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Pennsylvania Gaming Control Board

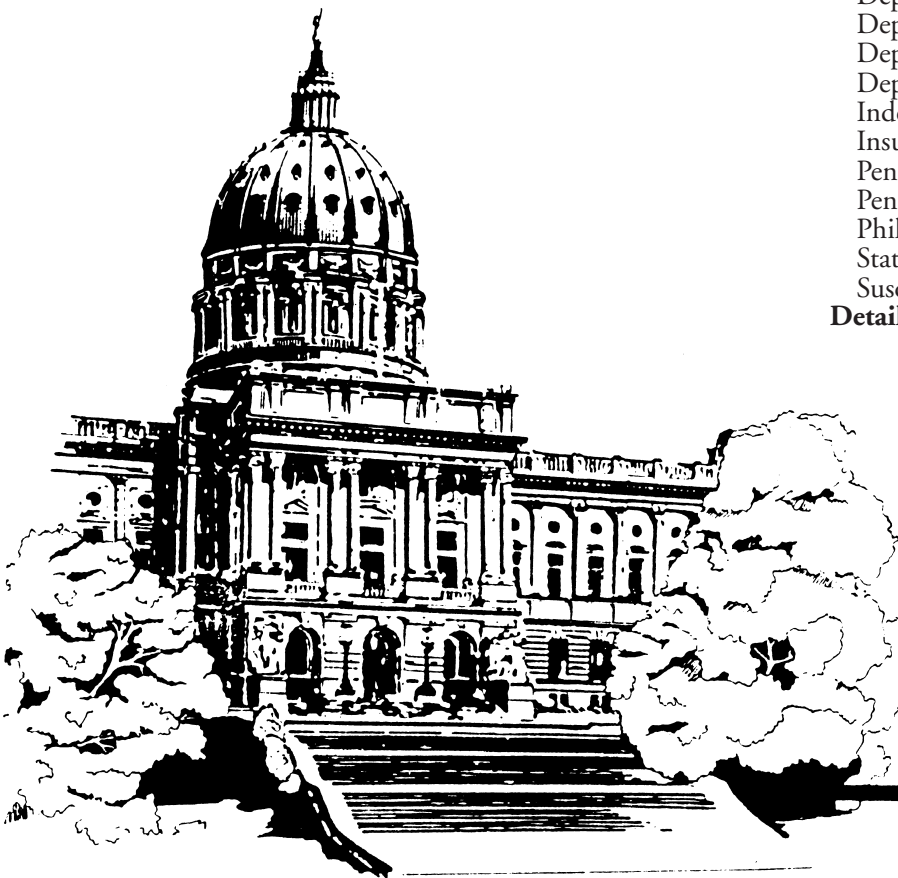
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Susquehanna River Basin Commission

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

No. 534, May 2019

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2019.

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 81 AND 83]

Amendment of Rules 102, 104, 205, 206, 208, 209, 213—219, 301, 401 and 403 of the Pennsylvania Rules of Disciplinary Enforcement and Rule 8.3 of the Rules of Professional Conduct; No. 178 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 18th day of April, 2019, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been published for comment in the *Pennsylvania Bulletin*, 48 Pa.B. 5717 (September 15, 2018) and 48 Pa.B. 7391 (December 1, 2018):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 102, 104, 205, 206, 208, 209, 213—219, 301, 401 and 403 of the Pennsylvania Rules of Disciplinary Enforcement and Rule 8.3 of the Rules of Professional Conduct are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

MAINTAINING THE INTEGRITY OF THE PROFESSION

Rule 8.3. Reporting Professional Misconduct.

* * * * *

Comment:

* * * * *

(9) Likewise, Pa.R.D.E. 216(e) requires an attorney who has been transferred to disability inactive status or disciplined in another court or by any body authorized by law or by rule of court to conduct disciplinary proceedings against attorneys by any state or territory of the United States or of the District of Columbia, a United States court, or by a federal administrative agency or a military tribunal, by suspension, disbarment, or revocation of license or pro hac vice admission, or who has resigned from the bar or otherwise relinquished his or her license to practice while under disciplinary investigation in another jurisdiction, to report the fact of that transfer, suspension, disbarment, revocation or resignation to the

[Secretary of the] Disciplinary Board of the Supreme Court of Pennsylvania within 20 days after the date of the order, judgment or directive imposing or confirming the discipline or transfer to disability inactive status.

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter A. PRELIMINARY PROVISIONS

Rule 102. Definitions.

(a) *General Rule.* Subject to additional definitions contained in subsequent provisions of these rules which are applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

* * * * *

Court—The Supreme Court of Pennsylvania.

“Court Prothonotary.” The Prothonotary of the Supreme Court of Pennsylvania.

“Disciplinary Counsel.”—The Chief Disciplinary Counsel and [assistant] disciplinary counsel within the Office of Disciplinary Counsel.

* * * * *

“Experienced hearing committee member.”—An attorney who at the time is a member of the panel of hearing committee members in a disciplinary district and who has served [as a member of a panel of hearing committee members for at least one year and on a hearing committee that has conducted at least one hearing into formal charges of misconduct by a respondent-attorney] on at least one hearing committee that has conducted a hearing into formal charges of misconduct by a respondent-attorney.

* * * * *

Informal admonition—Private informal admonition by Disciplinary Counsel.

“Legal Counsel.” Counsel to the Board and Special Counsel.

Military attorney—An attorney holding a limited admission to practice under Pennsylvania Bar Admission Rule 303 (relating to limited admission of military attorneys).

* * * * *

[Prothonotary—The Prothonotary of the Supreme Court of Pennsylvania.]

* * * * *

“Senior hearing committee member.”—An attorney who at the time is a member of the panel of hearing committee members in a disciplinary district and who has [previously] served either (i) as a member of the Board, or (ii) [a full three-year term on a panel of hearing committee members and on hearing committees that have conducted hearings into formal charges of misconduct by respondent-attorneys] on at least two hearing committees that have conducted hearings into formal charges of misconduct by respondent-attorneys.

Special Master—[A special master assigned] Assigned under Enforcement Rule 206 (relating to hearing committees and special masters), includes former Board members, former or retired justices or judges not on senior status, Special Counsel, and former senior hearing committee members.

* * * * *

Rule 104. Filings with the Supreme Court.

* * * * *

(c) *Centralized filing.* All filings with the Supreme Court under these rules shall be made only with the [**prothonotary**] **Court Prothonotary**, and the person making a filing shall not distribute copies to the members of the Court.

Subchapter B. MISCONDUCT

Rule 205. The Disciplinary Board of the Supreme Court of Pennsylvania.

* * * * *

(c) The Board shall have the power and duty:

(1) To consider the conduct of any person subject to these rules after investigation by Disciplinary Counsel pursuant to Enforcement Rule 207(b)(1). Complaints filed directly with the Board shall be forwarded to [**the Office of**] Chief Disciplinary Counsel for assignment to a district office.

Official Note: In order to avoid the commingling of prosecutorial and adjudicative functions, which would be a violation of due process, see *Lyness v. Com. of Pa., State Board of Medicine*, 529 Pa. 535, 605 A.2d 1204 (1992), the Office of Disciplinary Counsel is charged with the duty of investigating and prosecuting all disciplinary matters subject to adjudication by the Board. See Enforcement Rule 208(a)(1), (a)(2)(iv). Under Enforcement Rule 208(d)(1), Board Members appointed in a matter to review Disciplinary Counsel’s charging decisions or recommended disposition are precluded from further participation in that matter.

(2) To appoint [**a Secretary**] **an Executive Director**, a Chief Disciplinary Counsel, **Legal Counsel** and such [**assistant disciplinary counsel and**] staff as may from time to time be required to properly perform the functions prescribed by these rules.

* * * * *

(4) To assign [**as**] special masters [**three or more former members of the Board or former or retired justices or judges who are not in senior judge status. The expenses and compensation of the special masters shall be paid as a cost of disciplinary administration and enforcement. See Enforcement Rule 219(a) (relating to annual registration of attorneys)] pursuant to Rule 206(d).**

(5) To assign formal charges or the conduct of an investigatory hearing to a hearing committee or special master, and to assign a reinstatement petition to a hearing committee. [**The assignment to a hearing committee of formal charges, the conduct of an investigatory hearing, or a reinstatement petition may be delegated by the Board to its Secretary.**] A hearing committee member who has passed upon Disciplinary Counsel’s recommended disposition of the matter shall be ineligible to serve on the hearing committee that considers the matter.

plinary Counsel’s recommended disposition of the matter shall be ineligible to serve on the hearing committee that considers the matter.

* * * * *

(7) To assign [**periodically, through its Secretary, senior or experienced hearing committee members within each disciplinary district to**]:

(i) **hearing committee members** to review and approve or modify recommendations by Disciplinary Counsel for dismissals, informal admonitions, private reprimands, public reprimands and institution of formal charges;

(ii) **senior or experienced hearing committee members** to hear and determine attacks on the validity of subpoenas issued pursuant to Enforcement Rule 213(a)(2) (relating to subpoena power, depositions and related matters), as provided in Enforcement Rule 213(d)(2); or

(iii) **senior or experienced hearing committee members** to consider a petition for reinstatement to active status from retired or inactive status, or administrative suspension, under Enforcement Rule 218 (relating to reinstatement) of a formerly admitted attorney who has not been suspended or disbarred.

* * * * *

Rule 206. Hearing committees and special masters.

(a) When a hearing committee is required to handle a matter, the Board shall appoint a hearing committee consisting of three hearing committee members from the appropriate disciplinary district. **Under exigent circumstances, the Board has the discretion to appoint a hearing committee member or members from outside the appropriate disciplinary district, or to require that a matter be transferred to another disciplinary district.** At least one of the members of the hearing committee shall be a senior hearing committee member, and another member shall be either a senior hearing committee member or an experienced hearing committee member. The Board shall designate one of the members so appointed as the chair for the committee, who shall be a senior hearing committee member. The terms of hearing committee members shall be three years and no member shall serve for more than two consecutive three-year terms. Board rules may authorize a hearing committee member whose term has expired to continue to serve until the conclusion of any matter commenced before the member prior to the expiration of such term. A hearing committee member who has served two consecutive three-year terms may be reappointed after the expiration of one year. A hearing committee shall act only with the concurrence of a majority of its members and two members shall constitute a quorum, except that a single senior or experienced hearing committee member may act for the committee when the committee is sitting as an investigatory hearing committee under Enforcement Rule 213(a)(1) (relating to subpoena power, depositions and related matters), or when conducting a prehearing conference. The terms of hearing committee members shall commence on July 1.

