagering certificate holder or operator places a wager with another sports wagering certificate holder or operator directly, in order to mitigate potential large liability losses on an event; or (2) a sports wagering certificate holder or operator solicits a layoff wager from an authorized trader to place a large who then places a wager with the certificate holder or operator in an effort to mitigate potential large liability losses on an event.

Section 1401a.7 (relating to prohibited and restricted sports wagering activities) outlines sports wagering activities that are prohibited in this Commonwealth. This includes wagering on unapproved amateur events, high school athletics, and proxy wagering. This section also places prohibitions on wagers that sports wagering certificate holders and operators may accept. For example, a sports wagering certificate holder or operator may not knowingly accept a sports wager from an athlete if the event the athlete is wagering on is in the same league or under the same governing body in which the athlete competes. For clarity, a sports wagering certificate holder or operator is prohibited from knowingly allowing a professional baseball player from wagering on baseball games in the same league. This is just one example of prohibited wagering activity; the section contains several others that are designed to protect the integrity of sports wagering operations.

Section 1401a.8 (relating to persons prohibited from engaging in sports wagering activities) enumerates the individuals who are prohibited from engaging in sports wagering in the Commonwealth, or who are limited in the

manner in which they may place sports wagers. This includes minors and athletes or other individuals who have exclusive information about the team. It also provides a procedure for teams or leagues to provide to the Board the biographical information of individuals who should be prohibited from certain wagering activities due to their role with a sports team or league. This list of individuals will be provided to sports wagering certificate holders and operators.

Section 1401a.9 (relating to physical characteristics of sports wagering areas; security and surveillance of sports wagering area; other requirements) provides the requirements for the physical characteristics of the sports wagering areas, both in a licensed facility and any non-primary location where sports wagering has been authorized by the Board. These requirements are designed to ensure that sports wagering areas will contain adequate measures to ensure the security of the sports wagering operations, including proper surveillance coverage and physical security of ticket writing stations.

*Chapter 1402a. Sports Wagering Operators*

*Chapter 1403a. Sports Wagering Manufacturer*

*Chapter 1404a. Sports Wagering Supplier*

*Chapter 1405a. Sports Wagering Gaming Service Providers*

*Chapter 1406a. Sports Wagering Principals and Key, Gaming and Nongaming Employees*

These chapters of this final-form rulemaking establish the categories of licensure required for certain entities to participate in various areas of the offering of sports wagering in the Commonwealth, based upon the statutory criteria in 4 Pa.C.S. Chapter 13C (relating to sports wagering).

A sports wagering operator, as described in Chapter 1402a (relating to sports wagering operators), is an entity that is licensed by the Board to operate a sports wagering system or platform in order to provide sports wagering to individuals in the Commonwealth on behalf of a sports wagering certificate holder. This entity must apply for and be issued a sports wagering operator license and pay all applicable license fees. No sports wagering operator may offer sports wagering in this Commonwealth on its own independence from a sports wagering certificate holder; it must be done in partnership with or on behalf of a sports wagering certificate holder. Each sports wagering certificate holder may partner with one sports wagering operator to offer retail and interactive or mobile sports wagering, or may also choose to enlist the services of one operator to handle retail sports wagering and a different operator to handle interactive or mobile sports wagering. A sports wagering certificate holder is limited to only having one sports wagering web site and one mobile application.

Sports wagering manufacturers, as described in Chapter 1403a (relating to sports wagering manufacturer), are entities who manufacture, build, rebuild, fabricate, assemble, produce, program, design, sell, lease, offer or otherwise make modifications to any authorized sports wagering device or associated equipment for use or operation in this Commonwealth for sports wagering purposes. The entity must apply for licensure as a sports wagering manufacturer and pay all applicable license fees, a process which may be abbreviated if the entity is currently licensed to manufacture devices or associated equipment for other forms of gaming in the Commonwealth.

Sports wagering suppliers, as described in Chapter 1404a (relating to sports wagering supplier), are entities

who sell, lease, offer or otherwise provide, distribute or service sports wagering devices or associated equipment to a sports wagering certificate holder or sports wagering operator. The entity must apply for licensure as a sports wagering supplier and pay all applicable license fees, a process which may be abbreviated if the entity is currently licensed to supply devices or associated equipment for other forms of gaming in the Commonwealth.

Sports wagering gaming service providers, as described in Chapter 1405a (relating to sports wagering gaming service providers), are individuals or entities who provide certain services to sports wagering certificate holders or operators. Sports wagering gaming services providers must either be certified with the Board or registered with the Board, a determination made based upon the nature of the services being provided. Sports wagering gaming service providers shall apply for certification or registration and pay all applicable fees associated with the application. If the entity is already certified or registered with the Board and will be providing similar services to sports wagering certificate holders or operators, no additional applications or fees are required. Included in this Chapter are provisions related to how a sports wagering gaming service provider may be placed on the Prohibited Gaming Service Provider List maintained by the Board, and conversely, how an entity can apply for removal from the List.

Chapter 1406a (relating to sports wagering principals and key, gaming and nongaming employees) details the licensure procedures for individuals who are deemed to be sports wagering principals, sports wagering key employees, sports wagering gaming employees, and sports wagering nongaming employees. Restrictions on the ability to place sports wagers are placed on licensed or registered employees of entities involved in sports wagering in the Commonwealth. For example, an individual who is employed by a sports wagering operator may not place a sports wager at a retail sportsbook where the operator offers sports wagering or on any interactive sports wagering web site or mobile application offered by the sports wagering operator. These provisions are designed to prevent an employee of an entity from taking gaining any unfair or inside advantage based upon his or her knowledge of the sports wagering system.

*Chapter 1407a. Sports Wagering Testing and Controls*

This chapter establishes all procedures for the testing and control aspects of the sports wagering system or platform used by the sports wagering certificate holder or sports wagering operator acting on behalf of a certificate holder and all associated devices and equipment. This includes self-service sports wagering kiosks, which allow a patron to make a wager on a stand-alone wagering terminal, and redemption terminals which allow a patron to redeem winning sports wagers. Section 1407a.1 (relating to scope) contains the scope of the chapter and how the testing and controls supplement those contained in other Subparts. Section 1407a.2 (relating to definitions) contains the applicable definitions for the chapter. Section 1407a.3 (relating to testing and approval generally) contains the general provisions for testing and controls, such as the types of sports wagering devices that are required to be tested and approved, prior to implementation.

Section 1407a.4 (relating to wagering device requirements generally) outlines the requirements for a sports wagering device. It sets forth all of the necessary functions that a wagering device must be able to perform, and all of the data that must be recorded for each transaction. Section 1407a.5 (relating to self-service kiosks and point

of sale system requirements) contains the provisions for self-service kiosks and point of sale system requirements. A self-service kiosk allows a patron to place a sports wagering or redeem a winning sports wagering ticket without the assistance of a sports wagering employee. These kiosks allow a patron to insert funds, and the screen provides all of the available sports wagering available to the patron, including the odds for each wager. The point of sale systems are used by the ticket writers at the windows to process a sports wager for a patron. This section contains the procedures that a sports wagering certificate holder or sports wagering operator must follow when doing a “drop,” which is the removal of all accumulated funds in the self-service kiosks.

Sections 1407a.6 and 1407a.7 (relating to ticket/voucher requirements; and ticket/voucher redemption requirements) set forth the requirements for a sports wagering ticket and sports wagering voucher and the requirements for redeeming the same. A sports wagering ticket is the physical slip of paper that evidences the wager placed by the patron, including the event wagered on, the amount wagered, the potential winnings, and information required to uniquely identify the ticket. A sports wagering voucher acts in the same manner as a slot machine or other gaming voucher; it is a cash equivalent that a patron may use to place a sports wager with a ticket writer or at a self-service sports wagering kiosk. In accordance with prior Board policy, a sports wagering voucher shall not expire. However, a sports wagering ticket may expire 1 year from the conclusion date of the event wagered on, or the last event to conclude in a multi-wager ticket such as a parlay.

As it pertains to interactive or mobile sports wagering and the systems implemented to offer them in the Commonwealth, these systems must comply with the provisions in Subpart L, specifically Chapters 809a and 810a (relating to interactive gaming platform requirements; and interactive gaming testing and controls) published at 51 Pa.B. 5389 (August 28, 2021), and will be tested in accordance with those Chapters.

*Chapter 1408a. Sports Wagering Accounting and Internal Controls*

This chapter establishes the requirements and procedures for the revenue accounting and reporting of sports wagering as well as other necessary reporting requirements. The internal controls are the systems and procedures that a sports wagering certificate holder or sports wagering operator will operate under when conducting sports wagering operations. The list of items that must be contained in a set of internal controls that is filed with the Board can be found in § 1408a.3 (relating internal controls). Section 1408a.4 (relating to terms and conditions) sets forth requirements for the adoption, approval, and posting of the terms and conditions a sports wagering certificate holder or sports wagering operator will implement at the retail sports book or in its interactive or mobile sports wagering. Section 1408a.5 (relating to information to be displayed/provided) provides all of the necessary information that must be on display in a retail sportsbook and on an interactive or mobile sportsbook. This includes the identity of the certificate holder or operator, the house rules for sports wagering, and all problem gambling information.

Sections 1408a.6 and 1408a.7 (relating to segregation of bank accounts; and sports wagering certificate holder’s or sports wagering operator’s organization) set forth requirements when it comes to the bank accounts utilized for sports wagering funds and the organizational structure

for certificate holder and operators. This includes the requirement of having employees who are dedicated for information technology security and protection of the integrity of interactive or mobile sports wagering.

Sections 1408a.8 and 1408a.9 (relating to risk management; and integrity monitoring) address risk management and integrity monitoring. The concepts, while similar, vary in intent and necessity in sports wagering operations. Risk management is the system and procedures put in place by sports wagering operators to determine which sporting events they want to offer, monitoring of data including scores and player statistics, setting of appropriate odds and lines on sporting events, and setting of maximum wagering limits all of which are implemented to manage risk and maximize revenue. These procedures are designed to minimize risk, errors, or other omissions to ensure there is not an adverse effect on gaming.. Integrity monitoring is the process by which a certificate holder or operator observes the wagering going on, either at the retail sports book or on an interactive or mobile sportsbook, with the intent on preventing any unusual or suspicious wagering activity which could indicate that the integrity of the game or match has been compromised.

Sections 1408a.10, 1408a.11 and 1408a.12 (relating to mandatory logging; records/data retention requirements; and required reports), detail the logging and reporting requirements for the sports wagering certificate holder or operator, and the sports wagering system used. The reports, while numerous, provide the Board with a complete and detailed picture of the entire sports wagering operation. These reports are often built into the sports wagering system, and the Board has access to all of them using a back-office tool.

Section 1408a.13 (relating to accounting controls for the sports wagering area) sets forth the accounting controls for sports wagering areas of retail sportsbooks. Unlike interactive or mobile sports wagering, where everything is automated, from payments to the placement of a wager, retail sportsbooks still operate largely on a cash basis. This section details the requirements for ensuring all funds are accounted at each sports wagering ticket window. And lastly, Section 1408a.14 (relating to sports wagering accounts) cross-references to Subpart L, indicated that interactive or mobile sports wagering accounts must comply with the provisions contained therein.

*Chapter 1409a. Sports Wagering Advertisements, Promotions and Tournaments*

This chapter establishes the standards for sports wagering advertising and promotions. Section 1409a.1 (relating to general requirements) states generally that advertising and promotions must comply with the provisions of Subparts C—E, I and L. This applies to all advertisements that are posted at or for the retail sportsbook or interactive and mobile sportsbook, and any and all promotions run by the certificate holder or operator. Section 1409a.2 (relating to sports wagering contests, tournaments, pools or other organized events) provides the details that a certificate holder or operator must submit in order to run a sports wagering contest, tournament, pool or other organized event. All sports wagering contests, tournaments, pools or other organized events that a certificate holder or operator offers, with individuals paying entry fees to join, must comply with the provisions and be approved by the Board prior to their offering.



*Chapter 1410a. Sports Wagering Compulsive and Problem Gambling Requirements**Chapter 1411a. Sports Wagering Self-Excluded Persons*

These chapters address compulsive and problem gambling requirements for sports wagering certificate holders and operators, and set forth the options available for players to set responsible gaming limits or to self-exclude from sports wagering.

There were no specific provisions in the act for sports wagering compulsive and problem gambling requirements or self-exclusion. Given that sports wagering at retail sportsbooks takes place at licensed facilities or other Board-authorized locations (such as off-track betting locations owned and operated by slot machine licensees who hold a sports wagering certificate), the compulsive and problem gambling requirements and self-exclusion procedures shall be handled in accordance with the underlying provisions in Subpart I (relating to compulsive and problem gambling) of the Board's regulations. Under the act, interactive and mobile sports wagering is considered a form of interactive gaming. Therefore, the compulsive and problem gambling requirements and self-exclusion for this form of sports wagering shall be handled in accordance with the respective requirements in Subpart L of the Board's regulations.

*Response to Comments*

The Board received comments from the Independent Regulatory Review Commission (IRRC) and the responses to those comments are as follows:

1. *Protection of the public health, safety and welfare; Implementation procedures.*

The Board acted with due diligence in getting the final-form regulations promulgated to regulate the sports wagering and interactive gaming industry, which includes interactive or mobile sports wagering. After the passage of Act 42 of 2017 of October 30, 2017 (P.L. 419, No. 42), the Board was tasked with promulgating regulations for five separate forms of expanded gaming in rapid succession. In December 2020, Governor Tom Wolf signed Act 114 of 2020 of November 23, 2020 (P.L. 1140, No. 114) making amendments to the Fiscal Code of the Commonwealth. Act 114 of 2020 included a provision that extended the expiration date of temporary regulations of the Board from two years after publication to three years after publication. Therefore, the temporary regulations for interactive gaming, originally adopted in five different packages, expired or do not expire until varying dates between January 6, 2021, and March 9, 2022. As noted in the comment, the sports wagering temporary regulations do not expire until June 23, 2021, July 28, 2021, or September 15, 2021. To date, the Board has not had any issues involved in the regulatory oversight of either sports wagering or interactive gaming, which includes interactive or mobile sports wagering.

2. *Compliance with the Regulatory Review Act and regulations of IRRC.*

All matters addressed in this comment have been remedied in the final-form Regulatory Analysis Form.

3. *§ 1401a.1. Scope—Protection of the public health, safety and welfare; and reasonableness of requirements.*

The language is amended to reflect the recommended changes in § 1401a.1. As the changes pertain to § 1407a.1 and § 1408a.1 (relating to scope), those provisions state that the regulatory provisions contained therein supplement the applicable regulations in the other referenced subparts or chapters. As indicated by the

language contained therein, those other subparts or chapters must also be complied with only if a sports wagering certificate holder or sports wagering operator holds those other respective licenses, issued under those subparts or chapters. As such, §§ 1407a.1 and 1408a.1 are not designed to create a new obligation, but rather are meant to provide clarity to a sports wagering certificate holder or sports wagering operator regarding the continued obligation to comply with the regulatory provisions if the entity is also licensed under those other subparts and chapters.

4. *§ 1401a.2. Definitions—Clarity.*

This section is amended to reflect the recommended changes.

5. *§ 1401a.5. Conduct of sports wagering generally—Clarity.*

These subsections are amended to reflect the recommended changes.

6. *§ 1401a.6. Permitted sports wagering activities—Statutory authority; and Clarity.*

The Board possesses authority under 4 Pa.C.S. § 13C02 to establish the standards and procedures for sports wagering and the standards and procedures to govern the conduct of sports wagering and system of wagering. The inclusion of international team and individual events is consistent with industry standards. These events are popular with individuals who participate in sports wagering, and also the governing bodies that oversee the events maintain a high level of integrity monitoring, which ensures the protection of players. Additionally, many of these events feature athletes who are professional or collegiate athletes, but who at the time are participating in an event representing their home country.

The language in § 1401a.6(c) was amended to reflect the recommended changes. As the terms in this subsection are not used significantly throughout the entire subpart, moving them to the definitions section is unnecessary. Additionally, language was struck from subsection (c)(3) relating to parlay wagers, as it was redundant.

An authorized trader need not seek licensure from the Board to enter into a layoff wagering agreement with a sports wagering certificate holder or sports wagering operator. Subsection (f)(2) requires that the entity be licensed by a regulatory oversight body in the area of banking, security, or insurance, and therefore, additional licensure by the Board is unnecessary.

7. *§ 1401a.7. Prohibited and restricted sports wagering activities—Statutory authority; and Clarity.*

The "amateur sporting events" in § 1401a.7(b) refer primarily to the previously referenced international team and individual sporting events, which are typically considered amateur events. It also includes events that involve individuals 18 years of age or older that are not necessarily professional or collegiate, such as club soccer or rugby (U19, U20 or U21 leagues). The Board possesses authority under 4 Pa.C.S. § 13C02 to establish the standards and procedures for sports wagering and the standards and procedures to govern the conduct of sports wagering and system of wagering. The inclusion of international team and individual events is consistent with industry standards. These events are popular with individuals who participate in sports wagering and also the governing bodies that oversee the events maintain a high level of integrity monitoring, which ensures the protection of players. Additionally, many of these events feature



athletes who are professional or collegiate athletes, but who at the time are participating in an event representing their home country.

Subsection (c) is amended to provide better clarity on the issue of ownership interests in sports wagering certificate holders or sports wagering operators by individuals or entities who are connected to athletic teams or governing bodies. This amendment removes the blanket prohibition language, which would have prevented persons who are athletes or individuals in a position of authority on a sports team or governing body from owning 10% or more of a certificate holder or operator. The updated language now prohibits any sports wagering certificate holder or sports wagering operator who has a 10% or greater owner who is one of the listed individuals from accepting wagers on that specific team or on events run by that governing body. This amended language still provides the necessary integrity protection of sports wagering operations, while not stifling the industry from growing.

8. § 1401a.9. *Physical characteristics of sports wagering areas; security and surveillance of sports wagering area; other requirements—Clarity and lack of ambiguity.*

Responses to the comments provided by the commentators are provided as follows.

9. § 1402a.2. *Sports wagering operator application and standards—Clarity and lack of ambiguity.*

This language is consistent with the Board’s existing body of licensing regulations, in addition to the other final-form rulemakings that pertain to expanded gaming. There may be instances where an entity has filed an application for licensure for a different license or for a different form of gaming, and the Board may determine that the filing of another application is not necessary, if the information contain therein would be duplicative.

10. § 1402a.3. *Sports wagering operator license term and renewal—Clarity.*

This language is consistent with the Board’s existing body of licensing regulations, in addition to the other final-form rulemakings that pertain to expanded gaming. The provisions in all applicable sections noted refer to all renewal applications that are filed prior to the expiration of the license in question. If the application is not filed until after the license expires, it is treated as an application for a new license, as no license is currently valid that can be extended during the pendency of the application.

11. § 1402a.2. *Sports wagering operator change of control—Clarity.*

The definition of “bureau” has been added to the definitions in § 1401a.2.

12. § 1403a.2. *Sports wagering manufacturer license application and standards—Clarity.*

Principal affiliates is a term already defined in the Board’s licensing regulations in Chapter 433a (relating to principal licenses), and therefore, inclusion of the definition in this subpart of regulations would be duplicative. Additionally, only requiring principal affiliates to also file the necessary applications for licensure is consistent with the Board’s existing body of regulations.

13. § 1405a.6. *Authorized sports wagering gaming service providers list; prohibited sports wagering gaming service providers—Clarity.*

The subsections are amended to reflect the recommended changes.

14. § 1405a.7. *Permission to conduct business prior to certification or registration—Clarity; and implementation.*

This section is updated to reflect that the notice would be sent by registered mail, to be able to confirm receipt of the notice.

15. § 1405a.9. *Duty to investigate—Clarity; and Implementation procedures.*

The investigations required in §§ 1405a.2 and 1405a.3 (relating to sports wagering gaming service provider certification applications; and sports wagering gaming service provider registration applications) are investigations done by the Board after the application for registration or certification have been filed. The duty to investigate in this section requires a sports wagering certificate holder or sports wagering operator to do its own investigation of the entity before entering into a contractor relationship with the provider. The goal is to prevent applications for certification or registration being filed with the Board by persons or providers who would not qualify to be certified or registered, something which a certificate holder or operator would be able to discern if a reasonable investigation was performed.

16. § 1406a.1. *General provisions—Clarity.*

These subsections do apply to nongaming employees who have a registration issued by the Board.

17. § 1406a.5. *Sports wagering nongaming employees—Clarity.*

This subsection is amended to reflect the recommended changes.

18. § 1407a.2. *Definitions—Clarity.*

Currently, sports wagering accounts are not used to place wagers on self-service kiosks, and may only be used for interactive or mobile sports wagering.

19. § 1407a.3. *Testing and approval generally—Clarity.*

A definition of “interactive or mobile sportsbook” is added to § 1401a.2.

The language in subsection (d) is amended for consistency purposes as recommended.

20. § 1407a.4. *Wagering device requirements generally—Clarity.*

Responses to the comments provided by the commentators are provided as follows as it pertains to subsections (g)—(i).

By way of further explanation as to subsection (i), if a person who has a pending sports wager that was placed at a retail sportsbook and then self-excludes, he or she likely would not be identified as a self-excluded person until he or she attempted to redeem the winning sports wagering ticket. If the person enters the licensed facility while on the casino self-exclusion list, he or she would be in violation of the self-exclusion. If the person was redeeming a ticket above the Federal threshold for reporting, the individual would likely be identified as self-excluded and the winnings (actual amount won, not including the original bet placed) would be subject to confiscation and remittance to the Board, under the Board’s self-exclusion procedures. If he or she mailed in the ticket to be redeemed, the individual’s name would show up on the casino self-exclusion list during the redemption process, and once again, the winnings would be confiscated and remitted to the Board.

It would be inappropriate to require that an individual who has pending sports wagers forfeit the funds used to place those wagers after placing himself or herself on the self-exclusion list. The individual in that instance has decided to avail himself or herself of a voluntary program to curb problem gambling; it would be punitive to also then impose what amounts to a financial penalty on the individual who self-excludes by requiring forfeiture of the funds. The most equitable approach is to cancel the pending wager and return the funds used to place the wager to the patron.

Also, as it pertains to pending sports wagers placed on an interactive or mobile sportsbook, the cancelling of pending wagers and return of funds is not unduly burdensome. Certificate holders or operators that offer interactive or mobile sports wagering are required to regularly update their player database with information on individuals who self-exclude from the Board's Office of Compulsive and Problem Gambling, and suspend or close the accounts of individuals who self-exclude. If an individual has a pending wager at that time, the wager may easily be cancelled and those funds returned to the player with the rest of the funds on deposit with the certificate holder or operator.

21. § 1407a.6. *Ticket/voucher requirements—Clarity.*

This paragraph is amended to reflect the recommended changes.

22. § 1407a.8. *Sports wagering interactive system requirements—Clarity.*

This subsection is amended to reflect the recommended changes.

23. § 1408a.3. *Internal controls—Clarity.*

The language in paragraph (21) is amended to reflect the recommended changes. Paragraph (21)(iii) is amended to provide clarity as to the meaning of the section.

Responses to the comments provided by the commentators are provided as follows as it pertains to subsections (j) and (o).

24. § 1408a.8. *Risk management—Protection of the public interest, safety and welfare; and Implementation.*

This section is amended to reflect the recommended changes to be consistent with § 1401a.5(h).

In determining whether a sports wagering certificate holder or sports wagering operator's in-house risk management unit will be satisfactory, Board staff will review the submitted information required under § 1408a.8(b). If Board staff finds that the information provide will ensure the proper level of risk management required for sports wagering operations to occur, the in-house unit will be deemed satisfactory for use.

Responses to the comments provided by the commentators are provided as follows as it pertains to subsection (b)(10) and cancelation of wagers placed due to error.

25. § 1408a.9. *Integrity monitoring—Clarity; Protection of the public interest, safety and welfare; and implementation.*

This subsection is amended to reflect the recommended changes to be consistent with § 1401a.5(g).

The Board's proposed integrity monitoring procedures are consistent with the industry standards imposed in other jurisdictions. The Board will evaluate the sports wagering certificate holder or sports wagering operators internal controls to ensure proper safeguards are in place for the in-house unit.

The reporting of integrity issues is done through an online portal, set up to provide sports wagering certificate holders or sports wagering operators ease of access in reporting unusual or suspicious betting activity, similar to the submission of internal controls.

The phrase "in a timely manner" is deleted because under § 1408a.9(f)(1), the requirement is that the information be provided in a report within 5 calendar days.

26. § 1409a.2. *Sports wagering contests, tournaments, pools or other organized events—Clarity and lack of ambiguity.*

Subsection (a)(5) prevents the collecting of or paying out real money during a contest, tournament or pool. Once initial entry fees are paid under subsection (b) and the contest, tournament or pool starts, any wagers to be placed or picks to be made during that event must use tournament credits or points. Therefore, the sections are not in conflict.

The language regarding discontinuation of sports wagering contests, pools or tournaments is updated to reflect that it must occur immediately upon notification. Many of these contests or pools run for a short period of time, sometimes only hours long, so it is imperative that contests that could adversely impact the integrity of gaming be shut down promptly.

27. *Miscellaneous—Clarity.*

Issues of clarity identified are updated, as necessary.

The Board received public comment from Greenwood Gaming and Entertainment, Inc., d/b/a Parx Casino, and the responses to those comments are as follows:

I. *The Board should clarify § 1407a.4(e)(12).*

As subsection (e) states, the information contained in the numbered paragraphs only needs to be recorded by the sports wagering device, that is, the platform used by the sports wagering certificate holder or sports wagering operator. The information need not be provided to the patron on the sports wagering ticket, but must be accurately recorded by the system, and nothing in the subsection requires it be provided to the patron.

II. *The Board should provide clarification of § 1407a.4(g).*

This subsection is updated to reflect the recommended changes.

III. *The Board should recognize that wagering devices cannot automatically prevent the posting, voiding, and cancellation of wagers without human interaction.*

The Board understands that sports wagering devices are not infallible, and there are many instances where human intervention to prevent improper wagering from occurring or to remedy improperly placed wagers will be necessary. The ultimate goal, however, should still be that these devices prevent past posting of wagers as best as possible.

IV. *The Board should eliminate the requirement in § 1407a.4(i), as the implementation of this requirement is not feasible at retail locations, would be unduly burdensome, and creates the risk for potential abuse.*

As stated previously in response to the comments from IRRC, it would be inappropriate to assess what essentially becomes a financial penalty on an individual who chooses to self-exclude while an outstanding sports wager is pending. The potential forfeiture of the wager may discourage a problem gambler, someone who truly needs to avail himself of the self-exclusion program, from seeking the help he or she needs. The risk of abuse of this

regulatory requirement is drastically outweighed by the benefits provided by the voluntary self-exclusion program.

The Board understands that there may be minor feasibility issues related to the pending sports wagers placed by individuals who subsequently self-exclude. But as indicated previously, those individuals could be readily identified if and when an individual sought to redeem a winning sports wager, placed at a retail sports book prior to placement on the self-exclusion list, assuming the sports wagering certificate holder or sports wagering operator act in accordance with the Board's self-exclusion requirements. The same applies to pending sports wagers placed on a sports wagering certificate holder's or sports wagering operator's interactive or mobile sports wagering platform. If a sports wager is pending at the time an individual self-excludes, and the certificate holder or operator is updating their system with information from the Board's self-exclusion database as required, the wager needs to be cancelled and the funds returned to the patron's account. Then, under the Board's interactive gaming self-exclusion procedures, contained in Subpart L, the interactive gaming or sports wager account should be suspended or closed. The Board does not believe these requirements to be overly burdensome.

V. *The Board should clarify the term "ticket overrides" in § 1407a.6(g)(2).*

The term "ticket overrides" is deleted, as it is encompassed in the other terms contained in subsection (g)(2).

VI. *The Board should provide clarification of § 1408a.3(j).*

The Catalog of Events must be submitted to the Board 72 hours before implementation of the proposed change is planned to occur. The Board will notify the sports wagering certificate holder or sports wagering operator within those 72 hours if the revisions are approved. If approved, implementation may occur as scheduled; if denied, the sports wagering certificate holder or sports wagering operator will need to revise the submission and re-submit to the Board for approval. If full review of the revisions by Board staff is not able to be completed within 72 hours, the certificate holder or operator will be notified that the approval has been tolled under the internal controls procedures, and they must wait for approval before the revisions can be implemented.

VII. *The Board should enable sports wagering certificate holders to cancel wagers at their discretion if the Board approves certain cancellation criteria.*

While the Board understands that flexibility in offering sports wagering is important to sports wagering certificate holders and sports wagering operators, it is the Board's responsibility to ensure that there is a fair and secure environment for individuals who engage in sports wagering. Allowing for the unilateral cancelling of wagers by a sports wagering certificate holder or sports wagering operator at their discretion due to an error of their own making creates the risk of inconsistency in application across the industry. Board approval of cancellation of wagers is a paramount step in achieving the Board's goal of fair sports wagering operations across the board. This is an industry standard across the country.

These provisions do not apply to all instances in which a void is needed, such as the cancellation of a sporting event all together or other instances not related to palpable errors. This is outlined with the House Rules put in place by each operator, which include specific guidelines for the voiding of transactions.

VIII. *The Board should modify the language in § 1408a.3(o).*

This section is updated to reflect the recommended changes.

IX. *The Board should provide leniency in waiving regulations, upon request, as applied to nonprimary locations.*

Nonprimary locations are not solely under the jurisdiction of the Board, but also must be run in accordance with the regulatory requirements set forth by the State Horse Racing Commission. The Board and its staff are always available to discuss regulatory concerns of sports wagering certificate holder and sports wagering operators, and would continue to work in consultation with the Horse Racing Commission to make nonprimary locations as successful and patron friendly as possible. If a certificate holder or operator identifies issues related to nonprimary locations, such as or similar to those cited in the comment, it is possible those issues could be resolved through a formal request to the Board or Board staff.

The Board received public comment from Downs Racing, L.P., d/b/a Mohegan Sun Pocono, and the responses to those comments are as follows:

I. *The Board should clarify conflicting language on satellite sports wagering areas.*

Section 1401a.9(b) is amended to reflect the recommended changes.

II. *The Board should clarify the proposed physical characteristics for sports wagering areas to ensure seamless integration of sports wagering and horse racing at nonprimary locations.*

As stated previously in response to Greenwood Gaming and Entertainment, Inc.'s similar comment, the Board will permit as much flexibility as possible with the regulatory requirements for sports wagering at nonprimary locations, to encourage the integration of the two activities. This will take coordination with the Horse Racing Commission, but the Board is committed to making sports wagering at nonprimary locations a successful part of the sports wagering industry in the Commonwealth.

III. *The restrictions on ownership of sports wagering certificate holders and sports wagering operators should be clarified.*

As indicated previously in response to IRRC's comment, the language in § 1401a.7(c) was clarified. The blanket prohibition on ownership of more than 10% was modified, so that now a person or entity that is an athlete or connected to an athletic team or governing body may own 10% or more of a sports wagering certificate holder or sports wagering operator. However, that certificate holder or operator is not permitted to accept wagers on sporting events in which that athlete or team participates.

Affiliates of sports wagering certificate holders or sports wagering operators are not exempted from this provision.

IV. *The Board should exercise its discretion to permit wagering on eSports.*

The Board believes that unless and until the legislature expands the definition of sports wagering or sporting event to explicitly include eSports, it would exceed the Board's statutory authority to permit these wagering activities.



V. *Sports wagering certificate holders and sports wagering operators should not be required to share information regarding unusual or suspicious wagering activity with sports governing bodies/leagues.*

The Board acknowledges Mohegan Sun Pocono's support for the deletion of this requirement from the temporary regulations.

#### *Fiscal Impact*

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

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

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

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

#### *Paperwork Requirements*

A slot machine licensee who wishes to offer sports wagering must file a Petition for Issuance of a Sports Wagering Certificate, as well as any necessary licensure applications for principals, key employees, gaming and nongaming employees.

A sports wagering operator, sports wagering manufacturer, sports wagering supplier, sports wagering service provider, and principals, key employees, and gaming and nongaming employees thereof involved in the provision of sports wagering in this Commonwealth will be required to file applications with the Board providing information regarding the person's proposed activity, as well as accounting and internal control protocols and background information of each individual sufficient to permit the Board to determine the individual's suitability for licensure. All applications are available on the Board's web site at <https://gamingcontrolboard.pa.gov/>.

If an individual wishes to join the casino self-exclusion list (to exclude from retail sports wagering) or the interactive gaming self-exclusion list (to exclude from interactive and mobile sports wagering), the person may do so online on the Board's web site by filling out a web-based form. The Board's web site address for self-exclusion is <https://responsibleplay.pa.gov/self-exclusion/>.

#### *Effective Date*

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

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 12, 2020, the Board submitted a copy of the proposed rulemaking, published at 50 Pa.B. 7277 (December 26, 2020) IRRC and to the

Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board is required to submit to IRRC and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested. With regard to this rulemaking, no comments were received from the Committees.

Under section 5a(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on July 14, 2021, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on July 15, 2021, and approved the final-form rulemaking.

#### *Findings*

The Board finds that:

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

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

#### *Order*

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

(1) The regulations of the Board, 58 Pa. Code, are amended by deleting §§ 1401.1—1401.8, 1402.1—1402.3, 1403.1—1403.7, 1404.1—1404.7, 1405.1—1405.9, 1406.1—1406.8, 1407.1—1407.9, 1408.1—1408.13, 1409.1, 1410.1 and 1411.1 and adding 1401a.1—1401a.9, 1402a.1—1402a.4, 1403a.1—1403a.6, 1404a.1—1404a.6, 1405a.1—1405a.9, 1406a.1—1406a.8, 1407a.1—1407a.9, 1408a.1—1408a.14, 1409a.1, 1409a.2, 1410a.1 and 1411a.1 to read as set forth in Annex A.

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

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

DAVID M. BARASCH,  
*Chairperson*

(*Editor's Note:* For IRRC's approval order, see 51 Pa.B. 4174 (July 31, 2021).)

**Fiscal Note:** Fiscal Note 125-234 remains valid for the final adoption of the subject regulations.

### **Annex A**

#### **TITLE 58. RECREATION**

#### **PART VII. GAMING CONTROL BOARD**

#### **Subpart Q. SPORTS WAGERING**

#### **CHAPTER 1401. (Reserved)**

Sec. 1401.1—1401.8. (Reserved).

#### **CHAPTER 1401a. GENERAL SPORTS WAGERING PROVISIONS**

Sec.  
1401a.1. Scope.  
1401a.2. Definitions.  
1401a.3. Initial and renewal authorization and license fees.  
1401a.4. Sports wagering certificate petition and standards.



- 1401a.5. Conduct of sports wagering generally.
- 1401a.6. Permitted sports wagering activities.
- 1401a.7. Prohibited and restricted sports wagering activities.
- 1401a.8. Persons prohibited from engaging in sports wagering activities.
- 1401a.9. Physical characteristics of sports wagering areas; security and surveillance of sports wagering area; other requirements.

**§ 1401a.1. Scope.**

(a) The purpose of this subpart is to govern the operation of sports wagering in this Commonwealth. The purpose of this chapter is to establish definitions for this subpart and create the process by which a slot machine licensee can seek approval to conduct sports wagering. The act and the Board's regulations promulgated thereunder shall otherwise apply when not in conflict with this subpart.

(b) Any sports wagering certificate holder or sports wagering operator who offers interactive or mobile sports wagering as a form of interactive gaming shall also comply with all applicable provisions in Subpart L (relating to interactive gaming) as it pertains to the development, implementation, and use of interactive or mobile sports wagering system operations, specifically Chapters 809a—815a.

**§ 1401a.2. Definitions.**

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

*Associated equipment*—Any equipment or mechanical, electromechanical or electronic contrivance, component or machine used in connection with sports wagering, including equipment which affects the proper reporting and counting of gross sports wagering revenue and computerized systems for controlling and monitoring sports wagering.

*Authorized trader*—An entity who has been authorized by a sports wagering certificate holder or sports wagering operator to place a layoff wager pursuant to a layoff wager agreement.

*Bureau*—The Bureau of Investigations and Enforcement.

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

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

*Gaming day*—The period of time from 6 a.m. to 5:59:59 a.m. the following calendar day, corresponding to the beginning and ending times of sports wagering activities for the purpose of accounting reports and determination of gross sports wagering revenue.

*Gaming employee*—An employee of any of the following who the Board determines, after a review of the work to

be performed, requires a gaming employee permit for the protection of the integrity of sports wagering within this Commonwealth:

- (i) A sports wagering certificate holder, interactive gaming operator or sports wagering operator.
- (ii) A sports wagering manufacturer.
- (iii) A sports wagering supplier.
- (iv) A sports wagering gaming service provider.
- (v) Any other person as determined by the Board.

*Gross sports wagering revenue*—

(i) The total of cash or cash equivalents received from sports wagering minus the total of:

(A) Cash or cash equivalents paid to players as a result of sports wagering.

(B) Cash or cash equivalents paid to purchase annuities to fund prizes payable to players over a period of time as a result of sports wagering.

(C) The actual cost paid by the sports wagering certificate holder for any personal property distributed to a player as a result of sports wagering. This clause does not include travel expenses, food, refreshments, lodging or services.

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

(A) Counterfeit cash or chips.

(B) Coins or currency of other countries received as a result of sports wagering, except to the extent that the coins or currency are readily convertible to cash.

(C) Cash taken in a fraudulent act perpetrated against a sports wagering certificate holder for which the sports wagering certificate holder is not reimbursed.

*Interactive or Mobile Sportsbook*—An authorized sports wagering web site or mobile application offered to registered players in this Commonwealth by a sports wagering certificate holder or sports wagering operator.

*Interactive or mobile sports wagering*—Sports wagering offered to registered players in this Commonwealth by a sports wagering certificate holder or sports wagering operator by means of an authorized sports wagering web site or mobile application.

*Key employee*—All of the following:

(i) An individual who is employed in a director or department head capacity and who is empowered to make discretionary decisions that regulate sports wagering operations or systems, including the director of sports wagering or other similar job classifications associated with sports wagering.

(ii) An employee who is not otherwise designated as a gaming employee and who supervises the operations or systems of the sports wagering department or to whom the sports wagering department directors or sports wagering department heads report.

(iii) Other positions not otherwise designated or defined under this subpart which the Board determines based on detailed analyses of job descriptions as provided in the internal controls of the sports wagering certificate holder or sports wagering operator as approved by the Board.