(b) Hearing committees shall have the power and duty:

(1) To conduct investigatory hearings and hearings into formal charges of misconduct upon assignment by the Board [**or the Secretary of the Board**] (see Enforcement Rule 205(c)(5)).

(2) To submit their conclusions set forth as prescribed by Board rules, together with the record of the hearing, to the Board.

(c) If a member of a hearing committee becomes disqualified or otherwise unavailable to serve with respect to any particular matter, the [**Secretary**] **Board** shall designate a replacement.

(d) A special master instead of a hearing committee may be assigned by the Board to conduct an investigatory hearing or formal proceeding [**where it appears that the hearing or proceeding may be protracted and should be conducted continuously from day to day until conclusion**].

* * * * *

Rule 208. Procedure.

* * * * *

(f) *Emergency temporary suspension orders and related relief.*

* * * * *

Where the Court enters an order under (f)(1)(i) or (ii) before the issuance of a rule or before the entry of an order of temporary suspension under paragraph (f)(2), the **Court** Prothonotary shall serve a certified copy of the Court's order on the respondent-attorney by regular mail addressed to the address furnished by the respondent-attorney in the last registration statement filed by the respondent-attorney and to an address where the respondent-attorney is located if that address is known.

* * * * *

(4) The respondent-attorney may at any time petition the Court for dissolution or amendment of an order of temporary suspension. A copy of the petition shall be served upon Disciplinary Counsel and the [**Secretary of the**] Board. A hearing on the petition before a member of the Board designated by the Chair of the Board shall be held within ten business days after service of the petition on the [**Secretary of the**] Board. The designated Board member shall hear the petition and submit a transcript of the hearing and a recommendation to the Court within five business days after the conclusion of the hearing. Upon receipt of the recommendation of the designated Board member and the record relating thereto, the Court shall dissolve or modify its order, if appropriate.

* * * * *

(6) A respondent-attorney who has been temporarily suspended pursuant to this rule for conduct described in paragraph (1), or pursuant to the procedures of paragraph (5) where a formal proceeding has not yet been commenced shall have the right to request an accelerated disposition of the charges which form the basis for the temporary suspension by filing a notice with the [**Secretary of the**] Board and Disciplinary Counsel requesting accelerated disposition. Within 30 days after filing of such a notice, Disciplinary Counsel shall file a petition for discipline under subdivision (b) of this rule and the matter shall be assigned to a hearing committee for accelerated disposition. Thereafter the matter shall proceed and be concluded by the hearing committee, the Board and the Court without appreciable delay. If a petition for discipline is not timely filed under this paragraph, the order of temporary suspension shall be automatically dissolved, but without prejudice to any pending or further proceedings under this rule.

* * * * *

(h) *Violation of probation.* Where it appears that a respondent-attorney who has been placed on probation

has violated the terms of the probation, [**the Office of**] Disciplinary Counsel may file a petition with the Board detailing the violation and suggesting appropriate modification of the order imposing the probation, including without limitation immediate suspension of the respondent-attorney. A hearing on the petition shall be held within ten business days before a member of the Board designated by the Board Chair. If the designated Board member finds that the order imposing probation should be modified, the following procedures shall apply:

* * * * *

Rule 209. Immunity.

* * * * *

(b) Complaints against members of the Board involving alleged violations of the Disciplinary Rules or these rules shall be handled in the same manner as other complaints, except that if action is required by the Board, the [**Secretary**] **Board** shall notify the Supreme Court which shall appoint an Ad Hoc Disciplinary Board comprised of five former members of the Board who shall discharge the functions of the Board and have all the powers of the Board with respect to that one matter only.

* * * * *

Rule 213. Subpoena power, depositions and related matters.

* * * * *

(b) *Procedure.* Subpoenas authorized by subdivision (a) shall be obtained by filing with the **Court** Prothonotary in the district of the Supreme Court where the subpoena is to be returnable a statement calling for the issuance of the subpoena. On the same day that the statement is filed with the **Court** Prothonotary, the party seeking the subpoena shall send by certified mail a copy of the statement to either Disciplinary Counsel or the respondent-attorney as the case may be. Upon the filing of the statement, the **Court** Prothonotary shall forthwith issue the subpoena and it shall be served in the regular way. A subpoena issued pursuant to subdivision (a)(2) shall not be returnable until at least ten days after the date of its issuance.

* * * * *

Rule 214. Attorneys convicted of crimes.

* * * * *

(d)(1) Upon the filing with the Supreme Court of a certified copy of an order demonstrating that an attorney has been convicted of a crime, the Court may enter a rule directing the respondent-attorney to show cause why the respondent-attorney should not be placed on temporary suspension, which rule shall be returnable within ten days.

* * * * *

(4) The respondent-attorney may at any time petition the Court for dissolution or amendment of an order of temporary suspension. A copy of the petition shall be served upon Disciplinary Counsel and the [**Secretary of the**] Board. A hearing on the petition before a member of the Board designated by the Chair of the Board shall be held within ten business days after service of the petition on the [**Secretary of the**] Board. The designated Board member shall hear the petition and submit a transcript of the hearing and a recommendation to the Court within five business days after the conclusion of the hearing. Upon receipt of the recommendation of the designated

Board member and the record relating thereto, the Court shall dissolve or modify its order, if appropriate.

* * * * *

(f)(1) Upon the filing of a certificate of conviction of an attorney for a crime, Disciplinary Counsel may commence either an informal or formal proceeding under Enforcement Rule 208, except that Disciplinary Counsel may institute a formal proceeding before a hearing committee or special master by filing a petition for discipline with the Board without seeking approval for the prosecution of formal charges under Enforcement Rule 208(a)(3). If a petition for discipline is filed, a hearing on the petition shall be deferred until sentencing and all direct appeals from the conviction have been concluded. The sole issue at the hearing shall be the extent of the discipline or, where the Court has temporarily suspended the attorney under subdivision (d) of this rule, the final discipline to be imposed.

Official Note: subdivision (f)(1) authorizes Disciplinary Counsel to proceed under Rule 208 concurrently with the Court's exercise of jurisdiction under subdivision (d) of this Rule.

(2) Notwithstanding the provision of paragraph (1) that a hearing shall not be held until sentencing and all appeals from a conviction have been concluded, a respondent-attorney who has been temporarily suspended pursuant to this rule shall have the right to request an accelerated disposition of the charges which form the basis for the temporary suspension by filing a notice with the [**Secretary of the**] Board and Disciplinary Counsel requesting accelerated disposition. Within 30 days after filing of such a notice, Disciplinary Counsel shall file a petition for discipline, if such a petition has not already been filed, and the matter shall be assigned to a hearing committee for accelerated disposition. The assignment to a hearing committee shall take place within seven (7) days after the filing of such a notice or the filing of a petition for discipline, whichever occurs later. Thereafter the matter shall proceed and be concluded by the hearing committee, the Board and the Court without appreciable delay. If a petition for discipline is not timely filed or assigned to a hearing committee for accelerated disposition under this paragraph, the order of temporary suspension shall be automatically dissolved, but without prejudice to any pending or further proceedings under this rule.

* * * * *

Rule 215. Discipline on consent.

(a) *Voluntary resignation.*—An attorney who is the subject of an investigation into allegations of misconduct by the attorney may submit a resignation, but only by delivering to Disciplinary Counsel or the [**Secretary of the**] Board a verified statement stating that the attorney desires to resign and that:

* * * * *

(6) the attorney is aware that pursuant to subdivision (c) of this Rule, the fact that the attorney has tendered his or her resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the [**Secretary of the**] Board;

* * * * *

(b) *Order of disbarment.*—Upon receipt of the required statement, the [**Secretary of the**] Board shall file it

with the Supreme Court and the Court shall enter an order disbarring the attorney on consent.

(c) *Confidentiality of resignation statement.*—The fact that the attorney has submitted a resignation statement to Disciplinary Counsel or the [**Secretary of the**] Board for filing with the Supreme Court shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the [**Secretary of the**] Board. The order disbarring the attorney on consent shall be a matter of public record. If the statement required under the provisions of subdivision (a) of this rule is submitted before the filing and service of a petition for discipline and the filing of an answer or the time to file an answer has expired, the statement shall not be publicly disclosed or made available for use in any proceeding other than a subsequent reinstatement proceeding except:

* * * * *

Rule 216. Reciprocal discipline and disability.

* * * * *

(e) An attorney who has been transferred to disability inactive status or disciplined in another court or by any body authorized by law or by rule of court to conduct disciplinary proceedings against attorneys by any state or territory of the United States or of the District of Columbia, a United States court, or by a federal administrative agency or a military tribunal, by suspension, disbarment, or revocation of license or pro hac vice admission, or who has resigned from the bar or otherwise relinquished his or her license to practice while under disciplinary investigation in another jurisdiction, shall report the fact of such transfer, suspension, disbarment, revocation or resignation to the [**Secretary of the**] Board within 20 days after the date of the order, judgment or directive imposing or confirming the discipline or transfer to disability inactive status.

Rule 217. Formerly admitted attorneys.

(a) A formerly admitted attorney shall promptly notify, or cause to be promptly notified, all clients being represented in pending matters, other than litigation or administrative proceedings, of the disbarment, suspension, administrative suspension or transfer to inactive status and the consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status and shall advise said clients to seek legal advice elsewhere. The notice required by this subdivision (a) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the [**Secretary of the**] Board and shall serve a conforming copy on [**the Office of**] Disciplinary Counsel. See D.Bd. Rules § 91.91(b) (relating to filing of copies of notices).

Official Note: Notice may be accomplished, for example, by delivery in person with the lawyer securing a signed receipt, electronic mailing with some form of acknowledgement from the client other than a “read receipt,” and mailing by registered or certified mail, return receipt requested.

(b) A formerly admitted attorney shall promptly notify, or cause to be promptly notified, all clients who are

involved in pending litigation or administrative proceedings, and the attorney or attorneys for each adverse party in such matter or proceeding, of the disbarment, suspension, administrative suspension or transfer to inactive status and consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status. The notice to be given to the client shall advise the prompt substitution of another attorney or attorneys in place of the formerly admitted attorney. In the event the client does not obtain substitute counsel before the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status, it shall be the responsibility of the formerly admitted attorney to move in the court or agency in which the proceeding is pending for leave to withdraw. The notice to be given to the attorney or attorneys for an adverse party shall state the place of residence of the client of the formerly admitted attorney. The notice required by this subdivision (b) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. See Note after subdivision (a), *supra*. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the [**Secretary of the**] Board and shall serve a conforming copy on [**the Office of**] Disciplinary Counsel. See D.Bd. Rules § 91.92(b) (relating to filing of copies of notices).