*Layoff wager*—

(i) A wager placed by a sports wagering certificate holder or sports wagering operator with another sports

wagering certificate holder or sports wagering operator located in this Commonwealth for the purposes of offsetting patron wagers.

(ii) A wager sought and accepted by a sports wagering certificate holder or sports wagering operator placed by an authorized trader for the purposes of offsetting patron wagers.

*Layoff wager agreement*—An agreement entered into between a sports wagering certificate holder or sports wagering operator and an authorized trader which governs the terms and conditions for the placement of layoff wagers.

*Player*—An individual wagering cash, a cash equivalent or other thing of value on a sporting event, combination of sporting events or the individual performance statistics of an athlete in a sporting event, including during a contest or tournament, the act of which may deliver or entitle the individual to receive cash, a cash equivalent or other thing of value from another player or sports wagering certificate holder, interactive gaming operator or sports wagering operator.

*Registered player*—An individual who has entered into a sports wagering account agreement with a sports wagering certificate holder or sports wagering operator offering interactive or mobile sports wagering.

*Retail sportsbook*—Sports wagering activities conducted by means of self-service kiosks or point of sale system in the sports wagering areas of a sports wagering certificate holder's approved locations.

*Sporting event*—A professional or collegiate sports or athletic event or a motor race event, including international team and international individual athletic events.

*Sports wagering*—

(i) The business of accepting wagers on sporting events or on the individual performance statistics of athletes in a sporting event or combination of sporting events by any system or method of wagering, including at a retail sportsbook or over the Internet through web sites and mobile applications when authorized by the Board. The term includes exchange wagering, parlays, over-under, moneyline, pools and straight bets. The term does not include the other forms of gaming or wagering listed in section 13C01 of the act (relating to definitions).

*Sports wagering area*—

(i) The physical land-based location at which a certificate holder is authorized, under Chapter 13C of the act (relating to sports wagering), to conduct retail sports wagering. The area must be:

(A) A designated area within the certificate holder's slot machine licensed facility, as approved by the Board.

(B) A Board-approved temporary facility that is physically connected to, attached to or adjacent to the certificate holder's slot machine licensed facility for a period not to exceed 18 months.

(C) A nonprimary location of a Category 1 slot machine licensee under 3 Pa.C.S. Chapter 93 (relating to race horse industry reform) upon Board approval in consultation with the State Horse Racing Commission.

(D) At a Category 4 licensed facility, if the holder of the Category 4 slot machine license also holds a Category 1, 2 or 3 slot machine licensed and has acquired a sports wagering certificate under that Category 1, 2 or 3 license.

(ii) The term does not include a redundancy facility or an interactive gaming or interactive or mobile sports

wagering restricted area which is not located on the premises of a licensed facility as approved by the Board and which is maintained and operated by a certificate holder, interactive gaming operator or sports wagering operator in connection with sports wagering.

*Sports wagering certificate*—A certificate awarded by the Board under this subpart that authorizes a slot machine licensee to conduct sports wagering in accordance with this subpart.

*Sports wagering certificate holder*—A slot machine licensee to whom the Board has awarded a sports wagering certificate.

*Sports wagering device*—Any mechanical, electrical or computerized contrivance, terminal, machine or other device, apparatus, equipment or supplies approved by the Board and used to conduct sports wagering.

*Sports wagering gaming service provider*—A person that is not required to be licensed as a sports wagering operator, interactive gaming operator, sports wagering manufacturer, sports wagering supplier, interactive gaming manufacturer or interactive gaming supplier and:

(i) Provides goods or services to a sports wagering certificate holder, interactive gaming operator or sports wagering operator for the operation of sports wagering.

(ii) Is determined to be a sports wagering gaming service provider by the Board.

*Sports wagering interactive system*—All hardware, software and communications that comprise a type of server-based sports wagering system for the purpose of offering authorized interactive or mobile sports wagering in this Commonwealth when authorized by the Board.

*Sports wagering manufacturer*—A person who manufactures, builds, rebuilds, fabricates, assembles, produces, programs, designs, sells, leases, offers or otherwise makes modifications to any authorized sports wagering device or associated equipment for use or operation in this Commonwealth for sports wagering purposes.

*Sports wagering manufacturer license*—A license issued by the Board authorizing a sports wagering manufacturer to manufacture, build, rebuild, fabricate, assemble, produce, program, design, sell, lease, offer or otherwise make modifications to any authorized sports wagering device or associated equipment for use or operation in this Commonwealth for sports wagering purposes.

*Sports wagering operator*—A person licensed by the Board to offer sports wagering at a retail sportsbook or offer interactive or mobile sports wagering through the provision of a sports wagering platform on behalf of a sports wagering certificate holder. The term includes an interactive gaming operator applicant or licensee that seeks to operate retail sports wagering or interactive or mobile sports wagering system on behalf of sports wagering certificate holder.

*Sports wagering platform*—The combination of hardware and software or other technology designed and used to manage, conduct and record retail and interactive or mobile sports wagering activity as approved by the Board. The term includes any emerging or new technology deployed to advance the conduct and operation of retail and interactive or mobile sports wagering activity as approved through regulation by the Board.

*Sports wagering restricted area*—Any room or area, as approved by the Board, used by a sports wagering certificate holder, interactive gaming operator or sports wagering operator to manage, control and operate sports

wagering, including, when approved by the Board, redundancy facilities and remote gaming server locations.

*Sports wagering supplier*—A person who provides, distributes or services any authorized sports wagering device or associated equipment for use or operation in this Commonwealth for sports wagering purposes that is not otherwise required to be licensed as a sports wagering manufacturer or sports wagering gaming service provider.

*Sports wagering supplier license*—A license issued by the Board authorizing a sports wagering supplier to provide products or services related to any authorized sports wagering device or associated equipment to a sports wagering certificate petitioner or holder or sports wagering operator for use or operation in this Commonwealth for sports wagering purposes.

**§ 1401a.3. Initial and renewal authorization and license fees.**

(a) Prior to the Board issuing a sports wagering certificate, sports wagering operator license or renewal thereof, the sports wagering certificate holder or sports wagering operator shall pay the authorization or license fee.

(b) If an interactive gaming operator licensee, licensed in accordance with the provisions of Subpart L (relating to interactive gaming), has already remitted the required licensing fee, the Board will not assess an additional fee for the interactive gaming operator licensee to acquire a sports wagering operator license.

**§ 1401a.4. Sports wagering certificate petition and standards.**

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

(b) A petitioner for a sports wagering certificate shall submit all of the following to the Board:

(1) The name, business address and contact information of the slot machine licensee petitioning for a sports wagering certificate.

(2) The name, business address and contact information of any affiliate, sports wagering operator or other person that will be a party to an agreement with the sports wagering certificate petitioner related to the operation of sports wagering on behalf of the sports wagering certificate petitioner and a description of the services to be provided.

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

(4) A statement identifying what types of sports wagering, including the sporting events, the sports wagering certificate petitioner intends to offer.

(5) A statement identifying whether the sports wagering petitioner intends to offer retail sports wagering, interactive or mobile sports wagering, or a combination thereof.

(6) A statement identifying whether the sports wagering petitioner intends to utilize a temporary facility for its retail sports wagering operations or system.

(7) If the petitioner is a Category 1 slot machine licensee, a statement identifying whether the sports wagering petitioner intends to offer retail sports wagering in any nonprimary locations.

(8) The estimated number of full-time and part-time employment positions that will be created as a result of sports wagering if a sports wagering certificate is issued.

(9) An updated hiring plan under section 1510(a) of the act (relating to labor hiring preferences) which outlines the sports wagering certificate petitioner's plan to promote the representation of diverse groups and Commonwealth residents in the employment positions.

(10) A brief description of the economic benefits expected to be realized by the Commonwealth if a sports wagering certificate is issued.

(11) The details of any financing obtained or that will be obtained to fund an expansion or modification of the sports wagering certificate petitioner's licensed facility to accommodate sports wagering and to otherwise fund the cost of commencing sports wagering.

(12) Information and documentation concerning financial background and resources to establish the financial stability, integrity and responsibility of the sports wagering certificate petitioner.

(13) Information and documentation concerning the terms of any agreement with a sports wagering operator.

(14) Information and documentation to establish that the sports wagering certificate petitioner has sufficient business ability and experience to conduct a successful sports wagering operation, including the sports wagering certificate petitioner's history in slot machine and table game operations, employment data and capital investment in casino operations.

(15) Information and documentation that the sports wagering certificate petitioner has or will have the financial ability to pay the sports wagering authorization fee.

(16) Detailed site plans identifying the proposed sports wagering area and sports wagering restricted area, including security and surveillance plans and plans relative to compliance with the Clean Indoor Air Act (35 P.S. §§ 637.1—637.11).

(17) An overview of all of the following:

(i) The sports wagering certificate petitioner's initial system of internal and accounting controls applicable to sports wagering including the areas described in paragraph (16).

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

(iii) The sports wagering devices and associated equipment and interactive or mobile sports wagering system, or both, that the sports wagering certificate petitioner plans to or will utilize to manage, administer or control its sports wagering operations or systems as well as the identity of any third parties providing these devices and associated equipment.

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

(i) Sports wagering accounts.

(ii) Per wager charges, if applicable.

(iii) Transparency and reporting to the Board and the Department.

(iv) Ongoing auditing and internal control compliance reviews.



(19) A description outlining the impact that sports wagering petitioner's plans will have on the number of slot machines and table games in operation at its licensed facility.

(20) An overview of any necessary additions to the petitioner's Compulsive and Problem Gambling Plan necessitated by sports wagering.

(c) The Board will approve a sports wagering petition if the petitioner establishes all of the following by clear and convincing evidence:

(1) The petitioner's slot machine license and table game operation certificate are in good standing with the Board.

(2) The conduct of sports wagering at the petitioner's licensed facility will increase revenues and employment opportunities.

(3) The petitioner possesses adequate funds or has secured adequate financing to:

(i) Fund any necessary expansion or modification of the petitioner's licensed facility to accommodate the conduct of sports wagering.

(ii) Pay the authorization fee in accordance with section 13C61 of the act (relating to sports wagering authorization fee).

(iii) Commence sports wagering operations or system at its licensed facility.

(4) The petitioner has the financial stability, integrity and responsibility to conduct sports wagering.

(5) The petitioner has sufficient business ability and experience to create and maintain a successful sports wagering operation.

(6) The petitioner's proposed internal and external security and proposed surveillance measures within the area of the licensed facility where the petitioner seeks to conduct sports wagering are adequate.

(7) The petitioner has satisfied the petition requirements.

**§ 1401a.5. Conduct of sports wagering generally.**

(a) Sports wagering may only be conducted in this Commonwealth by a sports wagering certificate holder or a sports wagering operator on behalf of a sports wagering certificate holder. A sports wagering operator may be a licensed interactive gaming operator and provide interactive gaming and sports wagering services.

(b) Sports wagering conducted in this Commonwealth by a sports wagering certificate holder or a sports wagering operator may only be offered to players as follows:

(1) At a designated, clearly identified sports wagering area, at the sports wagering certificate holder's licensed facility.

(2) At a temporary facility that is physically connected to, attached to or adjacent to the sports wagering certificate holder's slot machine licensed facility for a period not to exceed 18 months.

(3) At a nonprimary location of a Category 1 slot machine licensee under 3 Pa.C.S. Chapter 93 (relating to race horse industry reform).

(4) At a Category 4 licensed facility, if the holder of the Category 4 slot machine license also holds a Category 1, 2 or 3 slot machine license and has acquired a sports wagering certificate under that Category 1, 2 or 3 license.

(5) Through a single interactive sports wagering web site or mobile application that clearly and prominently displays the name of the sports wagering certificate holder.

(c) Sports wagering certificate holders may employ the services of a sports wagering operator to assist its sports wagering operations through any or all of the means identified in subsection (b).

(i) A sports wagering certificate holder may employ the services of two sports wagering operators only if one sports wagering operator provides services related to retail sports wagering and the other provides services related to interactive or mobile sports wagering.

(ii) A sports wagering certificate holder may only offer one sports wagering web site and one sports wagering mobile application.

(d) A sports wagering certificate holder or a sports wagering operator may not permit the following individuals to engage in sports wagering activities:

(1) Individuals under 21 years of age.

(2) Individuals on the Board's sports wagering exclusion list.

(3) Individuals on the Board's casino self-exclusion list for retail sports wagering or the interactive gaming self-exclusion list for interactive or mobile sports wagering.

(4) Individuals located outside of Pennsylvania.

(e) A sports wagering certificate holder or a sports wagering operator seeking to offer interactive or mobile sports wagering shall have a server or other equipment located in this Commonwealth that is capable of receiving sports wagering bets and that conforms with the requirements set forth by the Board in Subpart L (relating to interactive gaming).

(f) A sports wagering certificate holder or a sports wagering operator seeking to offer interactive or mobile sports wagering shall utilize geolocation tools to ensure players placing sports wagering bets are located in this Commonwealth.

(g) As set forth in § 1408a.9 (relating to integrity monitoring), a sports wagering certificate holder or a sports wagering operator shall employ the services of a third-party integrity monitor that is certified by the Board as required under § 1405a.1(a)(4) (relating to general sports wagering gaming service provider requirements) to assist the sports wagering certificate holder or a sports wagering operator in protecting against and identifying suspicious or illegal sports wagering activities, or otherwise demonstrate to the Board's satisfaction that it has established an in-house unit capable of performing this function with appropriate segregation of functions and reporting duties.

(h) As set forth in § 1408a.8 (relating to risk management), a sports wagering certificate holder or sports wagering operators shall employ the services of a third-party risk manager that is certified by the Board as required under § 1405a.1(a)(4) to assist the certificate holder or a sports wagering operator to manage the risk and liabilities associated with operating a sportsbook, or otherwise demonstrate to the Board's satisfaction that it has established an in-house unit capable of performing this function with appropriate segregation of functions and reporting duties.

(i) A sports wagering certificate holder or a sports wagering operator may not commence sports wagering



operations through any of the means identified in subsection (b) to players in this Commonwealth until the Board approves all necessary associated applications, including applications of key employees, gaming employees, manufacturers, suppliers and gaming service providers.

(j) A sports wagering certificate holder or a sports wagering operator shall comply with all applicable Federal laws governing the conduct of sports wagering and interstate commerce.

**§ 1401a.6. Permitted sports wagering activities.**

(a) A sports wagering certificate holder or sports wagering operator shall submit to the Board for approval the events and types of wagers it proposes offering to players prior to accepting any sports wagering bets.

(b) The Board may permit a sports wagering certificate holder or sports wagering operator to offer wagering on any of the following sporting events:

- (1) Professional athletic events.
- (2) Collegiate athletic events.
- (3) Professional motor race events.
- (4) International team and international individual athletic events.
- (5) Any other sporting events as approved by the Board.

(c) The Board may permit a sports wagering certificate holder or sports wagering operator to offer any of the following types of wagers on the sporting events or on the individual performance statistics of athletes in a sporting event enumerated in subsection (b):

(1) *Exchange wagering*—A marketplace which permits patrons to bet with or against each other through a gaming platform operated and managed by a sports wagering certificate holder or sports wagering operator.

(2) *In-game wagers*—Wagers placed on the outcome of a sporting event or proposition wagers made after the athletic event has started and can continue during the course of live play of the athletic event.

(3) *Parlay wagers*—A wager on two or more outcomes in which all outcome wagers must win or cover for the patron to win or, a series of three or more teams in 2-team parlays.

(4) *Proposition wagering*—Wagers placed on the occurrence or nonoccurrence of a specific outcome of events within a game not directly involving the game's final outcome.

(5) *Straight wagers*—A pre-game or pre-match wager on a single game or single event that will be determined by a point spread, money line or total score.

(6) Other types of wagers as approved by the Board.

(d) A sports wagering certificate holder or a sports wagering operator shall make available to patrons a clear explanation of all types of wagers permitted by the Board and events on which those wagers are permitted.

(e) A sports wagering certificate holder or sports wagering operator may place a layoff wager with another sports wagering certificate holder or sports wagering operator located in this Commonwealth for the purpose of offsetting patron wagers made under this subpart provided that the following occurs:

(1) The sports wagering certificate holder or sports wagering operator placing the layoff wager discloses its

identity to the sports wagering certificate holder or sports wagering operator receiving the layoff wager.

(2) The receiving sports wagering certificate holder or sports wagering operator agrees to accept the layoff wager after receiving notification of the identity of the sports wagering certificate holder or sports wagering operator placing the layoff wager.

(f) A sports wagering certificate holder or sports wagering operator acting may seek and accept layoff wagers from an authorized trader under a layoff wager agreement submitted under subsection (f)(1)(B)(i) for the purposes of offsetting patron wagers.

(1) The sports wagering certificate holder or sports wagering operator seeking and accepting the layoff wagers has set forth in its internal controls under Chapter 1408a (relating to sports wagering accounting and internal controls) all of the following:

(A) Procedures for initiating a request for a layoff wager from an authorized trader.

(B) Procedures for entering a layoff wager agreement with an authorized trader.

(i) All layoff wager agreements entered into between a sports wagering certificate holder or sports wagering operator and an authorized trader must be provided to the Board with the internal controls submission.

(C) Procedures for recording a layoff wager.

(D) Procedures for auditing layoff wagers.

(2) An entity acting as an authorized trader under a layoff wager agreement must be licensed or certified by a regulatory oversight body in the area of banking, securities or insurance, and documentation of the licensure or certification shall be provided to the Board with the layoff wager agreement submitted under subsection (f)(1)(B)(i).

(3) A layoff wager placed by an authorized trader may be done in person at a sports wagering certificate holder or sports wagering operator's retail sportsbook or by way of an interactive or mobile sports wagering system.

(4) All layoff wagers placed by an authorized trader using a sports wagering certificate holder's or sports wagering operator's interactive or mobile sports wagering platform must be executed by means of the authorized trader's sports wagering account, and the individual placing the wager must be physically present in this Commonwealth.

**§ 1401a.7. Prohibited and restricted sports wagering activities.**

(a) The following sports wagering activity is prohibited:

(1) Wagering on high school sporting events governed by the Pennsylvania Interscholastic Athletic Association or a similar governing body.

(2) Wagering on amateur sporting events that have not otherwise been specifically approved by the Board.

(3) Wagering on the account of or on behalf of any other person, or any other form of proxy wagering.

(4) Any other sports wagering activity as prohibited by the Board.

(b) A sports wagering certificate holder or sports wagering operator is prohibited from:

(1) Knowingly accepting wagers from athletes on sporting events of the type in which the athlete participates as

well as sporting events governed by the same governing body under which the athlete competes.

(2) Knowingly accepting wagers from a person who holds a position of authority or influence sufficient to exert influence over the participants in a sporting event, or a person professionally connected to a sporting event or governing body including referees, officials, coaches, managers, handlers, athletic trainers or a person with access to certain types of exclusive information on any sporting event overseen by the governing body.

(3) Knowingly accepting wagers from a person the certificate holder or operator has reason to believe or suspect is placing the wager on behalf of or for the benefit of another individual that is prohibited from participating in sports wagering under these regulations or other applicable State or Federal law.

(4) Knowingly accepting wagers from a person the sports wagering certificate holder or sports wagering operator has reason to believe or suspect is attempting to place multiple wagers or structure wagers in any manner that is an attempt to evade or circumvent these regulations or other applicable State or Federal law.

(5) Knowingly accepting or holding cash or cash equivalents with the understanding that the money will be used to place a wager upon the occurrence of a specified future contingency unless a sports wagering ticket/voucher detailing the wager is immediately issued upon the sports wagering certificate holder's and sports wagering operator's acceptance of the money.

(6) Knowingly accepting any wagers other than those permitted by the Board.

(7) Knowingly accepting wagers on events and odds other than those posted or otherwise available to the public by the sports wagering certificate holder or sports wagering operator.

(8) Knowingly accepting a wager from or making payment to a person acting behalf of any other person, or any other form of proxy wagering.

(9) Knowingly allowing a person to make a wager utilizing the account of another person.

(c) If an athlete or person who holds a position of authority or influence sufficient to exert influence over the participants in a sporting event, or a person professionally connected to a sporting event or governing body including coaches, managers, handlers, athletic trainers, team physicians or other physicians providing medical consultation or treatment of an athletic participant or a person with access to certain types of exclusive information on any sporting event overseen by the governing body owns a 10% or more direct or indirect ownership interest in or control of a sports wagering certificate holder or a sports wagering operator, the certificate holder or operator shall not accept wagers on any sporting events in which the athlete, person, or team or governing body the individual is professionally connected to participates.

(d) If a sports wagering certificate holder or sports wagering operator owns a 10% or more direct or indirect ownership interest in or control of an athletic team, organization or governing body of athletic teams or organizations, the certificate holder or operator shall not accept wagers on any sporting events in which that team or organization participates, or on any sporting event overseen by that governing body of athletic teams or organizations.

#### **§ 1401a.8. Persons prohibited from engaging in sports wagering activities.**

(a) No person under 21 years of age of may engage in sports wagering with a sports wagering certificate holder or sports wagering operator.

(b) No collegiate, amateur or professional athlete, referee, official, coach, manager, handler or athletic trainer or employee or contractor of a team or athletic organization who has access to nonpublic or exclusive information concerning an athlete or team may engage in sports wagering on a sporting event or the performance of an individual in a sporting event in which the person or team is participating.

(c) No collegiate, amateur or professional athlete, referee, official, coach, manager, handler, athletic trainer or employee of a team or athletic organization who has access to nonpublic or exclusive information concerning an athlete or team may engage in sports wagering on a sporting event or the performance of an individual in sporting events in the sport or league in which the person is involved.

(d) No person identified in subsections (a)—(c) may collect any winnings or recoup any losses from a sports wagering certificate holder or sports wagering operator as a result of engaging in sports wagering in violation of this section.

(e) Winnings of a person prohibited from engaging in sports wagering under this section shall be confiscated and retained by the sports wagering certificate holder or sports wagering operator and shall properly be accounted for in all necessary reports.

(f) An athletic team or the governing body or league of an athletic team may provide to the Board a list of all persons within the team's organization as well as all league officials or referees prohibited from engaging in sports wagering under this section, along with the specific type of sporting events from which the person is prohibited from participating in sports wagering activities. The Board shall provide that list of persons identified by the athletic team or governing body or league to sports wagering certificate holders and sports wagering operators to facilitate these prohibitions on sports wagering activities.

#### **§ 1401a.9. Physical characteristics of sports wagering areas; security and surveillance of sports wagering area; other requirements.**

(a) A sports wagering certificate holder or sports wagering operator shall establish a physical, land-based retail sportsbook in one of the locations set forth in § 1401a.5(b)(1)—(4) (relating to conduct of sports wagering generally).

(b) A sports wagering area shall be a single area of dedicated public space with clearly established walls or defined borders. Satellite sports wagering areas located within a permitted location under § 1401a.5(b)(1)—(4) shall also be permitted upon approval by the Board.

(c) A sports wagering area shall include a restricted sports wagering area for conducting sports wagering transactions that:

(1) Shall be designed and constructed to provide maximum security for the materials stored and the activities performed therein, with the design and construction approved by the Board.

(2) Includes one or more ticket writer windows, each of which shall contain:

(i) A writer’s drawer and terminal through which financial transactions related to sports wagering will be conducted. Writers shall not commingle funds with other sources and shall not transfer funds directly with another writer.

(ii) A permanently affixed number, which shall be visible to surveillance.

(iii) Windows, as approved by the Board, which shall be fully enclosed and designed to prevent direct access to the materials stored and activities performed therein.

(iv) Manually triggered silent alarms, which shall be connected directly to surveillance and security.

(v) Surveillance coverage capable of accurate visual monitoring and recording of any activities, including the capturing of a patron’s facial image when conducting transactions at the counter.

(vi) An alarm for each exit door that is not a mantrap.

(vii) A secure location, such as a vault, for the purpose of storing funds issued by the cage to be used in the operation of sports wagering. The secure location shall:

(A) Be located in an area not open to the public.

(B) Have surveillance cameras capable of accurate visual monitoring and recording of any activities in the area.

(c) A sports wagering area shall have an operating balance of no more than \$1 million.

(1) Whenever a retail sportsbook accumulates funds in excess of \$1 million, the excess funds shall be transferred to the cage no later than at the end of each shift.

(2) The funds shall be transferred with appropriate licensed employee and container shall be accompanied by a security officer.

(3) Prior to transporting the funds, security shall notify the surveillance department that the transfer will take place.

(d) A sports wagering area may have slot machines or other authorized games with the approval of the Board, unless the sports wagering area is in a nonprimary location of a Category 1 slot machine licensee.

(e) A sports wagering certificate holder or sports wagering operator shall include signage in the sports wagering area that displays “If you or someone you know has a gambling problem, call 1-800-GAMBLER,” or comparable language approved by the Board, including in print advertisements or other media advertising the sports wagering operations of the sports wagering certificate holder or sports wagering operator.

**CHAPTER 1402. (Reserved)**

Sec.  
1402.1—1402.3. (Reserved).

**CHAPTER 1402a. SPORTS WAGERING OPERATORS**

Sec.  
1402a.1. Sports wagering operator requirements.  
1402a.2. Sports wagering operator application and standards.  
1402a.3. Sports wagering operator license term and renewal.  
1402a.4. Sports wagering operator change of control.

**§ 1402a.1. Sports wagering operator requirements.**

A person seeking to operate sports wagering on behalf of a sports wagering certificate holder in this Commonwealth may apply with the Board for a sports wagering operator license.

**§ 1402a.2. Sports wagering operator application and standards.**

(a) An applicant for a sports wagering operator license shall submit all of the following:

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

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

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

(4) An application from every principal under Chapter 433a (relating to principal licenses) and § 1406a.2 (relating to sports wagering principals) and key employee under Chapter 435a (relating to key, gaming and nongaming employees; Board-issued credentials) and § 1406a.3 (relating to sports wagering key employees) as specified by the Enterprise Application and Disclosure Information Form.

(b) In determining whether an applicant is suitable to be licensed as a sports wagering operator under this section, the Board will consider all of the following:

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

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

(3) The integrity of all financial backers.

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

(i) The background investigation of the principals.

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

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

**§ 1402a.3. Sports wagering operator license term and renewal.**

(a) A sports wagering operator license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(b) A renewal application for a sports wagering operator license shall be filed at least 6 months prior to the expiration of the current license.

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

**§ 1402a.4. Sports wagering operator change of control.**

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

(1) More than 20% of a sports wagering operator’s securities, assets or other ownership interests.



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

(3) Any other interest in a sports wagering operator which allows the acquirer to control the sports wagering operator.

(b) A sports wagering operator shall notify the Bureau and the Bureau of Licensing in a form or manner prescribed by the Bureau of Licensing immediately upon becoming aware of any proposed or contemplated change of control of the sports wagering operator.

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

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

(2) Completed applications for the acquiring company, as required under § 1402a.2 (relating to sports wagering operator application and standards) and an application from every principal under Chapter 433a (relating to principal licenses) and § 1406a.2 (relating to sports wagering principals) and any identified key employee under Chapter 435a (relating to key, gaming and nongaming employees; Board-issued credentials) and § 1406a.3 (relating to sports wagering key employees) as specified by the Enterprise Entity Application and Disclosure Information Form and other persons as determined by the Board.

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

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

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

(1) The acquirer is an existing licensed slot machine licensee, table game certificate holder, interactive gaming operator or sports wagering operator.

(2) The existing licensed slot machine licensee, table game certificate holder, interactive gaming operator or sports wagering operator has provided the Bureau and the Bureau of Licensing notification and a copy of all documents governing the acquisition at least 60 days prior to the acquisition.

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

#### CHAPTER 1403. (Reserved)

Sec.

1403.1—1403.7. (Reserved).

#### CHAPTER 1403a. SPORTS WAGERING MANUFACTURER

Sec.

1403a.1. Sports wagering manufacturer license requirements.

1403a.2. Sports wagering manufacturer license application and standards.

1403a.3. Sports wagering manufacturer license term and renewal.

1403a.4. Sports wagering manufacturer abbreviated license process.

1403a.5. Sports wagering manufacturer licensee responsibilities.

1403a.6. Sports wagering manufacturer licensee change of control.

##### § 1403a.1. Sports wagering manufacturer license requirements.

(a) A person seeking to manufacture, build, rebuild, fabricate, assemble, produce, program, design, sell, lease, offer or otherwise make modifications to any authorized sports wagering device or associated equipment for use or operation in this Commonwealth for sports wagering purposes shall apply to the Board for a sports wagering manufacturer license.

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

##### § 1403a.2. Sports wagering manufacturer license application and standards.

(a) An applicant for a sports wagering manufacturer license shall submit all of the following:

(1) An Enterprise Entity Application and Disclosure Information Form for the applicant and each of the applicant's principal affiliates unless otherwise directed by the Board.

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

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

(4) An application from every principal under Chapter 433a (relating to principal licenses) and § 1406a.2 (relating to sports wagering principals) and key employee under Chapter 435a (relating to key, gaming and nongaming employees; Board-issued credentials) and § 1406a.3 (relating to sports wagering key employees) as specified by the Enterprise Entity Application and Disclosure Information Form and other persons as determined by the Board.

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

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

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

(2) Demonstrate that the sports wagering manufacturer license applicant has the ability to manufacture, build, rebuild, repair, fabricate, assemble, produce, program, design or otherwise make modifications to autho-



alized sports wagering devices or associated equipment which meet one or more of the following criteria:

- (i) Are specifically designed for use in the operation of sports wagering or a sports wagering device or associated equipment.
- (ii) Are needed to conduct authorized sports wagering.
- (iii) Have the capacity to determine the outcome of the sports wagering activity.
- (iv) Have the capacity to affect the calculation, storage, collection or control of gross sports wagering gaming revenue.
- (c) In determining whether an applicant is suitable to be licensed as a sports wagering manufacturer under this section, the Board will consider all of the following:

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

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

**§ 1403a.3. Sports wagering manufacturer license term and renewal.**

- (a) A sports wagering manufacturer license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.
- (b) A renewal application for a sports wagering manufacturer license shall be filed at least 6 months prior to the expiration of the current license.
- (c) A sports wagering manufacturer license for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

**§ 1403a.4. Sports wagering manufacturer abbreviated license process.**

- (a) The Board may use an abbreviated licensing process if the sports wagering manufacturer license applicant holds a license issued by the Board to manufacture slot machines, table games, table game devices, interactive games, video gaming terminals or associated equipment and all of the following shall apply:
  - (1) The license was issued by the Board and is currently in good standing.
  - (2) The entity to whom the manufacturer license was issued affirms there has been no material change in circumstances relating to the licensee.

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

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

**§ 1403a.5. Sports wagering manufacturer licensee responsibilities.**

(a) A holder of a sports wagering manufacturer license has a continuing duty to do all of the following:

- (1) Comply with the general requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).
- (2) For publicly traded sports wagering manufacturer licensees, provide notification of all SEC filings or, if the sports wagering manufacturer licensee is publicly traded on a foreign exchange, a copy of all filings submitted to the securities regulator that has jurisdiction over the foreign publicly traded corporation. The notification or copies of the filings shall be submitted to the Bureau of Licensing within 30 days after the date of filing with the SEC or securities regulator that has jurisdiction over the foreign publicly traded corporation.

(b) An employee of a licensed sports wagering manufacturer who is a gaming or nongaming employee as defined in §§ 401a.3 and 1401a.2 (relating to definitions) shall obtain a permit under §§ 435a.3 and 1406a.4 (relating to occupation permit; and sports wagering gaming employees) or registration under §§ 435a.5 and 1406a.5 (relating to nongaming employee registration; and sports wagering nongaming employees).

**§ 1403a.6. Sports wagering manufacturer licensee change of control.**

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

- (1) More than 20% of a sports wagering manufacturer licensee's securities, assets or other ownership interests.
- (2) More than 20% of the securities or other ownership interests of a corporation or other form of business entity that owns directly or indirectly at least 20% of the voting or other securities or other ownership interests of the sports wagering manufacturer licensee.
- (3) Any other interest in a sports wagering manufacturer licensee which allows the acquirer to control the sports wagering manufacturer licensee.

(b) A sports wagering manufacturer licensee shall notify the Bureau and the Bureau of Licensing in a form or manner prescribed by the Bureau of Licensing immediately upon becoming aware of any proposed or contemplated change of control of the sports wagering manufacturer licensee.

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

- (1) A copy of all documents governing the acquisition.
- (2) Completed applications for the acquiring company, as required under this chapter and an application from every principal under Chapter 433a (relating to principal

licenses) and § 1406a.2 (relating to sports wagering principals) and any identified key employee under Chapter 435a (relating to key, gaming and nongaming employees; Board-issued credentials) and § 1406a.3 (relating to sports wagering key employees) as specified by the Enterprise Entity Application and Disclosure Information Form and other persons as determined by the Board.

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

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

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

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

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

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

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

#### CHAPTER 1404. (Reserved)

Sec.  
1404.1—1404.7. (Reserved).

#### CHAPTER 1404a. SPORTS WAGERING SUPPLIER

Sec.  
1404a.1. Sports wagering supplier license requirements.  
1404a.2. Sports wagering supplier application and standards.  
1404a.3. Sports wagering supplier license term and renewal.  
1404a.4. Sports wagering supplier abbreviated license process.  
1404a.5. Sports wagering supplier licensee responsibilities.  
1404a.6. Sports wagering supplier change of control.

##### § 1404a.1. Sports wagering supplier license requirements.

(a) A person seeking to sell, lease, offer or otherwise provide, distribute or service sports wagering devices or associated equipment to a sports wagering certificate holder or sports wagering operator in this Commonwealth shall apply to the Board for a sports wagering supplier license.

(b) In accordance with sections 1317 and 1317.1 of the act (relating to supplier licenses; and manufacturer licenses), an applicant for or the holder of a sports wagering supplier license or any of the sports wagering supplier applicant's or licensee's affiliates, intermediaries,

subsidiaries or holding companies may not apply for or hold a slot machine license or a sports wagering manufacturer license.

##### § 1404a.2. Sports wagering supplier application and standards.

(a) An applicant for a sports wagering supplier license shall submit all of the following:

(1) An Enterprise Entity Application and Disclosure Information Form for the sports wagering supplier applicant and each of the sports wagering supplier applicant's principal affiliates unless otherwise directed by the Board.

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

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

(4) An application from every principal under Chapter 433a (relating to principal licenses) and § 1406a.2 (relating to sports wagering principals) and key employee under Chapter 435a (relating to key, gaming and nongaming employees; Board-issued credentials) and § 1406a.3 (relating to sports wagering key employees) as specified by the Enterprise Entity Application and Disclosure Information Form and other persons as determined by the Board.

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

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

(c) In determining whether a sports wagering supplier license applicant is suitable to be licensed as a sports wagering supplier under this section, the Board will consider all of the following:

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

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

(3) The integrity of all financial backers.

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

(i) The background investigation of the principals.

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

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

**§ 1404a.3. Sports wagering supplier license term and renewal.**

(a) A sports wagering supplier license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.

(b) A renewal application for a sports wagering supplier license shall be filed at least 6 months prior to the expiration of the current license.

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

**§ 1404a.4. Sports wagering supplier abbreviated license process.**

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

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

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

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

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

**§ 1404a.5. Sports wagering supplier licensee responsibilities.**

(a) A holder of a sports wagering supplier license has a continuing duty to do all of the following:

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

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

(b) An employee of a licensed sports wagering supplier who is a gaming or nongaming employee as defined in §§ 401a.3 and 1401a.2 (relating to definitions) shall obtain a permit under §§ 435a.3 and 1406a.4 (relating to occupation permit; and sports wagering gaming employees) or registration under §§ 435a.5 and 1406a.5 (relating to nongaming employee registration; and sports wagering nongaming employees).

**§ 1404a.6. Sports wagering supplier change of control.**

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

(1) More than 20% of a sports wagering supplier licensee's securities, assets or other ownership interests.

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

(3) Any other interest in a sports wagering supplier licensee which allows the acquirer to control a sports wagering supplier licensee.

(b) A sports wagering supplier licensee shall notify the Bureau and the Bureau of Licensing in a form or manner prescribed by the Bureau of Licensing immediately upon becoming aware of any proposed or contemplated change of control of the sports wagering supplier licensee.

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

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

(2) Completed applications for the acquiring company, as required under this chapter and an application from every principal under Chapter 433a (relating to principal licenses) and § 1406a.2 (relating to sports wagering principals) and any identified key employee under Chapter 435a (relating to key, gaming and nongaming employees; Board-issued credentials) and § 1406a.3 (relating to sports wagering key employees) as specified by the Enterprise Entity Application and Disclosure Information Form and other persons as determined by the Board.

(3) An affirmation that neither the acquirer nor any of its affiliates, intermediaries, subsidiaries or holding companies is a slot machine licensee or sports wagering certificate petitioner or holder and that the acquirer has neither applied for nor holds a sports wagering manufacturer license.

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

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

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

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

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

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



**CHAPTER 1405. (Reserved)**

Sec.

1405.1—1405.9. (Reserved).

**CHAPTER 1405a. SPORTS WAGERING GAMING SERVICE PROVIDERS**

Sec.

- 1405a.1. General sports wagering gaming service provider requirements.
- 1405a.2. Sports wagering gaming service provider certification applications.
- 1405a.3. Sports wagering gaming service provider registration applications.
- 1405a.4. Qualification of individuals and entities of certified sports wagering gaming service providers.
- 1405a.5. Sports wagering gaming service provider registration and certification term and renewal.
- 1405a.6. Authorized gaming service providers list; prohibited gaming service providers.
- 1405a.7. Permission to conduct business prior to certification or registration.
- 1405a.8. Emergency sports wagering gaming service provider.
- 1405a.9. Duty to investigate.

**§ 1405a.1. General sports wagering gaming service provider requirements.**

(a) Except as provided in § 1405a.8 (relating to emergency sports wagering gaming service provider), a sports wagering gaming service provider or person seeking to conduct business with a sports wagering certificate holder or sport wagering operator shall apply to the Board for certification, unless explicitly exempted by the Board, if the sports wagering gaming service provider or person does any of the following:

(1) Meets the definition of a certified gaming service provider under §§ 437a.1 and 1401a.2 (relating to general gaming service provider requirements; and definitions).

(2) Meets the definition of a certified interactive gaming service provider under § 807a.1 (relating to general interactive gaming service provider requirements).

(3) Provides odds or raw data to sports wagering certificate holders or sports wagering operators that is used to conduct sports wagering in this Commonwealth.

(i) An athletic team, organization or governing body of an athletic team or organization who partners with or otherwise contracts with a sports wagering certificate holder or sports wagering operator to provide raw data that is used to conduct sports wagering shall not be required to be a certified sports wagering gaming service provider.