(c) A formerly admitted attorney shall promptly notify, or cause to be promptly notified, of the disbarment, suspension, administrative suspension or transfer to inactive status:

(1) all persons or their agents or guardians, including but not limited to wards, heirs and beneficiaries, to whom a fiduciary duty is or may be owed at any time after the disbarment, suspension, administrative suspension or transfer to inactive status;

(2) all other persons with whom the formerly admitted attorney may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that he or she continues as an attorney in good standing; and

(3) any other tribunal, court, agency or jurisdiction in which the attorney is admitted to practice.

The notice required by this subdivision (c) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. See Note after subdivision (a), *supra*. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the [**Secretary of the**] Board and shall serve a conforming copy on [**the Office of**] Disciplinary Counsel. The responsibility of the formerly admitted attorney to provide the notice required by this subdivision shall continue for as long as the formerly admitted attorney is disbarred, suspended, administratively suspended or on inactive status.

* * * * *

(e)(1) Within ten days after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status order, the formerly admitted attorney shall file with the [**Secretary of the**] Board a

verified statement and serve a copy on Disciplinary Counsel. In the verified statement, the formerly admitted attorney shall:

* * * * *

(iv) in cases of disbarment or suspension for a period exceeding one year, aver that he or she has attached his or her attorney registration certificate for the current year, certificate of admission, any certificate of good standing issued by the **Court** Prothonotary, and any other certificate required by subdivision (h) of this Rule to be surrendered; or, in the alternative, aver that he or she has attached all such documents within his or her possession, or that he or she is not in possession of any of the certificates required to be surrendered;

* * * * *

(vii) aver that he or she has served a copy of the verified statement and its attachments on [**the Office of**] Disciplinary Counsel;

* * * * *

(h) Within ten days after the effective date of an order of disbarment or suspension for a period longer than one year, the formerly admitted attorney shall surrender to the Board the certificate issued by the Attorney Registration Office under Rule 219(e) (relating to annual registration of attorneys) for the current year, along with any certificate of good standing issued under Pennsylvania Bar Admission Rule 201(d) (relating to certification of good standing), certificate of admission issued under Pennsylvania Bar Admission Rule 231(d)(3) (relating to action by **Court** Prothonotary), certificate of licensure issued under Pennsylvania Bar Admission Rule 341(e)(3) (relating to motion for licensure), Limited In-House Corporate Counsel License issued under Pennsylvania Bar Admission Rule 302 (relating to limited in-house corporate counsel license) or limited certificate of admission issued under Pennsylvania Bar Admission Rule 303 (relating to limited admission of military attorneys). The Board may destroy the annual certificate issued under Rule 219(e), but shall retain any other documents surrendered under this subdivision and shall return those documents to the formerly admitted attorney in the event that he or she is subsequently reinstated.

* * * * *

Rule 218. Reinstatement.

* * * * *

(d) The procedure for petitioning for reinstatement from: retired status for more than three years; inactive status for more than three years; administrative suspension for more than three years; retired status, inactive status or administrative suspension if the formerly admitted attorney has not been on active status at any time within the past three years; or after transfer to inactive status as a result of the sale of a law practice pursuant to Rule 1.17 of the Pennsylvania Rules of Professional Conduct, is as follows:

* * * * *

(2) Within 60 days after the filing of a petition for reinstatement, Disciplinary Counsel shall either:

(i) file a response thereto with the Board and serve a copy on the formerly admitted attorney; or

(ii) file a certification with the Board [**Secretary**] stating that after a review of the petition for reinstatement and reasonably diligent inquiry, Disciplinary Coun-

sel has determined that there is no impediment to reinstatement and that the petitioner-attorney will meet his or her burden of proof under paragraph (d)(3) if the petition were to proceed to hearing under (d)(4).

* * * * *

(6) Upon receipt of a certification filed by Disciplinary Counsel under (d)(2)(ii), the Board Chair shall designate a single member of the Board to review the record and certification and to issue a report and recommendation.

(i) If the Board Member decides that reinstatement should be denied or that a hearing on the petition is warranted, the designated Board Member shall issue a report setting forth the areas of the designated Board Member's concern and direct [**the Board Secretary to schedule**] **that** the matter **be scheduled** for hearing pursuant to subdivision (d)(4) of this rule.

(ii) Upon receipt of a report and recommendation for an order of reinstatement, the Court may enter an order reinstating the formerly admitted attorney to active status and direct that the necessary expenses incurred in the investigation and processing of the petition be paid by the petitioner-attorney. The Chief Justice may delegate the processing and entry of orders under this subdivision to the **Court** Prothonotary.

* * * * *

(j) The Board when appropriate shall promptly transmit to the president judge of the court of common pleas in the judicial district in which the formerly admitted attorney practiced a copy of:

(1) the certification filed with the **Court** Prothonotary under Enforcement Rule 219(h) or (m); or

* * * * *

Rule 219. Annual registration of attorneys.

* * * * *

(f) Any attorney who fails to complete registration by July 16 shall be automatically assessed a non-waivable late payment penalty established by the Board. A second, non-waivable late payment penalty established by the Board shall be automatically added to the delinquent account of any attorney who has failed to complete registration by August 1, at which time the continued failure to comply with this rule shall be deemed a request to be administratively suspended. Thereafter, the Attorney Registration Office shall certify to the Supreme Court the name of every attorney who has failed to comply with the registration and payment requirements of this rule, and the Supreme Court shall enter an order administratively suspending the attorney. The Chief Justice may delegate the processing and entry of orders under this subdivision to the **Court** Prothonotary. Upon entry of an order of administrative suspension, the Attorney Registration Office shall transmit by certified mail, addressed to the last known mailing address of the attorney, or by electronic means, the order of administrative suspension and a notice that the attorney shall comply with Enforcement Rule 217 (relating to formerly admitted attorneys), a copy of which shall be included with the notice.

* * * * *

(g) The Attorney Registration Office shall provide to the [**Office of the Secretary**] **Board** a copy of any certification filed by the Attorney Registration Office with the Supreme Court pursuant to the provisions of this rule.

(h) An attorney who has been administratively suspended pursuant to subdivision (f) for three years or less is not eligible to file the annual fee form electronically. The procedure for reinstatement is as follows:

* * * * *

(2) Upon receipt of the annual fee form, a verified statement showing compliance with Enforcement Rule 217 (relating to formerly admitted attorneys), and the payments required by paragraph (1), the Attorney Registration Office shall so certify to the [**Office of the Secretary**] **Board** and to the Supreme Court. Unless the formerly admitted attorney is subject to another outstanding order of suspension or disbarment or the order has been in effect for more than three years, the filing of the certification from the Attorney Registration Office with the **Court** Prothonotary [**of the Supreme Court**] shall operate as an order reinstating the person to active status.

* * * * *

(i) *Retired Status:* An attorney who has retired must file by mail or deliver in person to the Attorney Registration Office an application for retirement and payment of any applicable late fees or penalties pursuant to subdivision (f). Upon the transmission of such application from the Attorney Registration Office to the Supreme Court, the Court shall enter an order transferring the attorney to retired status, and the attorney shall no longer be eligible to practice law. The retired attorney will be relieved from payment of the annual fee imposed by this rule upon active practitioners and Enforcement Rule 217 (relating to formerly admitted attorneys) shall not be applicable to the formerly admitted attorney unless ordered by the Court in connection with the entry of an order of suspension or disbarment under another provision of these rules. An attorney on retired status for three years or less may be reinstated in the same manner as an inactive attorney, except that the retired attorney shall pay the annual active fee for the three most recent years or such shorter period in which the attorney was on retired status instead of the amounts required to be paid by an inactive attorney seeking reinstatement. The Chief Justice may delegate the processing and entry of orders under this subdivision to the **Court** Prothonotary.

* * * * *

(m) Upon payment of all expenses taxed pursuant to Enforcement Rule 208(g) by a formerly admitted attorney on administrative suspension solely for failure to comply with subdivision (l) of this rule, the Board shall so certify to the Supreme Court. Unless such person is subject to another outstanding order of suspension or disbarment or the order has been in effect for more than three years, the filing of the certification from the Board with the **Court** Prothonotary [**of the Supreme Court**] shall operate as an order reinstating the person to active status.

* * * * *

Subchapter C. DISABILITY AND RELATED MATTERS

Rule 301. Proceedings where an attorney is declared to be incapacitated or severely mentally disabled.

* * * * *

(e) If, during the course of a disciplinary proceeding, the respondent contends that the respondent is suffering from a disability by reason of mental or physical infirmity

or illness, or because of addiction to drugs or intoxicants, which makes it impossible for the respondent to prepare an adequate defense, the respondent shall complete and file with the Court a certificate of admission of disability [available to the bar through the Office of the Secretary to the Board]. The respondent shall serve a copy of the certificate on the Board and [disciplinary counsel] Disciplinary Counsel. The certificate shall:

* * * * *

Upon receipt of the certificate, the Court thereupon shall enter an order immediately transferring the respondent to inactive status until a determination is made of the respondent's capacity to aid effectively in the preparation of a defense or to continue to practice law in a proceeding instituted in accordance with the provisions of subdivision (d) of this rule unless the Court finds that the certificate does not comply with the requirements of this subdivision, in which case the Court may deny the request for transfer to disability inactive status or enter any other appropriate order. Before or after the entry of the order transferring the respondent to inactive status under this subdivision, the Court may, upon application by [disciplinary counsel] Disciplinary Counsel and for good cause shown, take or direct such action as the Court deems necessary or proper to a determination of whether it is impossible for the respondent to prepare an adequate defense, including a direction for an examination of the respondent by such qualified medical experts as the Court shall designate. In its discretion, the Court may direct that the expense of such an examination shall be paid by the respondent.

* * * * *

Subchapter D. MISCELLANEOUS PROVISIONS

Rule 401. Expenses.