(ii) A sports wagering certificate holder or sports wagering operator who partners with or otherwise contracts with an athletic team, organization or governing body of an athletic team or organization under subparagraph (i) shall file a Notification with the Board in a manner prescribed by the Bureau of Licensing.

(4) Provides risk management services or integrity monitoring services to sports wagering certificate holders or sports wagering operators.

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

(b) Except as provided in § 1405a.8, a sports wagering gaming service provider or person seeking to conduct business with a sports wagering certificate holder or sport wagering gaming operator shall apply to the Board for a registration if the sports wagering gaming service provider or person is providing goods or services related to sports wagering and the person is not required to be certified as a sports wagering gaming service provider. This subsection applies to all of the following:

(1) Persons who meet the definition of a registered gaming service provider under §§ 437a.1 and 1401a.2.

(2) Persons who meet the definition of a registered interactive gaming service provider under § 807a.1.

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

(c) A holder of a gaming service provider registration or certification or the holder of an interactive gaming service provider registration or certification seeking to provide the same or similar services to a sports wagering certificate holder or sports wagering operator will not be required to file a new application for registration or certification and will not be required to submit additional licensing fees.

(d) A holder of a sports wagering gaming service provider certification, registration or authorization has a continuing duty to comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

**§ 1405a.2. Sports wagering gaming service provider certification applications.**

(a) A person seeking a sports wagering gaming service provider certification, not otherwise excluded under § 1405a.1(c) (relating to general sports wagering gaming service provider requirements), shall submit a Certification Application and Disclosure Form. The application and fee toward the cost of the investigation of the sports wagering gaming service provider applicant, as posted on the Board's web site, shall be submitted to the Bureau of Licensing by the sports wagering gaming service provider applicant unless otherwise directed by the Bureau of Licensing.

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

(1) Submit applications and release authorizations for each individual required to be qualified under § 1405a.4 (relating to qualification of individuals and entities of certified sports wagering gaming service providers).

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

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

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

**§ 1405a.3. Sports wagering gaming service provider registration applications.**

(a) A sports wagering gaming service provider or person seeking registration, not otherwise excluded under § 1405a.1(c) (relating to general sports wagering gaming service provider requirements), shall submit a Gaming Service Provider Registration Form. The application and fee toward the cost of the investigation of the sports wagering gaming service provider applicant, as posted on the Board's web site, shall be submitted to the Bureau of Licensing by the sports wagering gaming service provider unless otherwise directed by the Bureau of Licensing.

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

(1) Submit release authorizations for each individual required to be qualified under § 1405a.4 (relating to



qualification of individuals and entities of certified sports wagering gaming service providers).

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

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

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

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

(iii) Each salesperson of a registered sports wagering gaming service provider who solicits business from, or has regular contact with, any representatives of a certificate holder or licensee or any employee of a registered sports wagering gaming service provider applicant who will be engaging in that conduct.

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

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

(e) An individual who is a gaming or nongaming employee as defined in §§ 401a.3 and 1401a.2 (relating to definitions) shall obtain a gaming employee occupation permit in accordance with §§ 435a.3 and 1406a.4 (relating to occupation permit; and sports wagering gaming employees) or a nongaming employee registration in accordance with §§ 435a.5 and 1406a.5 (relating to nongaming employee registration; and sports wagering nongaming employees).

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

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

**§ 1405a.4. Qualification of individuals and entities of certified sports wagering gaming service providers.**

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

(1) Each officer and director of a certified sports wagering gaming service provider or applicant for sports wagering gaming service provider certification. For the purposes of this paragraph, "officer" means a president, chief executive officer, a chief financial officer and a chief operating officer and any person routinely performing

corresponding functions with respect to an organization whether incorporated or unincorporated.

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

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

(b) Each entity that directly owns 20% or more of the voting securities of a certified sports wagering gaming service provider or person applying for sports wagering gaming service provider certification shall file a Certification Form—Holding Company with the Bureau of Licensing and be found qualified by the Board.

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

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

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

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

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

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

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

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

(2) The company with which the individual is associated is on the authorized Gaming Service Provider List.

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

(f) An employee of a certified sports wagering gaming service provider who is a gaming or nongaming employee as defined in §§ 401a.3 and 1401a.2 (relating to definitions) shall obtain a permit under §§ 435a.3 and 1406a.4 (relating to occupation permit; and sports wagering gaming employees) or registration under §§ 435a.5 and 1406a.5 (relating to nongaming employee registration; and sports wagering nongaming employees).

**§ 1405a.5. Sports wagering gaming service provider registration and certification term and renewal.**

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

(b) Registered and certified sports wagering gaming service providers shall submit to the Board a completed renewal application or form and renewal fee at least 6 months prior to the expiration of a certification, registration or authorization.

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

**§ 1405a.6. Authorized gaming service providers list; prohibited gaming service providers.**

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

- (1) Have been registered or certified.
- (2) Are currently authorized to conduct business with sports wagering certificate holders or sports wagering operators under § 1405a.7 (relating to permission to conduct business prior to certification or registration).

(b) Except as permitted under § 1405a.8 (relating to emergency sports wagering gaming service provider), a sports wagering certificate holder or sports wagering operator may not purchase goods or services from a sports wagering gaming service provider unless the sports wagering gaming service provider is on the authorized gaming service provider list. A sports wagering certificate holder or sports wagering operator or any affiliate, intermediary, subsidiary or holding company thereof acting on behalf of the sports wagering certificate holder or sports wagering operator may not enter into an agreement or continue to do business with a sports wagering gaming service provider on the Prohibited Gaming Service Providers List.

(c) The Board may place a person or provider on the Prohibited Gaming Service Provider List if:

- (1) The sports wagering gaming service provider has failed to comply with this chapter.
- (2) The sports wagering gaming service provider has failed to cooperate with Board staff in its review and investigation of the sports wagering gaming service provider's application.
- (3) The sports wagering gaming service provider's application for certification or registration has been denied or withdrawn with prejudice or the sports wagering gaming service provider has had its sports wagering gaming service provider certification or registration suspended or revoked.

(4) The sports wagering gaming service provider has failed to provide information to a sports wagering certificate holder or sports wagering operator that is necessary for the sports wagering certificate holder or sports wagering operator to comply with this chapter.

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

(e) The Board may impose a monetary penalty or other appropriate sanction in connection with the removal of a person or provider from the Prohibited Gaming Service Providers List, or attach any reasonable condition to the removal of a person or provider from the Prohibited Gaming Service Providers List.

**§ 1405a.7. Permission to conduct business prior to certification or registration.**

(a) Notwithstanding § 1405a.1 (relating to general sports wagering gaming service provider requirements), the Bureau of Licensing may authorize an applicant for a sports wagering gaming service provider certification or registration to conduct business with a sports wagering certificate holder or sports wagering operator prior to the certification or registration of the sports wagering gaming service provider applicant if all of the following criteria are met:

(1) A completed Gaming Service Provider Registration Form or a completed Gaming Service Provider Certification Application and Disclosure Information Form has been filed by the certificate holder or licensee in accordance with this chapter.

(2) The sports wagering certificate holder or sports wagering operator certifies that it has performed due diligence on the sports wagering gaming service provider applicant.

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

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

(c) The Bureau of Licensing will notify the applicant for certification or registration and the sports wagering certificate holder or sports wagering operator by registered mail or e-mail, or both, that permission for the applicant for certification or registration to conduct business with the sports wagering certificate holder or sports wagering operator under subsection (a) has been rescinded and that the sports wagering certificate holder or sports wagering operator shall cease conducting business with the applicant for certification or registration by the date specified in the notice.

**§ 1405a.8. Emergency sports wagering gaming service provider.**

(a) A sports wagering certificate holder or sports wagering operator may utilize a sports wagering gaming service provider that is not registered, certified or authorized to conduct business in accordance with § 1405a.6 (relating to authorized gaming service providers list; prohibited gaming service providers) when a threat to public safety exists or circumstances outside the control of the sports wagering certificate holder or sports wagering operator create an urgency of need which does not permit the delay involved in using the formal method of sports wagering gaming service provider certification or registration. A sports wagering certificate holder or sports wagering operator may not use a sports wagering gaming service provider on the Prohibited Gaming Service Provider List.

(b) When using a sports wagering gaming service provider that is not registered, certified or authorized to conduct business to respond to an emergency, the sports wagering certificate holder or sports wagering operator shall do all of the following:

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

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

(c) An employee of the emergency sports wagering gaming service provider who is providing emergency services that requires access to restricted area shall obtain a temporary access credential in accordance with § 1406a.7 (relating to emergency and temporary credentials) prior to performing any work.

(d) If the sports wagering certificate holder or sports wagering operator continues to utilize the sports wagering gaming service provider after the emergency circumstances have passed or if the Bureau of Licensing determines that the circumstances did not necessitate the use of an emergency sports wagering gaming service provider that was not registered, certified or on the authorized list, the sports wagering certificate holder or sports wagering operator and sports wagering gaming service provider shall comply with the requirements in this chapter.

**§ 1405a.9. Duty to investigate.**

(a) A sports wagering certificate holder or sports wagering operator shall investigate the background and qualifications of the applicants for sports wagering gaming service provider registration or certification with whom it intends to have a contractual relationship or enter into an agreement.

(b) A sports wagering certificate holder or sports wagering operator has an affirmative duty to avoid agreements or relationships with persons applying for a sports wagering gaming service provider registration or certification whose background or associations are injurious to the public health, safety, morals, good order and general welfare of the people of this Commonwealth, or who threaten the integrity of gaming in this Commonwealth.

(c) A sports wagering certificate holder or sports wagering operator has a duty to inform the Board of an action by an applicant for or holder of a sports wagering gaming service provider registration or certification, which the sports wagering certificate holder or sports wagering operator believes would constitute a violation of the act or this subpart.

**CHAPTER 1406. (Reserved)**

Sec.  
1406.1—1406.8. (Reserved).

**CHAPTER 1406a. SPORTS WAGERING PRINCIPALS AND KEY, GAMING AND NONGAMING EMPLOYEES**

Sec.  
1406a.1. General provisions.  
1406a.2. Sports wagering principals.  
1406a.3. Sports wagering key employees.  
1406a.4. Sports wagering gaming employees.  
1406a.5. Sports wagering nongaming employees.  
1406a.6. Board credentials.  
1406a.7. Emergency and temporary credentials.  
1406a.8. Loss, theft or destruction of credentials.

**§ 1406a.1. General provisions.**

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

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

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

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

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

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

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

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



and suitable to be licensed as a principal, key employee, gaming employee or nongaming employee.

(f) All sports wagering certificate holders and sports wagering operators that hire an individual who holds a key employee license, gaming employee occupation permit or registration issued by the Board shall contact the Bureau of Licensing to confirm that the individual's key employee license, gaming employee occupation permit or registration is in good standing prior to allowing the individual to perform work associated with sports wagering in this Commonwealth.

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

(1) An individual who holds a license, permit or registration and is currently employed by or is a principal of a sports wagering certificate holder may not place wagers at the sports wagering certificate holder's retail sports wagering locations.

(2) If the job duties of the individual who holds a license, permit or registration and is currently employed by or is a principal of a sports wagering certificate holder include sports wagering, the individual may not place wagers through the web site or mobile application offered by or associated with the sports wagering certificate holder.

(3) The licensed, permitted or registered individual shall wait at least 30 days following the date that the individual is no longer employed by the sports wagering certificate holder in a position that includes sports wagering job duties before the individual may wager at the sports wagering certificate holder's retail sports wagering location or through the web site or mobile application offered by or associated with the sports wagering certificate holder.

(4) An individual who holds a license, permit or registration and is currently employed by or is a principal of a sports wagering operator may not wager anywhere the sports wagering operator operates a retail sports wagering location or through the web site or mobile application offered by or associated with the sports wagering operator.

(5) The licensed, permitted or registered individual shall wait at least 30 days following the date that the individual is no longer employed by the sports wagering operator before the individual may wager at the sports wagering operator's retail sports wagering location or through the web site or mobile application offered by or associated with the sports wagering operator.

(6) An individual whose job duties include sports wagering and who holds a license, permit or registration and is currently employed by or is a principal of a sports wagering manufacturer or sports wagering supplier may not wager at any retail sports wagering location or through the web site or mobile application offered by or associated with the sports wagering certificate holder or sports wagering operator that offers games, services or uses equipment manufactured, supplied, developed or programmed by the sports wagering manufacturer or sports wagering supplier.

#### **§ 1406a.2. Sports wagering principals.**

(a) Principals and principal entities, as defined in §§ 401a.3 and 433a.1 (relating to definitions), shall submit an application for licensure as described in § 1406a.1 (relating to general provisions).

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

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

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

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

#### **§ 1406a.3. Sports wagering key employees.**

(a) Key employees, as defined in §§ 401a.3 and 1401a.2 (relating to definitions), shall submit an application for licensure as described in § 1406a.1 (relating to general provisions).

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

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

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

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

#### **§ 1406a.4. Sports wagering gaming employees.**

(a) Gaming employees, as defined in §§ 401a.3 and 1401a.2 (relating to definitions), shall submit an application for licensure as described in § 1406a.1 (relating to general provisions).

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

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

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

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

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

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



**§ 1406a.5. Sports wagering nongaming employees.**

(a) Nongaming employees, as defined in § 401a.3 (relating to definitions), shall submit an application for registration as described in this section.

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

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

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

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

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

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

**§ 1406a.6. Board credentials.**

The individuals required to be licensed, permitted or registered under this subpart shall obtain a Board credential as described in § 435a.6 (relating to Board credentials) if it is determined by the Bureau of Licensing that a credential is necessary to perform the individual's job functions.

**§ 1406a.7. Emergency and temporary credentials.**

The individuals required to be licensed, permitted or registered under this subpart may obtain an emergency or temporary Board credential as described in §§ 435a.7, 435a.8 and 435a.9a (relating to emergency credentials; temporary credentials; and gaming service provider employee temporary access credentials).

**§ 1406a.8. Loss, theft or destruction of credentials.**

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

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

**CHAPTER 1407. (Reserved)**

Sec.  
1407.1—1407.9. (Reserved).

**CHAPTER 1407a. SPORTS WAGERING TESTING AND CONTROLS**

Sec.  
1407a.1. Scope.  
1407a.2. Definitions.  
1407a.3. Testing and approval generally.

1407a.4. Wagering device requirements generally.  
1407a.5. Self-service kiosks and point of sale system requirements.  
1407a.6. Ticket/voucher requirements.  
1407a.7. Ticket/voucher redemption requirements.  
1407a.8. Sports wagering interactive system requirements.  
1407a.9. Sports wagering system general requirements.

**§ 1407a.1. Scope.**

To ensure the integrity and security of sports wagering operations in this Commonwealth, the requirements of this chapter apply to all sports wagering certificate holders and sports wagering operators seeking to offer sports wagering to patrons in this Commonwealth. The requirements in this chapter supplement, where not in conflict with and where applicable, existing Board regulations in Subparts E and L (relating to slot machine, table game and associated equipment testing and control; accounting and internal controls; and interactive gaming) applicable to slot machine licensees, interactive gaming certificate holders and interactive gaming operators unless the context clearly indicates otherwise.

**§ 1407a.2. Definitions.**

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

*Authentication process*—A method used by a system to verify the validity of software. The method requires calculation of an output digest, which is compared to a secure embedded value. The minimum output digest shall be of 128-bit complexity. Software shall be deemed to have been authenticated if the calculated digest equals the secure embedded value.

*Communication technology*—The methods used and the components employed to facilitate the transmission of information including transmission and reception systems based on wire, cable, radio, microwave, light, optics or computer data networks.

*Point of sale system*—All the hardware, software and communications that comprises a stand-alone or integrated system capable of accepting sports wagers by means of terminals attended to by a cashier and is located at a sports wagering certificate holder's approved locations.

*Self-service kiosks*—Unattended self-service booths or self-standing structure with computers, including touch-screen computers, at which a patron can place sports wagers and that dispenses sports wagering tickets/vouchers.

*Sports wagering account*—Electronic account that may be established by a patron for the purpose of sports wagering by means of a sports wagering certificate holder's or sports wagering operator's interactive sports wagering web site or interactive sports wagering mobile application under these regulations.

*Sports wagering communication*—The transmission of a wager between a point of origin and a point of reception by aid of a communications technology.

*Sports wagering device and associated equipment*—A self-service kiosk, point of sale system or other device, including associated equipment, used to accept sports wagering as permitted for use in this Commonwealth by the Board.

*Sports wagering interactive system*—All hardware, software and communications that comprise a type of server-based sports wagering system for the purpose of offering authorized interactive or mobile sports wagering in this Commonwealth when authorized by the Board.

*Sports wagering system*—All sports wagering devices, equipment, communication technology, software and hardware approved by the Board to conduct sports wagering in this Commonwealth.

*Ticket/voucher redemption device*—Unattended self-service booths or self-standing structures with computers, including touch-screen computers, at which a patron can redeem sports wagering tickets/vouchers and that dispense winnings in the form of cash or cash equivalent.

**§ 1407a.3. Testing and approval generally.**

(a) Prior to operating a retail sportsbook or a sportsbook through a web site or mobile application as a form of interactive gaming, all sports wagering devices and software used in conjunction with these operations must be submitted to the Board's Office of Gaming Laboratory Operations for review and testing and be approved by the Board.

(b) For purposes of this section, sports wagering devices and software that shall be submitted for testing and approval include:

- (1) Self-service kiosks.
- (2) Point of sale systems.
- (3) Ticket/voucher redemption devices.

(4) Sports wagering interactive system components, including all hardware, software and associated equipment that comprise a type of server-based sports wagering system for the purpose of offering authorized sports wagering, mobile sports wagering or interactive sports wagering.

(5) Other related devices or systems as required by the Board.

(c) The Board shall require the payment of all costs for the testing and approval of sports wagering devices and software used in conjunction with the operation of a retail sportsbook or an interactive or mobile sportsbook as a form of interactive gaming.

(d) Submissions to the Office of Gaming Laboratory Operations of sports wagering devices and software used in conjunction with the operation of a retail sportsbook or an interactive or mobile sportsbook shall adhere to the requirements in § 461a.4 (relating to submission for testing and approval) where applicable.

**§ 1407a.4. Wagering device requirements generally.**

(a) Wagering device programs shall contain sufficient information to identify the software and revision level of the information stored on the wagering device.

(b) Wagering devices shall have the ability to authenticate that all critical components being utilized are valid upon installation of the software, each time the software is loaded for use and on demand as required by the Board. Critical components may include wagering information, elements that control the communications with the sports wagering system or other components that are needed to ensure proper operation of the wagering device. In the event of a failed authentication (that is, program mismatch or authentication failure), the wagering device shall cease all wagering operations and display an appropriate error message. The sports wagering system shall have the ability to disable the wagering device upon any unsuccessful authentication.

(c) Wagering devices shall be capable of performing the following functions:

- (1) Creating wagers.

(2) Settling wagers.

(3) Voiding wagers.

(4) Cancelling wagers.

(d) Wagering devices that offer in-game wagers shall be capable of the following:

(1) The accurate and timely update of odds for in-game wagers.

(2) The ability to notify the patron of any change in odds after placement of a wager is attempted.

(3) The ability for a patron to confirm the wager after notification of the change in odds.

(4) The ability to freeze or suspend the offering of wagers, when necessary.

(e) Wagering devices shall be capable of recording all of the following information for each wager made:

- (1) Description of event.
- (2) Event number.
- (3) Wager selection.
- (4) Type of wager.
- (5) Amount of wager.
- (6) Amount of potential payout.
- (7) Date and time of wager.
- (8) Identity of cashier accepting the wager.
- (9) Unique wager identifier.

(10) Expiration date of the sports wagering ticket, which shall be no sooner than 1 year from the conclusion of the event in the case of a single wager, or the conclusion of the last event of a multiple wager ticket (that is, parlay or round robin wagers).

(11) Patron name, if known.

(12) Date, time, amount and description of the settlement.

(13) Location of where the wager was placed.

(14) Identity of the ticket writer settling the wager, if applicable.

(f) For lost or stolen tickets that are redeemed, a wagering device shall record and maintain the following information:

- (1) Date and time of redemption;
- (2) Employee responsible for redeeming the ticket;
- (3) Name of patron redeeming the ticket;
- (4) Unique ticket identifier;
- (5) Location of the redemption.

(g) When a sports wager is voided or cancelled, the system shall clearly indicate that the sports wagering ticket is voided or cancelled, render it nonredeemable other than for the return of the value of the original wager, and make an entry in the system indicating the void or cancellation and identify the cashier or automated process.

(h) Wagering devices shall prevent past posting of wagers and the voiding or cancellation of wagers after the outcome of the event is known.

(i) In the event a person has a pending sports wager and then is excluded or self-excludes, the wager shall be cancelled and the funds returned to the patron.

(j) Wagering devices shall have controls in place to review the accuracy and timeliness of any data feeds used to offer or settle wagers. In the event that an incident or error occurs that results in incorrect or loss of communication with data feeds used to offer or redeem wagers, the errors shall be reported in accordance with reporting requirements under § 1408a.8 (relating to risk management).

**§ 1407a.5. Self-service kiosks and point of sale system requirements.**

(a) Self-service kiosks and point of sale devices shall have an identification badge affixed to the exterior of the device by the manufacturer. The identification badge shall not be removable without leaving evidence of tampering. This badge shall include all of the following minimum information:

(1) The complete name of the manufacturer or some appropriate abbreviation for same.

(2) A unique serial number.

(3) The self-service kiosk or point of sale device model number.

(4) The date of manufacture.

(b) Self-service kiosks and point of sale devices shall meet all of the following basic hardware requirements:

(1) Identification for any printed circuit board (PCB) that impacts the integrity of the self-service kiosk or point of sale device shall include all of the following:

(i) Each PCB shall be clearly identifiable by an alphanumeric identification and, when applicable, a revision number.

(ii) If track cuts, patch wires or other circuit alterations are introduced to the PCB, then a new revision number shall be assigned.

(2) If the self-service kiosk or point of sale device contains switches or jumpers, or both, they shall be fully documented for evaluation by the Board's Office of Gaming Laboratory.

(3) The self-service kiosk or point of sale device shall be designed so that power and data cables into and out of the self-service kiosk or point of sale device can be routed so that they are not accessible to the general public.

(4) Wired communication ports shall be clearly labeled and must be securely housed within the self-service kiosk or point of sale device to prevent unauthorized access to the ports or their associated cable connectors.

(b) Self-service kiosks and point of sale devices shall meet all of the following basic power requirements:

(1) The self-service kiosk and point of sale device shall not be adversely affected, other than resets, by surges or dips of ± 20% of the supply voltage. It is acceptable for the self-service kiosk or point of sale device to reset provided no damage to the equipment or loss or corruption of data is experienced.

(2) The power supply used in a self-service kiosk or point of sale device must be appropriately fused or protected by circuit breakers. The amperage rating of all fuses and circuit breakers must be clearly stated on or near the fuse or the breaker.

(3) An on/off switch that controls the electrical current supplied to the self-service kiosk or point of sale device shall be located in a place which is readily accessible

within the interior of the self-service kiosk or point of sale device. The on/off positions of the switch shall be clearly labeled.

(c) Self-service kiosks and point of sale device shall meet all of the following basic security requirements:

(1) A self-service kiosk or point of sale device shall be robust enough to resist forced entry into any secured doors, areas or compartments. In the event that extreme force is applied to the cabinet materials causing a potential breach in self-service kiosk or point of sale device security, evidence of tampering must be conspicuous. "Secured areas" or "secured compartments" shall include the external doors such as the main door, cash compartment doors such as a drop box door, peripheral device access areas, or other sensitive access areas of the self-service kiosk or point of sale device.

(2) The following requirements apply to the self-service kiosk's or point of sale device's external doors:

(i) External doors shall be manufactured of materials that are suitable for allowing only legitimate access to the inside of the self-service kiosk cabinet or point of sale device. Doors and their associated hinges shall be capable of withstanding determined and unauthorized efforts to gain access to the interior of the self-service kiosk or point of sale device and shall leave conspicuous evidence of tampering if an attempt is made.

(ii) The seal between the self-service kiosk cabinet or point of sale device and the door of a locked area shall be designed to resist the entry of objects. It shall not be possible to insert an object into the self-service kiosk or point of sale device that disables a door open sensor when the self-service kiosk's or point of sale device's door is fully closed, without leaving conspicuous evidence of tampering.

(iii) External doors shall be secure and support the installation of locks.

(iv) Doors that provide access to secure areas of the self-service kiosk or point of sale device shall be monitored by a door access detection system.

(A) The detection system shall register a door as being open when the door is moved from its fully closed and locked position, provided power is supplied to the self-service kiosk or point of sale device.

(B) When any door that provides access to a secured area or secured compartment registers as open, the self-service kiosk or point of sale device shall cease wagering operations and display an appropriate error message.

(d) Self-service kiosks and point of sale devices shall meet all of the following basic critical nonvolatile memory requirements:

(1) Critical nonvolatile memory shall be used to store all data elements that are considered vital to the continued operation of the self-service kiosk or point of sale device, including self-service kiosk configuration and point of sale device data and state of operations.

(2) Critical nonvolatile memory shall not store sensitive information outside of self-service kiosk and point of sale device operations; however, critical nonvolatile memory may be maintained by any component of the sports wagering system.

(3) The self-service kiosk or point of sale device must have a backup or archive capability, which allows the recovery of critical nonvolatile memory should a failure occur.



(4) Critical nonvolatile memory storage shall be maintained by a methodology that enables errors to be identified. This methodology may involve signatures, check sums, redundant copies, database error checks or other methods approved by the Board.

(5) Comprehensive checks of critical nonvolatile memory data elements shall be made on startup. Non-volatile memory that is not critical to self-service kiosk or point of sale device integrity is not required to be checked.

(6) An unrecoverable corruption of critical nonvolatile memory shall result in an error. Upon detection, the self-service kiosk and point of sale device software shall cease to function. Additionally, the critical nonvolatile memory error shall cause any communication external to the self-service kiosk to cease.

(e) Self-service kiosk and point of sale device software, after a program interruption, shall recover to the state it was in immediately prior to the interruption occurring. Any communications to an external device shall not begin until the program resumption routine, including any self-test, is completed successfully.

(f) On a scheduled basis, a sports wagering certificate holder or sports wagering operator shall remove the bill validator boxes in the self-service kiosks.

(1) The self-service kiosk drop shall be monitored and recorded by surveillance.

(2) The sports wagering certificate holder or sports wagering operator shall submit the self-service kiosk drop schedule to the Board, with the schedule to include:

(i) The time that a drop is scheduled to commence.

(ii) The number and locations of the self-service kiosks in the sports wagering area or on the gaming floor of a licensed facility.

(g) A security department member and a finance department member shall obtain the keys necessary to perform the self-service kiosk drop or currency cassette replacement, or both, in accordance with the sports wagering certificate holder or sports wagering operator's key sign-out procedures.

(1) The security department shall control the keys to the outer door of the self-service kiosks.

(2) The finance department shall control the keys to the bill validator boxes or currency cassettes, or both.

(h) A finance department member with no incompatible job functions shall place empty bill validator boxes needed for the self-service kiosk drop into a secured cart which shall be transported in the presence of a member of the security department at all times.

(i) A sports wagering certificate holder or sports wagering operator shall reconcile the self-service kiosks on a scheduled basis under internal controls.

(1) Any variance of \$500 or more shall be documented by the accounting department and reported in writing to the Office of Sports Wagering and Bureau of Casino Compliance within 72 hours of the end of the gaming day which the variance was discovered.

(2) The report shall indicate the cause of the variance and shall contain any documentation required to support the stated explanation.

(j) A sports wagering certificate holder or sports wagering operator shall include in its internal controls required under § 1408a.3 (relating to internal controls) the set of

self-service kiosk key controls and accounting protocols, including the procedures for the drop and count of self-service kiosk funds, and all point of sale devices.

#### § 1407a.6. Ticket/voucher requirements.

(a) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall include all of the following general information:

(1) Name and address of the party issuing the ticket/voucher.

(2) A barcode or similar symbol or marking, as approved by the Board, corresponding to a unique wager identifier.

(3) Method of redeeming a winning ticket/voucher by means of mail.

(4) Identification of the self-service kiosk or cashier at the point of sale device that generated the ticket/voucher.

(b) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall include all of the following specific information:

(1) Amount of ticket/voucher.

(2) Date, time and location of issuance.

(3) Unique voucher identifier.

(4) Expiration date of the ticket.

(5) Date, time and location of redemption, if applicable based upon the method of redemption.

(c) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall be capable of being processed and redeemed if lost, stolen, destroyed or otherwise mutilated.

(d) Tickets/vouchers generated by a self-service kiosk or by a point of sale system shall be capable of clearly indicating that a ticket/voucher is voided or cancelled and rendered nonredeemable or is expired in the case of a sports wagering ticket when redemption is attempted.

(e) A sports wagering voucher shall not expire in accordance with the provisions of § 461b.3(a) (relating to gaming vouchers).

(f) A winning sports wagering ticket may expire, with the expiration date to be no less than 1 year from the conclusion of the event in the case of a single wager, or the conclusion of the last event of a multiple wager ticket (that is, parlay or round robin wagers).

(g) A sports wagering certificate holder or sports wagering operator shall include in its internal controls required under § 1408a.3 (relating to internal controls):

(1) The sports wagering ticket expiration policy and procedures that will be implemented, including the procedures for the handling of funds from expired sports wagering tickets and the reporting of those funds for revenue purposes.

(2) The policies and procedures for paying or writing tickets, or both, that are over the set limits, voiding tickets, and issuing corrections to tickets.

#### § 1407a.7. Ticket/voucher redemption requirements.

(a) Winning sports wagering tickets/vouchers shall be redeemed by a writer or a self-service kiosk after verifying the validity of the wagering ticket through the sports wagering system. The writer or a self-service kiosk shall cause the sports wagering system to electronically redeem and cancel the wagering ticket upon redemption.



(b) A patron may redeem by mail a winning sports wagering ticket/voucher to the address provided thereon in accordance with the sports wagering certificate holder's or sports wagering operator's internal controls.

(c) A patron may redeem a winning sports wagering ticket/voucher issued at a sports wagering certificate holder's main retail sportsbook at any of the sports wagering certificate holder's non-primary sports wagering locations or at sports wagering area of a Category 4 licensed facility, and vice versa.

(d) Self-service kiosks shall be capable of recognizing payment limitations or payment errors such as bill out jams and insufficient funds. When a payment limitation or error occurs, the self-service kiosk shall be designed to electronically record the payout limitation or error and perform all of the following:

- (1) Reject the transaction.
- (2) Issue an error receipt.
- (3) Issue a replacement sports wagering ticket/voucher.

(e) When an error receipt is issued from a self-service kiosk, the self-service kiosk or receipt shall advise the patron or employee to see a point of sale cashier for payment. Error receipts shall be designed to include all of the following, at a minimum:

- (1) The time and date.
- (2) Identification of the issuing self-service kiosks.
- (3) Specifies the amount of money that the self-service kiosks failed to dispense.

(f) When used to redeem sports wagering tickets/vouchers, self-service kiosks shall work in conjunction with an approved sports wagering system and shall be designed to:

(1) Accurately obtain the unique identification number of the item presented for redemption and cause the information to be accurately and securely relayed to the sports wagering system for the purpose of redemption.

(2) Issue currency or a sports wagering ticket/voucher, or both, in exchange for the item presented only if the sports wagering system has authorized and recorded the transaction.

(3) Return a sports wagering ticket/voucher to the patron when it cannot be validated by the sports wagering system or is otherwise unredeemable.

(g) When used to redeem sports wagering tickets/vouchers, the self-service kiosk or kiosk computer system shall be capable of generating a "Sports Wagering Ticket/Voucher Redemption Machine Report" for each gaming day. The report shall include the ticket/voucher's unique identifier, the date and time of redemption and the value of the ticket/voucher.

**§ 1407a.8. Sports wagering interactive system requirements.**

(a) Sports wagering platforms must adhere to the requirements in Chapter 809a (relating to interactive gaming platform requirements) of these regulations.

(b) Sports wagering interactive systems must adhere to the requirements in Chapter 810a (relating to interactive gaming testing and controls) of the Board's regulations.

**§ 1407a.9. Sports wagering system general requirements.**

(a) A sports wagering system shall, at least once every 24 hours, perform a self-authentication process on all

software used to offer, record and process wagers to ensure there have been no unauthorized modifications. In the event of an authentication failure, at a minimum, the sports wagering system shall immediately notify the certificate holder's or operator's sports wagering manager and the Board within 24 hours. The results of all self-authentication attempts shall be recorded by the system and maintained for a period of not less than 90 days.

(b) The sports wagering certificate holder or sports wagering operator operating the sports wagering system shall provide to the Board real time in-person administrative access and remote access to wagering transaction and related data as deemed necessary in a manner approved by the Board. A sports wagering certificate holder or sports wagering operator shall include in its internal controls required under § 1408a.3 (relating to internal controls) the policies and procedures that will be implemented regarding real time in-person administrative read-only access and remote read-only access to the sports wagering system by the Board.

(c) A sports wagering system shall be capable of preventing any sports wager in excess of \$10,000 or making a payout in excess of \$10,000 until authorized by the sports wagering manager. A sports wagering certificate holder or sports wagering operator shall include in its internal controls required under § 1408a.3 the policies and procedures that will be implemented regarding those wagers and payouts.

**CHAPTER 1408. (Reserved)**

Sec. 1408.1—1408.13. (Reserved).

**CHAPTER 1408a. SPORTS WAGERING ACCOUNTING AND INTERNAL CONTROLS**

Sec.

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**§ 1408a.1. Scope.**

To ensure the integrity and security of sports wagering operations in this Commonwealth, the requirements of this chapter apply to all sports wagering certificate holders and sports wagering operators seeking to offer sports wagering to patrons in this Commonwealth. The requirements in this chapter supplement, where not in conflict with and where applicable, existing Board regulations in Subparts E and L (relating to slot machine, table game and associated equipment testing and control; accounting and internal controls; and interactive gaming) and Chapter 465a (relating to accounting and internal controls) applicable to slot machine licensees, interactive gaming certificate holders and interactive gaming operators unless the context clearly indicates otherwise.

**§ 1408a.2. Definitions.**

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

*Integrity monitoring*—Observing sports wagering to identify suspicious wagering activity or unusual wagering activity to then report the activities to required parties.

*Personal identifiable information*—Any data or information that can be used, on its own or with other data or information, to identify, contact or otherwise locate a player or registered player, including a player's or registered player's name, address, date of birth and social security number.

*Risk management*—Processes and tools that sports wagering certificate holders or sports wagering operators use to manage the risk and liabilities associated with sports wagering.

*Sports wagering device and associated equipment*—Self-service kiosk, point of sale system or other device, including associated equipment, used to accept sports wagering as permitted for use in this Commonwealth by the Board.

*Sports wagering system*—Sports wagering devices, equipment, communication technology, software and hardware approved by the Board to conduct sports wagering in this Commonwealth.

*Suspicious wagering activity*—Unusual wagering activity that cannot be explained and is indicative of match fixing, the manipulation of an event, misuse of inside information or other prohibited activity.

*Unusual wagering activity*—Abnormal wagering activity exhibited by patrons and deemed by the sports wagering certificate holder or sports wagering operator as a potential indicator of suspicious activity which may include the size of a patron's wager or increased wagering volume on a particular event or wager type.

### § 1408a.3. Internal controls.

(a) At least 90 days prior to commencing sports wagering under this subpart, a sports wagering certificate holder or sports wagering operator shall submit to the Board for approval internal controls for all aspects of sports wagering, including retail sportsbooks, interactive sportsbook operations through a web site or mobile application and nonprimary location sportsbook operations, prior to implementation and any time a change is made thereafter. The internal controls shall include detailed procedures for system security, operations, accounting, and other information as required by the Board.

(b) Notwithstanding subsection (a), the procedures and controls may be implemented by a sports wagering certificate holder or sports wagering operator upon the filing of the procedures and controls with the Board and written approval to commence operations by the Executive Director. Each procedure or control submission shall contain both narrative and diagrammatic representations of the system to be utilized and shall include the following:

(1) Provide for reliable accounting controls, including the standardization of forms and definition of terms to be utilized in the retail sports wagering and interactive or mobile sports wagering operations.

(2) Procedures, forms and, where appropriate, details as to the reconciliation of assets and documents contained in the retail sports wagering cashier drawers. These procedures shall provide for the reporting of any overage or shortage.

(3) Job descriptions and the system of personnel and chain of command, establishing a diversity of responsibility among employees engaged in sports wagering opera-

tions, including employees of a sports wagering operator and identifying primary and secondary management and supervisory positions for areas of responsibility.

(4) Procedures for the registration of players and establishment of sports wagering accounts, including a procedure for authenticating the age, identity and physical address of an applicant for a sports wagering account and whether the applicant is a person prohibited from establishing or maintaining an account under applicable laws or regulations.

(5) Procedures for terminating a registered player's sports wagering account and the return of any funds remaining in the sports wagering account to the registered player.

(6) Procedures for suspending or terminating a dormant sports wagering account and the return of any funds remaining in the dormant sports wagering account to the registered player.

(7) Procedures for the logging in and authentication of a registered player to enable the player to commence sports wagering and the logging off of the registered player when the registered player has completed play, including a procedure to automatically log a registered player out of the registered player's sports wagering account after a specified period of inactivity.

(8) Procedures for the crediting and debiting of a registered player's sports wagering account.

(9) Procedures for cashing checks, receiving electronic negotiable instruments and for redeeming cash equivalents.

(10) Procedures for withdrawing funds from a sports wagering account by the registered player.

(11) Procedures for the protection of a registered player's funds, including the segregation of a registered player's funds from operating funds of the sports wagering certificate holder or sports wagering operator.

(12) Procedures for recording transactions pertaining to sports wagering.

(13) Procedures for the security and sharing of personal identifiable information of a registered player, funds in a sports wagering account and other information as required by the Board. The procedures shall include the means by which a sports wagering certificate holder or sports wagering operator will provide notice to a registered player related to the sharing of personal identifiable information.

(14) Procedures and security for the calculation and recordation of revenue.

(15) Procedures for the security of the sports wagering platform, sports wagering interactive system, sports wagering devices and associated equipment.

(16) Procedures and security standards as to receipt, handling and storage of sports wagering devices and associated equipment.