The salaries of the [**Secretary of the Board, Disciplinary Counsel and staff**] Disciplinary Board employees, their expenses, administrative costs, [and the] expenses of the members of the Board and of hearing committees, **and expenses and compensation, if any, of special masters** shall be paid by the Board out of the funds collected under the provisions of Enforcement Rule 219 (relating to annual registration of attorneys) **and Enforcement Rule 208 (relating to costs)**. The Board shall annually obtain an independent audit by a certified public accountant of the funds entrusted to it and their disposition and shall file a copy of such audit with the Court.

Rule 403. Emeritus Status.

* * * * *

(f) *Approval of Eligible Legal Aid Organization.* Prior to the commencement of services described in (d), the emeritus attorney shall submit an Eligible Legal Aid Organization Form to the [**Secretary of the**] Board for approval. The emeritus attorney shall submit a separate form for each eligible legal aid organization for which the attorney expects to perform pro bono services. The form shall include the following:

* * * * *

[Pa.B. Doc. No. 19-648. Filed for public inspection May 3, 2019, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM
GENERAL PROVISIONS**

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 93]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 88

By Order dated February 7, 2019, the Supreme Court of Pennsylvania amended Pa.R.D.E. 219(a) and (j) and 502(b) related to the annual assessment of attorneys. By this Order, the Board is making conforming changes to its Rules to reflect the adoption of those amendments.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect upon publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

**TITLE 204. JUDICIAL SYSTEM GENERAL
PROVISIONS**

PART V. PROFESSIONAL ETHICS AND CONDUCT

**Subpart C. DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

**CHAPTER 93. ORGANIZATION AND
ADMINISTRATION**

Subchapter G. FINANCIAL MATTERS

ANNUAL REGISTRATION OF ATTORNEYS

§ 93.141. Annual registration.

(a) *General rule.* Enforcement Rule 219(a) provides that every attorney admitted to practice law in this Commonwealth shall pay an annual fee of [**\$120.00**] **\$140.00** and electronically file the annual fee form provided for under such rule by July 1; that the fee shall be collected under the supervision of the Attorney Registration Office, which shall make the annual fee form avail-

able for filing through a link on the Board's website (<http://www.padisiplinaryboard.org>) or directly at <https://ujportal.pacourts.us>. The fee shall be used to defray the costs of disciplinary administration and enforcement under the Enforcement Rules, and for such other purposes as the Board shall, with the approval of the Supreme Court, from time to time determine. Upon an attorney's written request submitted to the Attorney Registration Office and for good cause shown, the Attorney Registration Office shall grant an exemption from the electronic filing requirement and permit the attorney to file the annual fee form in paper form.

Official Note: Pa.R.P.C. 1.15(u) imposes an additional annual fee for use by the IOLTA Board, and Pa.R.D.E. 502(b) imposes an additional annual fee for use by the Pennsylvania Lawyers Fund for Client Security.

* * * * *

[Pa.B. Doc. No. 19-649. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 93]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 89

By Order dated February 15, 2019, the Supreme Court of Pennsylvania amended Pa.R.D.E. 208(g) related to the imposition of penalties on unpaid costs and fees. By this Order, the Board is making conforming changes to its Rules to reflect the adoption of those amendments.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect upon publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 93. ORGANIZATION AND ADMINISTRATION

Subchapter G. FINANCIAL MATTERS

TAXATION OF COSTS

§ 93.111. Determination of reimbursable expenses.

* * * * *

(c) *Administrative fee.* Enforcement Rule 208(g)(4) provides that in addition to the payment of any expenses under Enforcement Rule 208(g)(1) or (g)(2), a respondent-attorney shall pay upon the final order of discipline an administrative fee, pursuant to the schedule set forth in the rule.

(d) Assessed Penalties on Unpaid Taxed Expenses and Administrative Fees.

(1) Failure to pay taxed expenses within thirty days of the assessment becoming final in accordance with subdivisions (g)(1) and (g)(2) and/or failure to pay administrative fees assessed in accordance with subdivision (g)(4) within thirty days of notice transmitted to the respondent-attorney shall result in the assessment of a penalty, levied monthly at the rate of 0.8% of the unpaid principal balance, or such other rate as established by the Supreme Court of Pennsylvania, from time to time.

(2) Monthly penalties shall not be retroactively assessed against unpaid balances existing prior to the enactment of the rule; monthly penalties shall be assessed against these unpaid balances prospectively, starting 30 days after the effective date of the rule.

(3) The Disciplinary Board for good cause shown, may reduce the penalty or waive it in its entirety.

[Pa.B. Doc. No. 19-650. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 93]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 90

By Order dated February 25, 2019, the Supreme Court of Pennsylvania amended Pa.R.D.E. 219(f) related to the timelines for attorney registration. By this Order, the Board is making conforming changes to its Rules to reflect the adoption of those amendments.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July

31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect upon publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 93. ORGANIZATION AND ADMINISTRATION

Subchapter G. FINANCIAL MATTERS

ANNUAL REGISTRATION OF ATTORNEYS

§ 93.144. Administrative suspension for failure to comply.

(a) *Action by Attorney Registration Office.* Enforcement Rule 219(f) provides that when any attorney fails to complete the registration required by §§ 93.141 and 93.142 by July [31] 16, the Attorney Registration Office shall:

(1) automatically assess against the attorney a non-waivable late payment penalty established by the Board;

(2) automatically add to the delinquent account of any attorney who has failed to complete registration by August [31] 1, a second, non-waivable late payment penalty established by the Board;

(3) after August [31] 1, certify to the Supreme Court the name of every attorney who has failed to comply with the registration and payment requirements of §§ 93.141 and 93.142 of these rules; and

(4) upon the Supreme Court's entry of an order of administrative suspension as provided in subsection (b) of this rule, transmit by certified mail, addressed to the last known mailing address of the attorney, or by electronic means, the order of administrative suspension and a notice that the attorney shall comply with Enforcement Rule 217 (relating to formerly admitted attorneys), a copy of which shall be included with the notice.

For purposes of assessing the late payment penalties prescribed by this section, registration shall not be

deemed to be complete until the Attorney Registration Office receives a completed annual fee form and satisfactory payment of the annual fee and of all outstanding collection fees and late payment penalties. If a check in payment of the delinquency has been returned by the Board unpaid, a collection fee, as established by the Board under § 93.142(b)(2) of these rules, shall be added to the attorney's delinquent account and registration shall not be deemed to be complete until the delinquent account has been paid in full.

The amount of the late payment penalties shall be established by the Board annually pursuant to the provisions of § 93.145(b) of these rules.

* * * * *

[Pa.B. Doc. No. 19-651. Filed for public inspection May 3, 2019, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM
GENERAL PROVISIONS**

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 89]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 91

By Order dated March 26, 2019, the Supreme Court of Pennsylvania amended Pa.R.D.E. 208(d)(1) related to review and action by the Board. By this Order, the Board is making conforming changes to its Rules to reflect the adoption of those amendments.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect upon publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 89. FORMAL PROCEEDINGS

Subchapter D. ACTION BY BOARD AND SUPREME COURT

§ 89.201. Review by Board.

* * * * *

(b) *Oral argument and briefs.* Enforcement Rule 208(d)(1) provides that [**the respondent-attorney**] **both parties** shall have the right to submit briefs and to present oral argument to a panel of at least three members of the Board, unless such right has been waived in the manner provided by these rules.

* * * * *

[Pa.B. Doc. No. 19-652. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

[210 PA. CODE CH. 65]

Amendments to the Superior Court Operating Procedures

The Superior Court of Pennsylvania has adopted amendments to its published Operating Procedures. These amendments are reflected in the Superior Court Operating Procedures with amendments to Pa. Code § 65.37.

These changes were approved on April 16, 2019, effective on that date.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

CHAPTER 65. OPERATING PROCEDURES OF THE SUPERIOR COURT

DECISIONAL PROCEDURES

§ 65.37. [Unpublished Memoranda Decisions] Non-Precedential Decisions (formerly titled Unpublished Memoranda Decisions).

A. [An unpublished memorandum decision shall not be relied upon or cited by a Court or a party in any other action or proceeding, except that such a memorandum decision may be relied upon or cited (1) when it is relevant under the doctrine of law of the case, *res judicata*, or collateral estoppel, and (2) when the memorandum is relevant to a criminal action or proceeding because it recites issues raised and reasons for a decision affecting the same defendant in a prior action or proceeding. When an unpublished memorandum is relied upon pursuant

to this rule, a copy of the memorandum must be furnished to the other party and to the Court.]

For purposes of these operating procedures, “non-precedential decision” refers to an unpublished, non-precedential, memorandum decision of the Superior Court filed after May 1, 2019. All references to a memorandum decision filed after May 1, 2019, within these operating procedures shall be analogous to “non-precedential decision” for purposes of Pa.R.A.P. 126(b).

Comment

The title to this O.P. was changed to reflect the Amendments enacted by the Supreme Court to Pa.R.A.P. 126, effective May 1, 2019. See 278 Appellate Procedural Rules Docket (order amending Pa.R.A.P. 126) (Pa. 2019).

B. [After an unpublished memorandum decision has been filed, the panel may sua sponte, or on the motion of any party to the appeal, or on request by the trial judge, convert the memorandum to a published opinion. In the case of a motion of any party to the appeal or a request from the trial judge, such motion or request must be filed with the Prothonotary within 14 days after the entry of the judgment or other order involved. The decision to publish is solely within the discretion of the panel.]

Non-precedential decisions filed after May 1, 2019, may be cited for their persuasive value, pursuant to Pa.R.A.P. 126(b). An unpublished memorandum decision filed prior to May 2, 2019, shall not be relied upon or cited by a Court or a party in any other action or proceeding, except that such a memorandum decision may be relied upon or cited (1) when it is relevant under the doctrine of law of the case, *res judicata*, or collateral estoppel, and (2) when the memorandum is relevant to a criminal action or proceeding because it recites issues raised and reasons for a decision affecting the same defendant in a prior action or proceeding. When an unpublished memorandum filed prior to May 2, 2019, is relied upon pursuant to this rule, a copy of the memorandum must be furnished to the other party and to the Court.

C. After an unpublished memorandum decision has been filed, the panel may sua sponte, or on the motion of any party to the appeal, or on request by the trial judge, convert the memorandum to a published opinion. In the case of a motion of any party to the appeal or a request from the trial judge, such motion or request must be filed with the Prothonotary within 14 days after the entry of the judgment or other order involved. The decision to publish is solely within the discretion of the panel.

[Pa.B. Doc. No. 19-653. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. IV]

Proposed Amendment of the Comment to Pa.R.E. 401

The Committee on Rules of Evidence is considering proposing to the Supreme Court of Pennsylvania the

amendment of the Comment to Pennsylvania Rule of Evidence 401 describing the relevancy of evidence of class for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Daniel A. Durst, Counsel
Committee on Rules of Evidence
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717.231.9536
evidencerules@pacourts.us

All communications in reference to the proposal should be received by June 4, 2019. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Committee on
Rules of Evidence*

JOHN P. KRILL, Jr.,
Chair

Annex A

TITLE 225. RULES OF EVIDENCE

ARTICLE IV. RELEVANCE AND ITS LIMITS

Rule 401. Test for Relevant Evidence.

Evidence is relevant if:

- (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and
- (b) the fact is of consequence in determining the action.

Comment

This rule is identical to F.R.E. 401.

Whether evidence has a tendency to make a given fact more or less probable is to be determined by the court in the light of reason, experience, scientific principles and the other testimony offered in the case.

Generally, evidence of a person's race, sex, gender identity or expression, religion, national origin, immigration status, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation is irrelevant and inadmissible. See Pa.R.E. 402 (evidence not relevant is not admissible). Such evidence may also be subject to analysis under Pa.R.E. 403, concerning unfair prejudice.

The relevance of proposed evidence may be dependent on evidence not yet of record. Under Pa.R.E. 104(b), the court may admit the proposed evidence on the condition that the evidence supporting its relevance be introduced later.

Official Note: Adopted May 8, 1998, effective October 1, 1998; rescinded and replaced January 17, 2013, effective March 18, 2013; **adopted** _____, **2019, effective** _____, **2019.**

Committee Explanatory Reports:

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 651 (February 2, 2013).

Final Report explaining the _____, **2019 amend-**
ment of the Comment published with the Court's
Order at 49 Pa.B. (_____, **2019).**

REPORT

Proposed Amendment of the Comment to Pa.R.E. 401

The Committee on Rules of Evidence is considering proposing the amendment of the Comment to Pennsylvania Rule of Evidence 401 describing the relevancy of evidence of class. The catalyst for this proposal was a recommendation of the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness for changes to the Pennsylvania Rules of Evidence to limit the admissibility of a party's or witness' immigration status.

The Committee considered the admissibility of a person's immigration status as an evidentiary matter. For example, in *State v. Sanchez-Medina*, 176 A.3d 788 (N.J. 2018), the New Jersey Supreme Court considered the admissibility of a criminal defendant's immigration status in a trial for sexual assault crimes. Recognizing there may be limited circumstances when immigration status may be relevant, the court concluded that those cases are rare. In most cases, immigration status is irrelevant and therefore inadmissible. *See also* Pa.R.E. 402 ("Evidence that is not relevant is not admissible."). The court went on to cite other jurisdictions' case law having a similar holding concerning relevancy. The *Sanchez-Medina* court also cited case law holding that evidence of immigration status can be unduly prejudicial. *See also* Pa.R.E. 403 (excluding relevant evidence if its probative value is outweighed by the danger of unfair prejudice). When seeking to admit this evidence, the court indicated that the issue should first be raised with the judge outside the presence of the jury and, if admitted, it should be accompanied by a limiting jury instruction.

Washington adopted Washington Rule of Evidence 413, effective September 1, 2018, that generally prohibits evidence of immigration status in criminal and civil proceedings. The rule also sets forth procedures to determine the admissibility of such evidence, which generally resemble motion *in limine* practice.

Effective January 1, 2017, the California Evidence Code was amended to exclude evidence of a person's immigration status in a civil action for personal injury or death. Cal. Evid. Code § 351.2. In other civil actions and in criminal proceedings, the court must determine the admissibility of the evidence in an *in camera* hearing. *Id.* §§ 351.3, 351.4 (sunsetting January 1, 2022). There is also pre-existing case law in California limiting the use of immigration status as evidence. *See, e.g., Rodriguez v. Kline*, 186 Cal. App. 3d 1145 (1986).

The Committee believed there was persuasive authority for the exclusion of immigration status that is either irrelevant or unduly prejudicial. The Committee next considered whether the existing Pennsylvania Rules of Evidence, when applied to evidence of immigration status, would operate to exclude such evidence if irrelevant or unduly prejudicial. The Committee believed the existing

Rules should, but additional commentary to Rule 401 would be beneficial to guide the application of the Rules.

Thereafter, the Committee considered whether the commentary should address only immigration status or whether there are other classifications capable of undue prejudice without relevance. In this context, the Committee did not believe that only one particular class should be identified; rather, public policy prohibits discrimination against a number of classes. *See, e.g.*, 43 P.S. § 952 (identifying classes subject to the Pennsylvania Human Relations Act); *Policy on Non-Discrimination and Equal Employment*, Supreme Court of Pennsylvania (Rev. 2016); Pennsylvania Code of Judicial Conduct Rule 2.3. Informed by these prohibitions, the Committee attempted to create a more expansive list of classes.

The proposed commentary is intended to reflect within the Pennsylvania Rules of Evidence the construct that evidence of class is presumptively irrelevant. However, the word “generally” is used at the beginning of the commentary to signal that evidence of class is not irrelevant *per se*. For example, disability may be relevant in an action to enforce the Americans with Disabilities Act, 42 U.S.C. §§ 12131 *et seq.* Likewise, immigration status may be relevant in a guilty plea colloquy. *See e.g., Padilla v. Kentucky*, 559 U.S. 356 (2010) (counsel must inform a non-citizen defendant as to whether a plea carries a clear risk of deportation). The Committee also added reference to Pa.R.E. 403 in the Comment to indicate that evidence of class may be relevant under Pa.R.E. 401 and still be excluded as unduly prejudicial.

All comments, concerns, and suggestions concerning this proposal are welcome.

[Pa.B. Doc. No. 19-654. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Family Division Rule of the Court of Common Pleas; No. AD-2019-146-FD Rules Doc.

Order of Court

And Now, this 15th day of April, 2019, it is hereby *Ordered* that the following Rule 1915.11-1 of the Court of Common Pleas of Allegheny County, Pennsylvania, Family Division, adopted by the Board of Judges shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

LOCAL RULE 1915.11-1—Parenting Coordination

By the Court

KIM BERKELEY CLARK,
President Judge

Rule 1915.11-1. Parenting Coordination.

(a) *Appointment of a Parenting Coordinator.*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order will be entered in accordance with Pa.R.Civ.P. 1915.22.

(2) The Court will select the parties’ Parenting Coordinator. If the parties can agree to a Parenting Coordinator, they may present their selection to the Judge for approval. The roster of the Court’s approved Parenting

Coordinators is posted at the Child Custody Department, Suite 1030 Family Law Center, 440 Ross Street, Pittsburgh, PA 15219.

(3) Any party seeking a reduced fee under section (d) below must file with the Court an In Forma Pauperis (IFP) petition through the Client Services Department, first floor Family Law Center, 440 Ross Street, Pittsburgh, PA 15219, which shall be presented before the assigned Judge in motions court, on the next available date that they are sitting. Approval of the IFP petition to a reduced fee for the Parenting Coordinator may result in amendment of the appointment order.

(b) *Roster of Approved Parenting Coordinators.*

An attorney or mental health professional seeking to be included on the Allegheny County Court’s roster of qualified individuals to serve as a Parenting Coordinator shall submit a letter to the Administrative Judge of the Family Division together with the following:

(1) An affidavit attesting the applicant has qualifications found in Pa.R.Civ.P. 1915.11;

(2) Pennsylvania Act 33 child abuse and Act 34 criminal history clearances, within the past two (2) years;

(3) An acknowledgment the applicant will follow the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and has read the American Psychological Association (APA) Parenting Coordinator Guidelines; and

(4) An acknowledgment of responsibility to accept reduced fee assignments for every four (4) full fee appointments taken, as needed. (Appointments for reduced fee assignments will be made on a rotating basis for all Parenting Coordinators on the Court’s roster).

AFCC Parenting Coordinator guidelines are posted at <https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf> and the APA Parenting Coordinator Guidelines are posted at <https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>.

(c) *Parenting Coordinator Recommendations*

(1) In addition to providing the same to the parties and the assigned Judge, a Parenting Coordinator shall file their Summary and Recommendations with the Allegheny County Department of Court Records within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.Civ.P. 1915.11-1(f)(2). A Proof of service shall also be filed.

(2) *Objections to Parenting Coordinator’s Recommendation(s) and Petition for a Record Hearing.*

a. A party objecting to the Recommendations must file with the Allegheny County Department of Court Records an original and copy of their Objections and a Petition for a Record Hearing before the Court within five days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator. A copy shall also be provided to the Judge of record in accordance with their Standard Operating Procedures.

b. The Judge shall schedule a record hearing as soon as practical on the objections.

c. If timely objections are filed, the Parenting Coordinator’s recommendation may be entered as an interim order by the Judge pending final disposition.

(3) *Court Review of Parenting Coordinator’s Recommendations.*

If no objections to the Parenting Coordinator’s Recommendation are filed with the Allegheny County Department of Court Records and a copy to the Judge of record within five days of service of the Summary and Re

commendation, the Family Court Judge will review the Recommendation in accordance with Pa.R.C.P. 1915.11-1(f)(4).

(d) FEES

Parties who request the appointment of a Parenting Coordinator or who are identified by the Court as benefiting from the appointment of a Parenting Coordinator shall pay the Parenting Coordinator as follows:

(1) Up to \$300.00 an hour;

(2) The Judge shall initially allocate the fees between the parties, but they may be reallocated as deemed appropriate by the Parenting Coordinator or the Court at a later date. See Pa.R.C.P. 1915.22(8).

(3) If, after a review of the In Forma Pauperis (IFP) petition, the parties' combined gross income and family size is at or below the Federal Poverty Guidelines, the Parenting Coordinator's fee shall be pro bono. If, after a review of the In Forma Pauperis (IFP) petition, the parties' combined gross income and family size is between the Federal Poverty Guidelines and 150% of the Federal Poverty Guidelines, the Parenting Coordinator's fee shall be 50% of their hourly rate. All other litigants are required to pay the full fee.

[Pa.B. Doc. No. 19-655. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

ALLEGHENY COUNTY

Family Division Rule of the Court of Common Pleas; No. AD-2019-147-FD Rules Doc.