(17) Procedures and security standards to protect and respond to suspected or actual hacking or tampering by any person with the sports wagering certificate holder's or sports wagering operator's interactive sports wagering web site, mobile application and sports wagering devices and associated equipment.

(18) Procedures to verify each registered player's physical location each time a registered player logs into his or her sports wagering account and at appropriate intervals thereafter as determined by the Board.

(19) Procedures and appropriate measures implemented to deter, detect and, to the extent possible, to prevent cheating, including collusion and use of cheating devices, including the use of software programs that make wagers according to algorithms.

(20) Procedures to govern emergencies, including suspected or actual cyber-attacks, hacking or tampering with the sports wagering certificate holder's or sports wagering operator's interactive sports wagering platform, interactive sports wagering web site or mobile application and sports wagering devices and associated equipment. The procedures shall include the process for the reconciliation or repayment of a registered player's sports wagering account.

(21) If any athlete or person who holds a position of authority or influence sufficient to exert influence over the participants in sporting event, as fully described in § 1401a.7(c) (relating to prohibited and restricted sports wagering activities) of this subpart, has less than 10% direct or indirect ownership interest in or control of a sports wagering certificate holder or a sports wagering operator, procedures for the following shall be included:

(i) Providing notice to the Board of the identity of the owner, and if known, the ownership interest in the sports wagering certificate holder or sports wagering operator.

(ii) Implementing appropriate measures to prevent an athlete or a person from participating in the management or operations of sports wagering activities of a sports wagering certificate holder or a sports wagering operator.

(iii) Obtaining a certification from the owner acknowledging that the less than 10% direct or indirect owner is not permitted to be a customer of the sports wagering certificate holder or operator under § 1401a.7(b)(2), not permitted participate in the management or operations of the sports wagering certificate holder or sports wagering operator, and in the instance of an owner of an athletic team, not permitted to engage in sports wagering activity on any team in the league as that in which he has an ownership interest.

(c) The submission required under subsections (a) and (b) shall include a detailed description of the sports wagering certificate holder's or sports wagering operator's administrative and accounting procedures related to sports wagering, including its written system of internal controls. Each written system of internal controls shall include:

(1) An organizational chart depicting appropriate functions and responsibilities of employees involved in sports wagering.

(2) A description of the duties and responsibilities of each position shown on the organizational chart.

(3) The record retention policy of the sports wagering certificate holder or sports wagering operator.

(4) The procedure to be utilized to ensure that money generated from the conduct of sports wagering is safeguarded and accounted for.

(5) Procedures to ensure that recorded accountability for assets is compared with actual assets at intervals required by the Board and appropriate action is taken with respect to discrepancies.

(6) Procedures to be utilized by an employee of a sports wagering certificate holder or sports wagering operator in the event of a malfunction of a sports wagering certificate holder's interactive sports wagering platform, interactive

sports wagering web site or mobile application and sports wagering devices and associated equipment used in the conduct of sports wagering.

(7) Procedures to be utilized by the sports wagering certificate holder or sports wagering operator to prevent persons under 21 years of age, self-excluded or involuntary excluded individuals, individuals who are prohibited from wagering in accordance with § 1401a.8 (relating to persons prohibited from engaging in sports wagering activities) and players outside this Commonwealth from engaging in sports wagering.

(8) Other items the Board may request in writing to be included in the internal controls.

(d) Prior to authorizing a sports wagering certificate holder or sports wagering operator to commence the conduct of sports wagering, the Board shall review and approve the system of internal controls, security protocols and audit protocols submitted under this chapter to determine whether they conform to the requirements of this chapter and whether they provide adequate and effective controls for the conduct of sports wagering.

(e) If a sports wagering certificate holder or sports wagering operator intends to make a change or amendment to its system of internal controls, it shall submit the change or amendment electronically to the Bureau of Gaming Operations, in a manner prescribed by the Bureau of Gaming Operations. The sports wagering certificate holder or sports wagering operator may implement the change or amendment on the 30th calendar day following the filing of a complete submission unless the sports wagering certificate holder or sports wagering operator receives written notice tolling the change or amendment in accordance with this chapter or written notice from the Board's Executive Director rejecting the change or amendment.

(f) If during the 30-day review period in this chapter, the Bureau of Gaming Operations preliminarily determines that a procedure in a submission contains an insufficiency likely to negatively affect the integrity of sports wagering or the control of revenue generated from sports wagering, the Bureau of Gaming Operations, by written notice to the sports wagering certificate holder or sports wagering operator, will:

(1) Specify the nature of the insufficiency and, when possible, an acceptable alternative procedure.

(2) Direct that the 30-calendar day review period in this chapter to be tolled and that any internal controls at issue not be implemented until approved under this chapter.

(g) Examples of submissions that may contain an insufficiency likely to negatively affect the integrity of sports wagering may include any of the following:

(1) Submissions that fail to provide information sufficient to permit the review of sports wagering activities by the Board.

(2) Submissions that fail to provide for the segregation of incompatible functions so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) Submissions that do not include forms or other materials referenced in the submission or required under the act or this subpart.

(4) Submissions that would implement operations or accounting procedures not authorized by the act or this subpart.



(h) Whenever a change or amendment has been tolled under this chapter, the sports wagering certificate holder or sports wagering operator may submit a revised change or amendment within 30 days of receipt of the written notice from the Bureau of Gaming Operations. The sports wagering certificate holder or sports wagering operator may implement the revised change or amendment upon receipt of written notice of approval from the Board's Executive Director or on the 30th calendar day following the filing of the revision unless the sports wagering certificate holder or sports wagering operator receives written notice tolling the change or amendment in accordance with this chapter or written notice from the Board's Executive Director rejecting the change or amendment.

(i) A sports wagering certificate holder or sports wagering operator shall submit to the Board for approval a Catalog of Events and Wagers, which shall include a description of the events and wagers intended to be offered and shall include the following:

- (1) Sport.
- (2) Competition or league.
- (3) Governing body.
- (4) Games or matches.

(5) Description of the type of events that it intends to accept wagers on as well as the type of wagers it intends to accept.

(j) A sports wagering certificate holder or sports wagering operator shall submit for approval any revision to the Catalog of Events and Wagers at least 72 hours in advance of implementation of these changes. A sports wagering certificate holder or sports wagering operator must maintain a catalog of all prior and current events and the types of wagers it offered on the events.

(k) The Board reserves the right to prohibit the acceptance of wagers and may order the cancellation or discontinuation of wagering, and require refunds on any event which may have an impact on the public or the integrity of sports wagering operations.

(1) A sports wagering certificate holder or sports wagering operator shall only accept wagers on sporting events for which:

- (1) The outcome can be verified.
- (2) The outcome can be generated by a reliable and independent process.
- (3) The outcome is not affected by any wagers placed.
- (4) The event is conducted in conformity with all applicable laws or regulations.

(m) A sports wagering certificate holder or sports wagering operator shall not unilaterally rescind or cancel any wager made under this chapter without prior approval of the Board.

(n) The available wagers, including the event number, odds and a brief description of the event, shall be displayed to the public, the sports wagering certificate holder or sports wagering operator's closed circuit television system, interactive sports wagering web site and mobile application.

(o) Winning sports wagering tickets shall be redeemed through the sports wagering system, and a ticket writer or self-service kiosk shall cause the winning ticket to be reflected as claimed or redeemed in the sports wagering system upon redemption.

#### § 1408a.4. Terms and conditions.

(a) A sports wagering certificate holder or sports wagering operator shall develop terms and conditions for sports wagering which shall be included in the internal controls. The terms and conditions and any changes thereto must be acknowledged by the player and the acknowledgment must be date and time-stamped by the sports wagering system.

(b) The terms and conditions must address all aspects of the sports wagering operation, including all of the following:

(1) Name of the party or parties with whom the player is entering into a contractual relationship, including any sports wagering certificate holder or sports wagering operator.

(2) Player's consent to have the sports wagering certificate holder or sports wagering operator confirm the player's age, identity and, for purposes of interactive sports wagering, location.

(3) Rules and obligations applicable to the player other than rules of sports wagering including all of the following:

(i) Prohibition from allowing any other person to access or use his or her sports wagering account.

(ii) Prohibition from engaging in sports wagering activity, unless the player is physically located in this Commonwealth.

(iii) Consent to the monitoring and recording by the sports wagering certificate holder, the sports wagering operator or the Board, or both, of any wagering communications and geographic location information.

(iv) Consent to the jurisdiction of this Commonwealth to resolve any disputes arising out of sports wagering.

(v) Prohibition against utilizing automated computerized software or other equivalent mechanism to engage in sports wagering.

(4) Full explanation of fees and charges imposed upon a player related to sports wagering transactions.

(5) Availability of account statements detailing sports wagering account activity.

(6) Privacy policies, including information access and use of customer data.

(7) Legal age policy, including a statement that it is a criminal offense to allow a person who is under 21 years of age to participate in sports wagering and a player who does so shall be prohibited from participating in sports wagering.

(8) Notification that if the player's sports wagering account remains dormant for a period of 2 years any funds remaining on deposit and any pending wagers may be forfeited under applicable State and Federal laws.

(9) Player's right to set responsible gaming limits and self-exclude.

(10) Player's right to suspend his or her sports wagering account for a period of no less than 72 hours.

(11) Actions that will be taken in the event a player becomes disconnected from the sports wagering system during active betting.

(12) Notice that a malfunction voids all transactions.

(13) Estimated time-period for withdrawal of funds from the sports wagering account.



(14) Detailed information regarding compulsive and problem gaming and self-exclusion to be displayed on a player protection page.

(15) Method for changing or retrieving a password or other approved access security feature and the ability to choose “strong authentication” log in protection.

(16) Method for filing a complaint with the sports wagering certificate holder or sports wagering operator and method for filing with the Board an unresolved complaint after all reasonable means to resolve the complaint with the sports wagering certificate holder or sports wagering operator have been exhausted.

(17) Method for obtaining a copy of the terms and conditions agreed to when establishing a sports wagering account.

(18) Method for the player to obtain account and wagering history from the sports wagering certificate holder or sports wagering operator.

(19) Notification of Federal prohibitions and restrictions regarding sports wagering activity, specifically, any limitations upon sports wagering activity as set forth in The Wire Act (18 U.S.C.A. §§ 1081—1084) and the Unlawful Internet Gaming Enforcement Act (31 U.S.C.A. §§ 5361—5367). The notice shall explicitly state that it is a Federal offense for persons physically located outside of this Commonwealth to engage in sports wagering activity through a sports wagering certificate holder or sports wagering operator, unless explicitly authorized by State or Federal law.

(20) Any other information as required by the Board.

**§ 1408a.5. Information to be displayed/provided.**

A sports wagering certificate holder or sports wagering operator shall provide for the prominent display of the following information at the certificate holder’s retail sportsbook and on a page which, by virtue of the construction of the web site or mobile application, registered players must access before beginning a sports wagering session:

(a) The full name of the sports wagering certificate holder and, as applicable, the sports wagering operator and address from which it carries on business.

(b) A logo, to be provided by the Board for display on the certificate holder’s or licensee’s online sportsbook, indicating that the sports wagering certificate holder, and as applicable, the sports wagering operator is authorized to operate sports wagering in this Commonwealth.

(c) The license number of the sports wagering certificate holder, and as applicable, the sports wagering operator.

(d) A statement that persons under 21 years of age are not permitted to engage in sports wagering.

(e) Readily available information at the certificate holder’s retail sportsbook or active links on the sports wagering certificate holder’s or sports wagering operator’s sports wagering web site or mobile application that contains all of the following:

- (1) Information explaining how disputes are resolved.
- (2) Problem gaming information that is designed to offer information pertaining to responsible gaming.
- (3) Board’s contact information.
- (4) Information that allows for a patron to choose to be excluded from engaging in sports wagering.

(5) Comprehensive house rules governing wagering transactions with patrons. The house rules must be immediately available to patrons at a licensed facility’s retail and interactive or mobile application sportsbooks, and must be included in a sports wagering certificate holder’s or sports wagering operator’s internal controls required under § 1408a.3 (relating to internal controls). The rules must include all of the following:

- (i) Method for calculation and payment of winning wagers.
- (ii) Description of the process for handling incorrectly posted events, odds, wagers or results.
- (iii) Effect of schedule changes.
- (iv) Method of notifying patrons of odds or proposition changes.
- (v) Acceptance of wagers at other than posted terms.
- (vi) Expiration of any winning ticket.
- (vii) Method of contacting the operator for questions and complaints.
- (viii) Description of person prohibited from engaging in sports wagering.
- (ix) A statement regarding the policy and methods for limiting the maximum amount that a patron can win on any particular wager; however, the policy will not preclude a patron from collecting a payout in excess of the purported amount if the system allows the patron to place a valid wager that pays more than the stated maximum amount.
- (x) Methods of funding a sports wager.

**§ 1408a.6. Segregation of bank accounts.**

(a) A sports wagering certificate holder or sports wagering operator shall maintain a domestic bank account for player’s funds separate from all other operating accounts to ensure the security of funds held in the player’s sports wagering accounts.

(b) The balance maintained in this account shall be greater than or equal to the sum of the daily ending cashable balance of all player sports wagering accounts and unpaid wagers.

(c) A sports wagering certificate holder or sports wagering operator shall have unfettered access to all player sports wagering account and transaction data to ensure the amount of funds held in its independent account is sufficient. A sports wagering certificate holder’s or sports wagering operator’s Chief Financial Officer shall file a quarterly attestation with the Board, unless otherwise directed by the Board, that the funds have been safeguarded under this section.

**§ 1408a.7. Sports wagering certificate holder’s or sports wagering operator’s organization.**

(a) A sports wagering certificate holder’s or sports wagering operator’s systems of internal controls must include organization charts depicting segregation of functions and responsibilities and descriptions of the duties and responsibilities for each position shown on each organization chart. Sports wagering certificate holder or sports wagering operator shall be permitted, except as otherwise provided in this section, to tailor organizational structures to meet the needs or policies of a particular management philosophy. A sports wagering certificate holder’s or sports wagering operator’s organization charts must provide for:

(1) A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility.

(2) The segregation of incompatible functions, duties and responsibilities so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) The performance of all functions, duties and responsibilities in accordance with sound financial practices by qualified personnel.

(4) The areas of responsibility which are not so extensive as to be impractical for an individual to monitor.

(b) In addition to other positions required as part of a sports wagering certificate holder's or sports wagering operator's internal controls, a sports wagering certificate holder or sports wagering operator must maintain an information technology department supervised by an individual and licensed as a key employee who functions, for regulatory purposes, as the information technology director. A sports wagering certificate holder or sports wagering operator shall employ an information technology security officer and, if the certificate holder or licensee offers interactive or mobile sports wagering, an interactive gaming manager, both of whom shall be licensed as a key employee.

(c) The information technology director shall be responsible for the integrity of all data, the quality, reliability and accuracy of all computer systems and software used by the sports wagering certificate holder or sports wagering operator in the conduct of sports wagering activities, whether the data and software are located within or outside the certificate holder's or operator's facility, including, without limitation, specification of appropriate computer software, hardware, and procedures for security, physical integrity, audit and maintenance of:

(1) Access codes and other computer security controls used to insure appropriately limited access to computer software and data.

(2) Monitoring logs of user access, security incidents and unusual transactions.

(3) Logs used to document and maintain the details of any hardware and software modifications.

(4) Computer tapes, disks or other electronic storage media containing data relevant to sports wagering operations.

(5) Computer hardware, communications equipment and software used in the conduct of sports wagering.

(d) The information technology security officer shall report to the information technology director and be responsible for:

(1) Maintaining access codes and other computer security controls used to insure appropriately limited access to computer software and data.

(2) Reviewing logs of user access, security incidents and unusual transactions.

(3) Coordinating the development of the sports wagering certificate holder's or sports wagering operator's information security policies, standards and procedures.

(4) Coordinating the development of an education and training program on information security and privacy matters for employees and other authorized users.

(5) Ensuring compliance with all State and Federal information security policies and rules.

(6) Preparing and maintaining security-related reports and data.

(7) Working with internal and external audit personnel to ensure all findings are addressed in a timely and effective manner.

(8) Developing and implementing an Incident Reporting and Response System to address security breaches, policy violations and complaints from external parties.

(9) Serving as the official contact for information security and data privacy issues, including reporting to law enforcement.

(10) Developing and implementing an ongoing risk assessment program that targets information security and privacy matters by identifying methods for vulnerability detection and remediation and overseeing the testing of those methods.

(11) Remaining current with the latest information technology security and privacy legislation, rules, advisories, alerts, and vulnerabilities to ensure the sports wagering certificate holder's security program and security software is effective.

(e) The interactive gaming manager shall report to the information technology director, or other department manager as approved by the Board, and be responsible for ensuring the proper operation and integrity of interactive or mobile sports wagering and reviewing all reports of suspicious behavior. The interactive gaming manager shall immediately notify the Bureau upon detecting any person participating in interactive or mobile sports wagering who is:

(1) Engaging in or attempting to engage in, or who is reasonably suspected of cheating, theft, embezzlement, collusion, money laundering or any other illegal activities.

(2) A self-excluded person.

(3) A person that is prohibited by the sports wagering certificate holder or sports wagering operator from sports wagering.

#### § 1408a.8. Risk management.

(a) A sports wagering certificate holder or sports wagering operator must implement risk management procedures. These procedures may be provided in-house by a unit capable of performing this function with appropriate segregation of functions and reporting duties, or by an independent third party certified by the Board as required under § 1405a.4(a)(4) (relating to qualification of individuals and entities of certified sports wagering gaming service providers).

(b) A sports wagering certificate holder's or sports wagering operator's internal controls must contain a description of its risk management framework including all of the following:

(1) Automated and manual risk management procedures.

(2) User access controls for all sportsbook personnel.

(3) Information regarding segregation of duties.

(4) Information regarding fraud detection.

(5) Controls ensuring regulatory compliance.

(6) Description of anti-money laundering compliance standards.

(7) Description of all software applications that comprise the sports wagering system.

(8) Description of all types of wagers available to be offered by the sports wagering system.

(9) Description of all integrated third-party systems.

(10) Description of the policies and procedures to be followed in the event that an error occurs in the offering of an event or wager, including cancellation of the wagers placed due to error, which shall be subject to Board approval.

(11) Any other information required by the Board.

(c) A sports wagering certificate holder or sports wagering operator shall file with the Office of Sports Wagering, in a manner and form developed by the Board, a report of any error that occurs in offering an event or wager or if an unapproved event or wager is offered to the public.

(1) Reports shall be filed no later than 5 calendar days after a sports wagering certificate holder or sports wagering operator initially detects or discovers facts that constitute the basis of filing a report.

(2) In situations involving activity that requires immediate attention, a sports wagering certificate holder or sports wagering operator shall immediately notify the Office of Sports Wagering in addition to the timely filing of a report.

(d) A sports wagering certificate holder or sports wagering operator shall maintain a copy of any report filed with the Board and the original or business record equivalent of any supporting documentation for a period of 5 years from the date the report was filed.

(1) Supporting documentation shall be identified and maintained by a sports wagering certificate holder or sports wagering operator as such, and shall be deemed to have been filed with the report.

(2) A sports wagering certificate holder or sports wagering operator shall make all supporting documentation available to the Board upon request.

**§ 1408a.9. Integrity monitoring.**

(a) A sports wagering certificate holder or sports wagering operator must implement integrity monitoring procedures. These procedures may be provided in-house by a unit capable of performing this function with appropriate segregation of functions and reporting duties or by an independent third party certified by the Board as required under § 1405a.1(a)(4) (relating to general sports wagering gaming service provider requirements).

(b) A sports wagering certificate holder or sports wagering operator must share information of unusual wagering activity or other suspicious wagering activity regarding sports wagering in this Commonwealth with:

(1) Other sports wagering certificate holders or sports wagering operators.

(2) The Board.

(c) A sports wagering certificate holder or sports wagering operator must submit a yearly report to the Board detailing its integrity monitoring services and summarizing any unusual wagering activity or other suspicious wagering activity notifications issued during that time period.

(d) A sports wagering certificate holder or sports wagering operator receiving a report of unusual wagering activity or suspicious wagering activity is permitted to suspend wagering on events related to the report and

may only cancel related wagers under procedures previously approved by the Board.

(e) A sports wagering certificate holder or sports wagering operator must provide the Board with remote access to its integrity monitoring system which shall provide at a minimum:

(1) Reports of unusual wagering activity.

(2) If the activity was determined to be suspicious.

(3) The actions taken by the sports wagering certificate holder or sports wagering operator.

(f) A sports wagering certificate holder or sports wagering operator shall file with the Office of Sports Wagering, in a manner and form developed by the Board, a report of any unusual wagering activity or suspicious wagering activity.

(1) Reports shall be filed no later than 5 calendar days after a sports wagering certificate holder or sports wagering operator initially detects or discovers facts that constitute the basis of filing a report.

(2) In situations involving activity that requires immediate attention, a sports wagering certificate holder or sports wagering operator shall immediately notify the Office of Sports Wagering in addition to the timely filing of a report.

(g) A sports wagering certificate holder or sports wagering operator shall maintain a copy of any report filed with the Board and the original or business record equivalent of any supporting documentation for a period of 5 years from the date the report was filed.

(1) Supporting documentation shall be identified and maintained by a sports wagering certificate holder or sports wagering operator as such, and shall be deemed to have been filed with the report.

(2) A sports wagering certificate holder or sports wagering operator shall make all supporting documentation available to the Board upon request.

**§ 1408a.10. Mandatory logging.**

A sports wagering certificate holder's or sports wagering operator's sports wagering system must comply with the mandatory logging requirements in Subpart L (relating to interactive gaming) of the Board's regulations.

**§ 1408a.11. Records/data retention requirements.**

A sports wagering certificate holder's or sports wagering operator's sports wagering system must comply with the record/data retention requirements in Chapter 465a (relating to accounting and internal controls) and Subpart L (relating to interactive gaming) of the Board's regulations.

**§ 1408a.12. Required reports.**

(a) Nothing in this section shall be interpreted to prohibit an retail sportsbook from accepting anonymous sports wagers at self-service kiosks or point of sale terminals. These wagers should be included in the required reports detailed in this section and identified as "anonymous player" or a similar identifier.

(b) A sports wagering certificate holder's or sports wagering operator's sports wagering system must comply with the reporting requirements in Subpart L (relating to interactive gaming) of the Board's regulations as it pertains to interactive sports wagering through a web site or mobile application.



(c) A sports wagering certificate holder or sports wagering operator must generate reports specific to its sports wagering operations as specified by the Board that shall include, at a minimum:

- (1) The report title.
- (2) The date or time period of activity, or description “as of” a point in time.
- (3) The date and time the report was generated.
- (4) Page numbering, indicating the current page and total number of pages.
- (5) Subtotals and grand totals as required by the Board.
- (6) A description of any filters applied to the data presented in the document.
- (7) Column and row titles, if applicable.
- (8) The name of the sports wagering certificate holder or sports wagering operator.

(d) All required reports shall be generated by the sports wagering certificate holder or sports wagering operator, even if the period specified contains no data to be presented. The report generated shall indicate all required information and contain an indication of “No Activity” or similar message if no data appears for the period specified.

(e) The sports wagering certificate holder or sports wagering operator shall provide a mechanism to export the data generated for any report to a format approved by the Board and as often as required by the Board.

(f) For retail sports wagering operations, a sports wagering system shall generate, at a minimum, all of the following daily reports:

(1) A “Sports Wagering Intake Summary Report” which shall include:

- (i) Tickets sold.
- (ii) Tickets paid.
- (iii) Tickets voided.
- (iv) Each ticket cancelled.
- (v) Sports wagering voucher issued.
- (vi) Sports wagering voucher redeemed.
- (vii) Over or short amount to writer’s drawer.
- (viii) Grand total of each transaction type for all writers.

(2) A “Sports Wagering Results Summary Report” which shall include for each event type (that is, NFL, NHL, MLB, NCCA by sports, parlay, and the like):

- (i) Ticket sales.
- (ii) Tickets paid.
- (iii) Tickets voided
- (iv) Tickets cancelled.
- (v) Expired tickets.
- (vi) Net sports wagering gross revenue.
- (vii) Grand total of each transaction type for all events.

(3) A “Sports Wagering Ticket Expiration Detail Report” which shall include:

- (i) Ticket identification number.
- (ii) Date and time of issuance.
- (iii) Event.

(iv) Wager description.

(v) Bet amount.

(vi) Payout amount.

(4) A “Sports Wagering Voided Ticket Report” which shall include:

- (i) Ticket number.
- (ii) Date and time of issuance.
- (iii) Event.
- (iv) Wager description.
- (v) Bet amount.
- (vi) Writer name or identification number.
- (vii) Reason for void.

(5) A “Sports Wagering Cancelled Ticket Report” which shall include all of the following:

- (i) Ticket number.
- (ii) Date and time of issuance.
- (iii) Event.
- (iv) Wager description.
- (v) Bet amount.
- (vi) Reason for cancellation.

(6) A “Sports Wagering Ticket Liability Report” which shall include all of the following:

- (i) Ticket number.
- (ii) Date and time of issuance.
- (iii) Event.
- (iv) Wager description.
- (v) Amount.
- (vi) Status (pending or complete).

(7) A “Sports Wagering Voucher Liability Report” which shall include all of the following:

- (i) Voucher number.
- (ii) Date and time of issuance.
- (iii) Amount.

(g) The Sports Wagering Results Summary Report shall be reconciled with the Sports Wagering Intake Summary Report, and any discrepancy shall be reported to the Board.

(h) For retail sports wagering and interactive or mobile sports wagering, a sports wagering system shall generate, at a minimum, all of the following daily reports:

(1) A “Sports Wagering Detail Report” which shall include all of the following:

- (i) Transaction time.
- (ii) Patron account identifier, for interactive or mobile sports wagering.
- (iii) Wager identification number.
- (iv) Event type.
- (v) Wager description.
- (vi) Event date.
- (vii) Wager placed amount.
- (viii) Wager paid amount.
- (ix) Voided wager amount.
- (x) Cancelled wager amount.



- (xi) Resettled wager adjustment amount.
- (xii) Transaction impact on sports wagering revenue.
- (2) A "Sports Wagering Voided Wager Report" which shall include all of the following:
  - (i) Transaction time.
  - (ii) Patron account identifier, for interactive or mobile sports wagering.
  - (iii) Ticket wager identification number.
  - (iv) Date and time of issuance.
  - (v) Time of void.
  - (vi) Event type.
  - (vii) Wager description.
  - (viii) Event date.
  - (ix) Wager amount.
  - (x) Cashier employee name or identification number.
  - (xi) Reason for void.
- (3) A "Sports Wagering Cancelled Wager Report" which shall include all of the following:
  - (i) Transaction time.
  - (ii) Patron account identifier, for interactive or mobile sports wagering.
  - (iii) Ticket wager identification number.
  - (iv) Date and time of issuance.
  - (v) Event type.
  - (vi) Wager description.
  - (vii) Event date.
  - (viii) Wager amount.
  - (ix) Reason for cancellation.
- (4) A "Sports Wagering Resettlement Report" which shall include all of the following:
  - (i) Patron account identifier, for interactive or mobile sports wagering.
  - (ii) Wager identification number.
  - (iii) Event type.
  - (iv) Wager description.
  - (v) Date and time of initial settlement.
  - (vi) Date and time of resettlement.
  - (vii) Unsettled amount.
  - (viii) Resettlement amount.
  - (ix) Net adjustment.
- (i) For retail sports wagering and interactive or mobile sports wagering, a sports wagering system shall generate on a monthly basis on the last day of each calendar month a "Retail Sports Wagering Liability Report" and an "Interactive or Mobile Sports Wagering Liability Report" which shall include all of the following:
  - (1) Date generated.
  - (2) Patron account identifier, for interactive or mobile sports wagering.
  - (3) Wager identification number.
  - (4) Event type.
  - (5) Wager description.
  - (6) Date and time of issuance.

- (7) Event date.
- (8) Amount.
- (9) Status (that is, pending or complete).

**§ 1408a.13. Accounting controls for the sports wagering area.**

(a) The assets for which each ticket writer is responsible shall be maintained on an imprest basis. A ticket writer shall not permit any other person to access his or her imprest inventory.

(b) A ticket writer shall begin a shift with an imprest amount of currency and coin to be known as the "sports wagering inventory." No funds shall be added to or removed from the sports wagering inventory during the shift, except:

- (1) In collection of sports wagering wagers.
- (2) To make change for a patron buying a sports wagering ticket.
- (3) In collection for the issuance of sports wagering vouchers.
- (4) In payment of winning or properly cancelled or refunded sports wagering tickets.
- (5) In payment of sports wagering vouchers.
- (6) In exchanges with the cage, a satellite cage or sports wagering area vault supported by proper documentation, which documentation shall be sufficient for accounting reconciliation purposes.

(c) A "sports wagering count sheet" shall be completed and signed by the sports wagering shift supervisor, and the following information, at a minimum, shall be recorded thereon at the commencement of shift:

- (1) The date, time and shift of preparation.
- (2) The denomination of currency of coin in the sports wagering inventory issued to the ticket writer.
- (3) The total amount of each denomination in the sports wagering inventory issued to the ticket writer.
- (4) The sports wagering window number to which the ticket writer has been assigned.
- (5) The signature of the sports wagering shift supervisor.

(d) A ticket writer assigned to a ticket window shall count and verify the sports wagering inventory in an area out of view of the public, and shall agree the count to the sports wagering count sheet. The ticket writer shall sign the count sheet attesting to the accuracy of the information recorded thereon. The sports wagering inventory shall be placed in the ticket writer's drawer and transported directly to the appropriate sports wagering area window by the ticket writer.

(e) At the conclusion of a ticket writer's shift, the ticket writer's drawer and its contents shall be transported to an area out of view of the public, where the ticket writer shall perform a blind count of the contents of the drawer and record the following information, at a minimum, on the sports wagering count sheet:

- (1) The date, time and shift of preparation.
- (2) The denomination of cash or cash equivalents in the drawer.
- (3) The total amount of each denomination of cash or cash equivalents in the drawer.
- (4) The signature of the ticket writer.

(f) A sports wagering supervisor, or above, shall compare the ticket writer net for the shift generated by the terminal and if it agrees with the sports wagering count sheet total plus the sports wagering inventory, shall agree the count to the sports wagering count sheet and shall sign the sports wagering count sheet attesting to the accuracy.

(g) If the sports wagering window net for the shift as generated by the system does not agree with the sports wagering count sheet total plus the sports wagering inventory, the sports wagering supervisor, or above, shall record any overage or shortage. If the count does not agree, the ticket writer and the sports wagering supervisor, or above, shall attempt to determine the cause of the discrepancy with the count.

(h) If the discrepancy cannot be resolved by the ticket writer and sports wagering supervisor, or above, the discrepancy shall be reported in writing to the sports wagering manager or department supervisor in charge at the time. Any discrepancy in excess of \$500 shall be reported to the Office of Sports Wagering and Bureau of Casino Compliance, with a report that shall include the following:

- (1) Date.
- (2) Shift.
- (3) Name of the ticket writer.
- (4) Name of the sports wagering supervisor, or above.
- (5) Window number.
- (6) Amount of the discrepancy.

#### § 1408a.14. Sports wagering accounts.

A sports wagering certificate holder's or sports wagering operator's sports wagering system shall comply with the player account requirements in Subpart L (relating to interactive gaming) of the Board's regulations as it pertains to sports wagering accounts used by a patron to participate in interactive or mobile sports wagering.

### CHAPTER 1409. (Reserved)

Sec.  
1409.1. (Reserved).

### CHAPTER 1409a. SPORTS WAGERING ADVERTISEMENTS, PROMOTIONS AND TOURNAMENTS

Sec.  
1409a.1. General requirements.  
1409a.2. Sports wagering contests, tournaments, pools or other organized events.

#### § 1409a.1. General requirements.

A sports wagering certificate holder or sports wagering operator must comply with the advertisement and promotions requirements of Subparts C—E, I and L regarding its retail and interactive or mobile sportsbooks, including those provisions that require sports wagering certificate holders or sports wagering operators to submit all information to the Board as required by Subparts C—E, I and L.

#### § 1409a.2. Sports wagering contests, tournaments, pools or other organized events.

(a) A sports wagering certificate holder or sports wagering operator may offer a sports wagering contest, tournament, pool or other organized event in which a player purchases entry and engages in competitive play against other players, subject to the following:

(1) Prior to offering a sports wagering contest, tournament, pool or other organized event, a sports wagering certificate holder or sports wagering operator shall file with the Office of Sports Wagering Operations notification of the terms and conditions of the contest, tournament, pool or other organized event at least 2 business days prior to the start of the contest, tournament, pool or other organized event.

(2) The terms and conditions for the contest, tournament, pool or other organized contest shall not be altered by the sports wagering certificate holder or sports wagering operator after notification to the Office of Sports Wagering Operation without filing an additional notification, and shall include, at a minimum, all of the following:

(i) A description of the sports wagering contest, tournament, pool or other organized event.

(ii) The dates and times in which the sports wagering contest, tournament, pool or other organized event will be conducted.

(iii) Rules concerning sports wagering contest, tournament, pool or other organized event play and participation.

(iv) Participation eligibility requirements, including all of the following:

(A) The minimum and maximum number of participants.

(B) Entry fees charged.

(C) The monetary amount and description of the prizes to be awarded.

(v) All conditions registered players shall meet to qualify for entry into, and advancement through, a sports wagering contest, tournament, pool or other organized event.

(vi) Funding source amounts comprising the prize pool (for example, the sports wagering entry fees).

(vii) Prize structure on payouts.

(viii) Methodology for determining winners of the sports wagering contest, tournament, pool or other organized event.

(ix) Any other information required by the Board.

(3) The terms and conditions for all sports wagering contests, tournaments, pools or other organized events shall be posted on the interactive sports wagering web site or mobile application or, if applicable, in the sports wagering area of a retail sports book, and shall be stated in a clear and concise manner using plain language.

(4) The terms and conditions of each sports wagering contest, tournament, pool or other organized event must be readily accessible to players on the interactive sports wagering web site or mobile application and remain available for review by players until the completion of the sports wagering contest, tournament, pool or other organized event.

(5) A sports wagering contest, tournament, pool or other organized event may not accept real money from any source nor pay out real money in any way during a contest, tournament, pool or other organized event, and must utilize contest, tournament, pool or other organized event specific points or credits which do not have cash value.

(b) Entry fees collected, less cash prizes paid, are to be included in the calculation of gross sports wagering

revenue. In determining the amount to be included in the event that cash prizes paid out to players exceed entry fees collected, the sports wagering certificate holder or sports wagering operator shall be deemed to have paid the fees for the players.

(c) After completion of a sports wagering contest, tournament, pool or other organized event, the results shall be made available on the interactive sports wagering web site or mobile application or, if applicable, in the sports wagering area of a retail sportsbook, for the players to review. Subsequent to posting, the results shall be recorded and be made available upon request, with the recording including all of the following:

- (1) The name of the sports wagering contest, tournament, pool or other organized event.
- (2) Date or dates of the sports wagering contest, tournament, pool or other organized event.
- (3) Total number of entries.
- (4) Total amount of entry fees collected.
- (5) Total prize pool.
- (6) Amounts paid for each winning category.

(d) Immediately upon notification from the Board's Executive Director, a sports wagering certificate holder or sports wagering operator licensee shall discontinue a sports wagering contest, tournament, pool or other organized event when it has been determined that the conduct of a sports wagering contest, tournament, pool or other organized event could adversely impact the public or the integrity of gaming.

(e) A sports wagering contest, tournament, pool or other organized event may only be comprised of sporting events and wagers contained in the sports wagering certificate holder or sports wagering operator's approved Catalog of Events and Wagers under § 1408a.3(i) (relating to internal controls).

(f) All software and sports wagering devices and associated equipment used in conjunction with sports wagering contests, tournaments, pools or other organized events are subject to requirements set forth in § 1407a.3 (relating to testing and approval generally).

(g) Sports wagering contests, tournaments, pools or other organized events that do not require payment of an entry fee by a player are not subject to notification to the Office of Sports Wagering, but shall be considered a promotion and submitted as a notification to the Office of Sports Wagering under § 813a.3 (relating to promotions).

(h) When conducting a sports wagering contest, tournament, pool or other organized event, a sports wagering certificate holder or sports wagering operator shall comply with the provisions of § 811a.9 (relating to required reports; reconciliation). In addition to the reports contained therein, the sports wagering certificate holder or sports wagering operator shall maintain and make available to the Board upon request the following information for sports wagering contests, tournaments, pools or other organized events:

- (1) Name of the sports wagering contest, tournament, pool or other organized event.
- (2) Start date of the sports wagering contest, tournament, pool or other organized event.

- (3) End date of the sports wagering contest, tournament, pool or other organized event.
- (4) Total number of entrants.
- (5) Total number of entries.
- (6) Total amount of entry fees.
- (7) Fees collected.
- (8) Total prize pool.
- (9) Patron's wagering selections.
- (10) Contest, tournament, pool or other organized event results.
- (11) Amounts paid for each winning category.

(i) A sports wagering certificate holder or sports wagering operator licensee shall maintain records related to the conduct of sports wagering contests, tournaments, pools or other organized events in accordance with § 465a.6(c) (relating to retention, storage and destruction of books, records and documents) which shall be made available to Board staff and the Department upon request.

**CHAPTER 1410. (Reserved)**

Sec.  
1410.1. (Reserved).

**CHAPTER 1410a. SPORTS WAGERING  
COMPULSIVE AND PROBLEM GAMBLING  
REQUIREMENTS**

Sec.  
1410a.1. General requirements.

**§ 1410a.1. General requirements.**

(a) A sports wagering certificate holder or sports wagering operator must comply with the compulsive and problem gambling provisions of Subparts I and L (relating to compulsive and problem gambling; and interactive gaming) regarding its retail and interactive or mobile sportsbooks.

(b) A sports wagering certificate holder or sports wagering operator shall amend its current compulsive gaming plans and programs to include sports wagering activities.

**CHAPTER 1411. (Reserved)**

Sec.  
1411.1. (Reserved).

**CHAPTER 1411a. SPORTS WAGERING  
SELF-EXCLUDED PERSONS**

Sec.  
1411a.1. General requirements.

**§ 1411a.1. General requirements.**

(a) A sports wagering certificate holder or sports wagering operator must comply with the self-exclusion provisions of Subparts I and L (relating to compulsive and problem gambling; and interactive gaming) regarding its retail and interactive or mobile sportsbooks.

(b) A sports wagering certificate holder or sports wagering operator shall amend its current self-exclusion plans and programs to include sports wagering activities.

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