Order of Court

And Now, this 15th day of April, 2019, it is hereby Ordered that the following Rule 1930(a)(7) of the Court of Common Pleas of Allegheny County, Pennsylvania, Family Division, adopted by the Board of Judges shall be effective thirty (30) days after publication in the Pennsylvania Bulletin:

AMENDED LOCAL RULE 1930 ADDING SECTION 1930(a)(7)—Meet & Confer Requirement for Family Division Motions

By the Court

KIM BERKELEY CLARK, President Judge

Rule 1930. Domestic Relations Matters Generally.

(a) Family Division Motions

* * * * *

(7) Meet & Confer Requirement for Family Division Motions

(i) Litigants are to confer prior to the filing and/or presentation of any motion before the Court and are to attempt, in good faith, to reach amicable resolution of the issues involved. (litigants include: counsel representing a party and parties who are self-represented.) Each motion filed shall contain a certificate of compliance setting forth a brief statement of the extrajudicial means employed to resolve the dispute, in substantially the form set forth below.

(ii) Failure to comply with this rule may result in sanctions. Good faith efforts toward amicable resolution

shall be considered as a factor in determining whether or not the requested relief is appropriate, the propriety of sanctions, or in determining the exigency of circumstances, if relevant.

(iii) In the event that any party is self-represented in a matter where any party involved in the matter is either a protected party in a PFA, or has been the subject of domestic violence allegedly perpetrated by the opposing party at any time within the past 24 months, the party must state so in their certificate and said reason shall be sufficient for purposes of this rule in excusing the requirement to confer in advance.

(iv) Certificate of Compliance with Rule 1930(a)(7) Form

Docket No. _____

CERTIFICATE OF COMPLIANCE WITH RULE _____

I certify that I have complied with Local Rule _____ as noted below.

- ☐ Talked by phone (date)
☐ Met in Person (date)
☐ Telephoned/Left message (date)
☐ Emailed (date)
☐ Emergency
☐ Other:
☐ Domestic Violence Waiver
☐ Unable to Confer because:

Signature

[Pa.B. Doc. No. 19-656. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CHESTER COUNTY

Adoption of Local Rule of Civil Procedure; 2019-0037-R-CM

Administrative Order No. 9-2019

And Now, this 16th day of April, 2019, the Court approves and adopts the following Chester County Local Rule of Civil Procedure 1915.11-1. In conformity with Pennsylvania Rule of Judicial Administration 103(d), the Court Administrator shall distribute two (2) paper copies of the local rule to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin along with a copy of the local rule on a computer diskette, CD-ROM formatted to MS-DOS, ADDII, Microsoft Word, WordPerfect or alternate form if requested by the Court and agreed upon by the Legislative Reference Bureau. This Rule shall become effective thirty (30) days from the date of publication in the Pennsylvania Bulletin. The

Court Administrator shall file one copy of the local rule with the Administrative Office of Pennsylvania Courts; publish a copy of the local rule on the website of the court or county in which the adopting court has jurisdiction; and incorporate the local rule in the complete set of local rules no later than thirty (30) days following the publication in the *Pennsylvania Bulletin*. The Court Administrator is further directed to publish this Order once in the *Chester County Law Reporter* and once in the *Legal Intelligencer*. Certified copies of the within Order shall be distributed by the Court Administrator as follows: one (1) copy to the Domestic Relations Procedural Rules Committee; one (1) copy to the Prothonotary of Chester County; one (1) copy to the Clerk of Courts of Chester County; one (1) copy to the Court Administrator of Chester County; one (1) copy to the Law Library of Chester County; and one (1) copy to each Judge of this Court.

By the Court

JACQUELINE CARROLL CODY,
President Judge

Order

And Now, this 15th day of April, 2019, Chester County Local Rule of Civil Procedure 1915.11-1 is promulgated as follows:

Chester County Rule 1915.11-1. Parenting Coordination.

(a) *Appointment of a Parenting Coordinator.*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order will be entered in accordance with Pa.R.Civ.P. 1915.22.

(2) If the parties cannot agree on the selection of a Parenting Coordinator, the Court shall require each party to identify his/her choice(s) along with the hourly rate of each to all parties. If the parties cannot agree, the Court will select a Parenting Coordinator. The roster of the Court's approved Parenting Coordinators and their stated hourly rates shall be posted at <http://www.chesco.org>

Any party seeking a pro bono appointment must file with the Prothonotary a Petition to Proceed In Forma Pauperis for the appointment of a Parenting Coordinator within three (3) days of the appointment order absent good cause shown. The In Forma Pauperis form can be found at <http://www.chesco.org>.

(b) *Roster of Approved Parenting Coordinators.*

An attorney or mental health professional seeking to be included on the Chester County Court's roster of qualified individuals to serve as a Parenting Coordinator shall submit an affidavit to the Administrative Family Court Judge or her/his designee together with the following:

(1) An affidavit attesting the applicant has qualifications found in Pa.R.Civ.P. 1915.11-1;

(2) An acknowledgment the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and the American Psychological Association (APA) Parenting Coordinator Guidelines; AFCC Parenting Coordinator guidelines are posted at <https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf> and the APA Parenting Coordinator Guidelines are posted at <https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>; and

(3) An acknowledgment that for every 2 fee generating Parenting Coordination assignments, he or she must accept one pro bono assignment (up to 12 hours per pro bono case).

(c) *Parenting Coordinator Recommendations*

(1) Parenting Coordinator shall file their Summary and Recommendations with the Prothonotary within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.Civ.P. 1915.11-1(f)(2).

(2) *Objections to Parenting Coordinator's Recommendation(s) and Petition for a Record Hearing.*

a. A party objecting to the Recommendations must file with the Prothonotary an original and copy of their Objections and a Petition for a Record Hearing before the Court within five days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator.

b. The Prothonotary shall promptly forward the original Objections and Petition to the Court Administrator's Office for assignment to the parties' Family Court Judge to promptly schedule a record hearing. If the matter is an emergency or time-sensitive and the assigned Family Court Judge is not available, the matter will be assigned to the Emergency Custody Judge to conduct a record hearing.

(3) *Court Review of Parenting Coordinator's Recommendations.*

If no objections to the Parenting Coordinator's Recommendation are filed with the Prothonotary within five days of service of the Summary and Recommendation, the Prothonotary shall transmit the file to the Court Administrator's Office to be assigned to the appointing Judge, if available, within a reasonable time, otherwise to any Family Court Judge for review of the Recommendation in accordance with Pa.R.C.P. 1915.11-1(f)(4).

(d) *Fees*

Parties who request the appointment of a Parenting Coordinator or who are identified by the Court as benefiting from the appointment of a Parenting Coordinator shall pay the Parenting Coordinator as follows:

(1) His or her hourly rate, which may be up to \$300.00 an hour; provided, however, if the parties combined monthly net income exceeds the mandatory minimum set forth in the Support Guidelines at 1910/16-2(e)(2) (currently \$30,000 per month), the Court may adjust the hourly rate;

(2) Absent good cause, each party shall pay up to \$500 as an initial retainer (\$1000.00 total) which may be reallocated as deemed appropriate by the Parenting Coordinator or the Court. See Pa.R.C.P. 1915.22(8).

(3) If a party is granted In Forma Pauperis status by the Court specifically for the appointment of a Parenting Coordinator, the Parenting Coordinator so appointed shall serve on a pro bono (no fee) basis, up to 12 hours.

(4) A Parenting Coordinator must accept one pro bono appointment for every two fee generating appointments.

(e) Chester County, through its Administrative Family Court Judge, has entered into a 5 County Compact on Parenting Coordination with Philadelphia County, Montgomery County, Delaware County and Bucks County. The terms of that Compact are incorporated herein, and a copy is annexed hereto.

By the Court

JACQUELINE CARROLL CODY,
President Judge

APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING
COORDINATOR FOR CHESTER COUNTY

AFFIDAVIT—ATTORNEY

I, _____, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.C.P. 1915.11-1(b) and the 5 County Compact entered into by Philadelphia, Bucks, Montgomery, Delaware and Chester Counties, as follows:

1. _____ I am licensed to practice in the Commonwealth of Pennsylvania.
 My Attorney ID number is _____ .
 _____ My license is in good standing.
 _____ I have never been subject to attorney discipline. (If Applicant has been subject to discipline, provide details on separate sheet).
 _____ I have practiced family law for _____ years, as follows (or attach CV):

2. _____ I have obtained the special training required by the Rule, and have attached verification for each training:
 _____ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice.
 Date of training: _____
 Provider: _____
 _____ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted).
 Date of training: _____
 Provider: _____
 _____ hours of Domestic Violence training.
 Date of training: _____
 Provider: _____

3. _____ I understand that to remain qualified as a Parenting Coordinator in each 2 year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.

4. _____ I maintain Professional Liability insurance of \$ _____, which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.

5. _____ I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$ _____.

6. _____ I acknowledge that I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the Court is grounds for removal from the roster maintained by this county, and that any removal shall be communicated to the member counties enrolled in the 5 County Compact.

7. _____ I have read Pa.R.C.P 1915.11-1 and understand the scope (and limits) of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.

8. _____ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Courts.
<https://www.apa.org/practice/guidelines/parenting-coordination>
<http://afccnet.org> (Guidelines for Parenting Coordination)

9. _____ I have read the 5 County Compact and understand the procedure for dealing with complaints and reporting among the member counties.

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) _____

Signature _____

Date: _____

FOR OFFICIAL USE ONLY

Qualifications Reviewed by: _____ (initials)

Place Application on Roster: Yes No

If No, state reasons:

J.

APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING COORDINATOR FOR CHESTER COUNTY

AFFIDAVIT—MENTAL HEALTH PROFESSIONAL

I, _____, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.C.P. 1915.11-1(b) and the 5 County Compact entered into by Philadelphia, Bucks, Montgomery, Delaware and Chester Counties, as follows:

- 1. I have the following professional degree: ... From (institution and date granted): ...
2. I am licensed to practice in the Commonwealth of Pennsylvania as a ... My license number is ... My license is in good standing. I have never been subject to professional discipline. I have ___ years of experience in dealing with families involved in child custody matters, as follows (or attach CV):
3. I have obtained the special training required by the Rule, and have attached verification for each training: ___ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice. Date of training: Provider: ___ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted). Date of training: Provider: ___ hours of Domestic Violence training. Date of training: Provider:
4. I understand that to remain qualified as a Parenting Coordinator in each 2 year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.
5. I maintain Professional Liability insurance of \$ _____, which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.
6. I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$ _____.
7. I acknowledge that I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the court is grounds for removal from the roster maintained by this county, and that any removal shall be communicated to the member counties enrolled in the 5 County Compact.

- 8. _____ I have read Pa.R.C.P 1915.11-1 and understand the scope (and limits) of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.
- 9. _____ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Courts.
<https://www.apa.org/practice/guidelines/parenting-coordination>
<http://afccnet.org> (Guidelines for Parenting Coordination)
- 10. _____ I have read the 5 County Compact and understand the procedure for dealing with complaints and reporting among the member counties.

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) _____

Signature _____

Date: _____

FOR OFFICIAL USE ONLY

Qualifications Reviewed by: _____ (initials)

Place Application on Roster: Yes No

If No, state reasons:

J.

Rev. 3/20/19

**PARENTING COORDINATION PROGRAM
 FIVE COUNTY COMPACT**

**BUCKS, CHESTER, DELAWARE, MONTGOMERY &
 PHILADELPHIA**

An attorney or mental health professional seeking to be included on the roster of qualified individuals to serve as a Parenting Coordinator in a member County shall submit a letter to the Administrative Judge of the Family Division of one of the member Counties together with the following:

- 1. Completion of the approved Form Affidavit attesting the applicant has the qualifications as set forth in Pa.R.Civ.P. 1915.11-1(b) "Qualifications of the Parenting Coordinator".
- 2. The following criteria shall apply to the qualifications:
 - A. Five hours in the parenting coordination process since August 9, 2018; provided that at least 2 of the 5 hours must be specific to Pennsylvania parenting coordination practice and procedure;
 - B. Ten hours of family mediation training within the last 10 years (an applicant with 40 hours of mediation training beyond 10 years may satisfy this requirement by verifying the 40 hours of training and significant family mediation practice within the last 10 years);
 - C. Five hours of training in domestic violence within the past 2 years;
 - D. Verification of current professional liability insurance via copy of said policy's coversheet/declaration page (which includes the provision of parenting coordination services);

E. Acknowledgement of responsibility to accept pro bono assignments for every 2 paid assignments;

F. If required by local rule, verification of Pennsylvania Act 33 child abuse and Act 34 criminal history clearances within the past two (2) years via copies of same;

G. Acknowledgement that the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordination Guidelines and the American Psychological Association (APA) Parenting Coordination Guidelines.

AFCC and APA Parenting Coordinator Guidelines are posted at:

<https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>

<https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>

- 3. Appointments for pro bono assignments shall be made on a rotating basis by each Court on the list maintained by that County. Each parenting coordinator must accept one (1) pro bono appointment for every two (2) fee-generating appointments in a county.
- 4. There shall be a twelve (12) hour maximum per year on each pro bono case assigned to a parenting coordinator.
- 5. Each Parenting Coordinator on the roster shall be required to notify the Court Administration of the applicable County, after they have received two fee generating cases in that County, in order to facilitate the appointment of a pro bono case. The failure to affirmatively report this information by a Parenting Coordinator or to accept a pro bono assignment may subject them to

removal from the roster. If a Parenting Coordinator is removed from the roster of a member County for this purpose, they shall share this information with the other member counties.

6. *FEES*:

A. The hourly rate shall not exceed \$300.00 an hour subject to the following exceptions:

a. If the parties combined monthly net income exceeds the mandatory minimum set forth in the Support Guidelines at 1910/16-2(e)(2) (currently \$30,000 per month), the Court may adjust the hourly rate;

b. If a party is granted In Forma Pauperis (IFP) status by the Court for the parenting coordination process.

B. The maximum initial retainer that may be requested shall be \$1,000.

7. Upon being added to the roster of one member County, a parenting coordinator may be added to the roster of another member County by submitting a letter requesting same with a copy of the approval that was obtained from another member County.

8. A Judge appointing a parenting coordinator may be guided by the parties/counsel in the selection of a specific parenting coordinator from the County roster (and/or shall otherwise select one from the roster).

9. Each member County shall establish a Committee to review and consider complaints received about a parenting coordinator and shall recommend removal of a parenting coordinator from the roster of that County for good cause. All complaints received and dispositions of same shall be shared with the other member Counties.

10. The aforementioned review Committee shall consist of the following: Family Court Administrative Judge (or their designee); the Judge who appointed the parent coordinator at issue (or their designee); Court Administrator representative, one family law attorney (from the roster of parenting coordinators) and one mental health professional (from the roster of parenting coordinators).

FORM AFFIDAVIT ATTACHED

[Pa.B. Doc. No. 19-657. Filed for public inspection May 3, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MERCER COUNTY

Local Rule of Civil Procedure L1301; No. 2019-1173

And Now, this 29th day of March, 2019, The Court Hereby *Approves, Adopts and Promulgates* Mercer County Local Rule of Civil Procedure L1301, effective thirty (30) days after the date publication in the *Pennsylvania Bulletin*, pursuant to Rule 103(c) of the Pennsylvania Rules of Judicial Procedure, and Rule 239 of the Pennsylvania Rules of Civil Procedure.

It is further *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy each of these orders with the Administrative Office of Pennsylvania Courts, furnish two (2) certified copies each to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and file one certified copy with the Civil Procedural Rules Committee.

It is further *Ordered and Directed* that this Rule shall be kept continuously available for public inspection and copying in the Office of the Prothonotary of Mercer County. Upon request and payment of reasonable costs of reproduction and mailing, these offices shall furnish to any person a copy of these Administrative Orders. This order shall be published in the *Mercer County Law Journal*.

By the Court

ROBERT G. YEATTS,
President Judge

ARBITRATION

Rule L1301. Scope.

All cases which are now or later at issue where the amount in controversy shall be thirty-five thousand dollars (\$35,000) or less, exclusive of interest and costs, except those involving title to real estate, shall be submitted to and be heard by a board of arbitrators consisting of three (3) members of the Bar in active practice in this county.

[Adopted March 29, 2019, effective 30 days after publication in the *Pennsylvania Bulletin*.]

[Pa.B. Doc. No. 19-658. Filed for public inspection May 3, 2019, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 682a AND 683a]

Four Card Prime and Cajun Stud; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority) adds Chapters 682a and 683a (relating to Four Card Prime; and Cajun Stud) to read as set forth in Annex A.

Purpose of this Final-Form Rulemaking

This final-form rulemaking will add two new table games to the compliment of games available for play in this Commonwealth.

Explanation

Sections 682a.1 and 683a.1 (relating to definitions) contain the definitions used throughout the chapters. Sections 682a.2 and 683a.2 (relating to Four Card Prime table physical characteristics; and Cajun Stud table physical characteristics) contain the physical characteristics of the table layout. Sections 682a.3 and 683a.3 (relating to cards; number of decks) detail the number of cards and decks used to play the game. Sections 682a.4 and 683a.4 (relating to opening of the table for gaming) address how the dealer is to open the table game for play.

Sections 682a.5 and 683a.5 (relating to shuffle and cut of the cards) detail how the cards are to be shuffled and cut. Sections 682a.6 and 683a.6 (relating to Four Card Prime rankings; and Cajun Stud rankings) address the rank of the cards and hands. Sections 682a.7 and 683a.7 (relating to wagers) outline the permissible wagers players may place during a round of play.

Sections 682a.8—682a.10 and 683a.8—683a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) address how the cards are to be dealt and the number of cards dealt to each player. Sections 682a.11 and 683a.11 (relating to procedure for completion of each round of play) specify how wagers are to be settled and a round of play completed. Sections 682a.12 and 683a.12 (relating to payout odds; Bad Beat Bonus; payout limitation; and payout odds; payout limitation) outline the permissible payout odds for winning wagers and allow the operator to place a payout limit, per player per round of play. Sections 682a.13 and 683a.13 (relating to irregularities) address how a dealer is to handle irregularities during play.

In Four Card Prime, the approved payout tables in § 682a.12 have a hold percentage of between 2.13% and 2.63% for required wagers. For optional wagers, the hold percentage ranges from 1.11% to 6.6% for the Aces Bonus Wager, between 6.74% to 18.1% for the All Six Bonus Wager and from 4.74% to 9.8% for the Prime Wager.

In Cajun Stud, the approved payout tables in § 683a.12 have a hold percentage of between 1.37% and 4.28% for the required wagers. For optional wagers, the hold percentage ranges from 7.18% to 8.71% for the Lo Ball

Wager, between 2.14% and 7.1% for the Board Bonus, between 6.74% and 18.1% for the All Six Bonus Wager (the same wager offered in Four Card Prime) and between 4.52% and 9.95% for the Pocket Bonus Wager.

Comment and Response Summary

Notice of the proposed rulemaking was published at 47 Pa.B. 1495 (March 11, 2017). The Board did not receive comments from the regulated community, but did receive comments from the Independent Regulatory Review Commission (IRRC) regarding the proposed rulemaking. The comments made by IRRC addressed §§ 683a.8, 683a.9 and 683a.11. The comments requested clarity regarding the sequential order in which the cards are dealt, and also clarity regarding the player's obligation to keep his or her cards in view of the dealer. Both comments were addressed and the recommended changes made.

Fiscal Impact

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

Political Subdivisions. This final-form rulemaking will have no fiscal impact on political subdivisions of this Commonwealth.

Private Sector. The amendments contained in this final-form rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Four Card Prime or Cajun Stud within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and purchase new equipment—specifically table layouts corresponding to the game and wagers offered. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General Public. This final-form rulemaking will have no fiscal impact on the general public.

Paperwork Requirements

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

Effective Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), the Board submitted a copy of the proposed rulemaking, published at 47 Pa.B. 1495 (March 11, 2017) and a copy of the Regulatory Analysis Form to IRRC and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee.

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

as other documents when requested. With regard to this final-form rulemaking, no comments were received from the Committees.

Under section 5a(j.2) of the Regulatory Review Act, this final-form rulemaking was deemed approved by the Committees. IRRC met on March 21, 2019, and approved the regulations in accordance with section 5a(e) of the Regulatory Review Act.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) 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 Chapters 682a and 683a to read as set forth in Annex A.

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

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

DAVID M. BARASCH,
Chairperson

(*Editor's Note:* See 49 Pa.B. 1735 (April 6, 2019) for IRRC's approval order.)

Fiscal Note: 125-204. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 682a. FOUR CARD PRIME

Sec.	
682a.1.	Definitions.
682a.2.	Four Card Prime table physical characteristics.
682a.3.	Cards; number of decks.
682a.4.	Opening of the table for gaming.
682a.5.	Shuffle and cut of the cards.
682a.6.	Four Card Prime rankings.
682a.7.	Wagers.
682a.8.	Procedures for dealing the cards from a manual dealing shoe.
682a.9.	Procedures for dealing the cards from the hand.
682a.10.	Procedures for dealing the cards from an automated dealing shoe.
682a.11.	Procedures for completion of each round of play.
682a.12.	Payout odds; Bad Beat Bonus; payout limitation.
682a.13.	Irregularities.

§ 682a.1. Definitions.

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

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

Ante Wager—The wager that a player is required to make prior to any cards being dealt to compete against the dealer's hand.

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

Bad Beat Bonus—A payout based on the player's Ante Wager when the rank of the player's four card hand is a three-of-a-kind or higher but is lower in rank than the dealer's four card hand.

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

Raise Wager—An additional wager of one, two or three times the player's Ante Wager that a player shall make if the player opts to remain in competition against the dealer.

Win Bonus—An additional payout based on the value of the player's Ante Wager when the rank of the player's four card hand is a three-of-a-kind or higher and is higher in rank than the dealer's four card hand.

§ 682a.2. Four Card Prime table physical characteristics.

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

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

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

(2) Two separate betting areas designated for the placement of Ante and Raise Wagers for each player.

(3) If the certificate holder offers the optional Prime Wager authorized under § 682a.7(d)(2) (relating to wagers), the Aces Bonus Wager authorized under § 682a.7(d)(3) or the All-Six Bonus Wager authorized under § 682a.7(d)(4), a separate area designated for the placement of each of the wagers for each player.

(4) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Four Card Prime table.

(5) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 682a.12(g) (relating to payout odds; Bad Beat Bonus; payout limitation), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Four Card Prime table.

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

(d) Each Four Card Prime table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 682a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Four Card Prime shall be played with one deck of 52 cards that are identical in appearance and one cover card.

(b) If an automated card shuffling device is utilized, Four Card Prime may be played with two decks of 52 cards in accordance with the following requirements:

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

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

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

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

(c) The decks of cards used in Four Card Prime shall be changed at least every:

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

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

§ 682a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 682a.5 (relating to shuffle and cut of the cards).

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

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

§ 682a.5. Shuffle and cut of the cards.

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

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

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 682a.8, § 682a.9 or § 682a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

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

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

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

(f) If there is no gaming activity at a Four Card Prime table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 682a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

§ 682a.6. Four Card Prime rankings.

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

(b) The permissible Poker hands in the game of Four Card Prime, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with an

ace, king, queen and jack being the highest ranking straight flush and an ace, 2, 3 and 4 being the lowest ranking straight flush.

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

(4) A flush, which is a hand consisting of four cards of the same suit, regardless of rank.

(5) A straight, which is a hand consisting of four cards of more than one suit and of consecutive rank, with an ace, king, queen and jack being the highest ranking straight and an ace, 2, 3 and 4 being the lowest ranking straight.

(6) Two pairs, which is a hand consisting of two sets of two cards of the same rank, with two aces and two kings being the highest ranking two pairs and two 3s and two 2s being the lowest ranking two pair.

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

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

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

(1) Four aces, which is a hand consisting of four aces.

(2) A four-of-a-kind, which is a hand consisting of four cards of the same rank, other than four aces.

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

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

(5) Three aces, which is a hand consisting of three aces.

(6) A three-of-a-kind, which is a hand consisting of three cards of the same rank, other than three aces.

(7) A flush, which is a hand consisting of five cards of the same suit.

(8) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

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

(10) Two aces, which is a hand consisting of two aces.

(e) If a certificate holder offers the All-Six Bonus Wager, the rank of the hands shall be:

(1) A six-card royal flush, which is a hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

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

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

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

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

(6) A flush, which is a hand consisting of five cards of the same suit.

(7) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

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

§ 682a.7. Wagers.

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

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

(c) All wagers, except the Raise Wager, shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 682a.8, § 682a.9 or § 682a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 682a.11(b) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Four Card Prime:

(1) A player may compete solely against the dealer's Four Card Prime hand by placing an Ante Wager then a Raise Wager, in an amount equal to one, two or three times the player's Ante Wager, in accordance with § 682a.11(b).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Four Card Prime table the option to make an additional Prime Wager which shall win if at least four of player's five cards are of the same color.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Prime table the option to make an additional Aces Bonus Wager, which shall win if the player's five cards contains a pair of aces or better as provided in § 682a.6(d) (relating to Four Card Prime rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Prime table the option to make an additional All-Six Bonus Wager, which shall win if the player's five cards and the additional All-Six Bonus card forms a three-of-a-kind or better as provided in § 682a.6(e).

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

§ 682a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the

Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 682a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

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

(c) If a player has placed an All-Six Bonus Wager, the dealer shall deal the first card face down to the area of the layout designated for the All-Six Bonus card. Thereafter, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 682a.7(d)(1) (relating to wagers) and to the dealer until each player who placed an Ante Wager has five cards and the dealer has six cards. All cards shall be dealt face down.

(d) After five cards have been dealt to each player and six cards to the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (e), place the stub in the discard rack without exposing the cards.

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

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

§ 682a.9. Procedures for dealing the cards from the hand.

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

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

(2) After the procedures required under § 682a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

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

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. If a player has placed an All-Six Bonus Wager, the dealer shall deal the first card face down to the area of the layout designated for the All-Six Bonus card. Thereafter, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 682a.7(d)(1) (relating to wagers) and to the dealer until each player who placed an Ante Wager has five cards and the dealer has six cards. All cards shall be dealt face down.

(c) After five cards have been dealt to each player and six cards to the dealer, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

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

§ 682a.10. Procedures for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 682a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

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

(b) The dealer shall deliver the first stack of five cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed an Ante Wager in accordance with § 682a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of five cards face down to the area designated for the placement of the dealer’s cards. The dealer shall then remove the next stack of five cards dispensed by the automated dealing shoe and if any player placed an All-Six Bonus Wager, the dealer shall deal the top card of the stack face down to the area of the layout designated for the All-Six Bonus card. The dealer shall then deal a sixth card face down to the dealer’s hand and place the remaining cards in the discard rack.

(c) After all cards have been dispensed and delivered in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

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

§ 682a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 682a.8, § 682a.9 or § 682a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Raise Wager in an amount equal to one, two or three times the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and an optional Prime, Aces Bonus or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager but does not forfeit the Prime, Aces Bonus or All-Six Bonus Wagers.

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

(d) The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking four card hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the cards of each player face up on the layout and compare the player's four card hand to the dealer's four card hand.

(2) If the player's highest ranking four card hand is:

(i) Higher than or equal to the dealer's hand, as described in § 682a.6(b) (relating to Four Card Prime rankings), the dealer shall pay the winning Ante and Raise Wagers in accordance with § 682a.12(a) (relating to payout odds; Bad Beat Bonus; payout limitation). Additionally, after paying the player's winning Ante and Raise Wagers, if the player's hand is a three-of-a-kind or better, the dealer shall pay a Win Bonus, based on the value of the player's Ante Wager, in accordance with § 682a.12(b).

(ii) Lower than the dealer's hand, and the player's losing hand:

(A) Is not a three-of-a-kind or better, the dealer shall collect the player's losing Ante and Raise Wagers.

(B) Is a three-of-a-kind or better, the dealer shall collect the player's losing Raise Wager, return the player's Ante Wager and pay the player a Bad Beat Bonus on the player's Ante Wager, in accordance with § 682a.12(c).

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

(1) For the Prime Wager, if four or more of the player's five cards:

(i) Are not the same color, the dealer shall collect the losing Prime Wager.

(ii) Are of the same color, the dealer shall pay the winning Prime Wager in accordance with § 682a.12(d).

(2) For the Aces Bonus Wager, if the player's five card hand:

(i) Does not contain a pair of aces or better, as described in § 682a.6(d), the dealer shall collect the losing Aces Bonus Wager.

(ii) Contains a pair of aces or better, as described in § 682a.6(d), the dealer shall pay the winning Aces Bonus Wager in accordance with § 682a.12(e).

(3) For the All-Six Bonus Wager, the dealer shall expose the All-Six Bonus card and combine it with the player's five cards to form the highest ranking six-card hand as provided in § 682a.6(e). If the hand:

(i) Does not contain a three-of-a-kind or better, as described in § 682a.6(e), the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, as described in § 682a.6(e), the dealer shall pay the winning All-Six Bonus Wager in accordance with § 682a.12(f).

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

§ 682a.12. Payout odds; Bad Beat Bonus; payout limitation.

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

(b) A certificate holder shall pay a Win Bonus based on the value of the player's Ante Wager in accordance with the following payout table:

<i>Hand</i>	<i>Payout</i>
Four-of-a-kind	25 for 1
Straight flush	20 for 1
Three-of-a-kind	2 for 1

(c) A certificate holder shall pay a Bad Beat Bonus on the player's Ante Wager in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Four-of-a-kind	25 to 1	50 to 1	100 to 1	100 to 1
Straight flush	20 to 1	40 to 1	50 to 1	50 to 1
Three-of-a-kind	2 to 1	5 to 1	5 to 1	10 to 1

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
All five the same color	6 to 1	5 to 1
Four of the same color	1 to 1	1 to 1

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Four aces	500 to 1	500 to 1	500 to 1	500 to 1
Four-of-a-kind	100 to 1	100 to 1	100 to 1	100 to 1
Royal flush	50 to 1	40 to 1	50 to 1	50 to 1
Straight flush	30 to 1	30 to 1	40 to 1	30 to 1
Three aces	20 to 1	15 to 1	25 to 1	20 to 1
Three-of-a-kind	10 to 1	10 to 1	10 to 1	10 to 1
Flush	5 to 1	5 to 1	5 to 1	5 to 1
Straight	4 to 1	4 to 1	3 to 1	3 to 1
Two pair	2 to 1	2 to 1	2 to 1	2 to 1
Two Aces	1 to 1	1 to 1	1 to 1	1 to 1

<i>Hand</i>	<i>Paytable E</i>	<i>Paytable F</i>	<i>Paytable G</i>	<i>Paytable H</i>
Four aces	500 to 1	50 to 1	50 to 1	50 to 1
Four-of-a-kind	100 to 1	50 to 1	50 to 1	50 to 1
Royal flush	50 to 1	30 to 1	30 to 1	40 to 1
Straight flush	20 to 1	30 to 1	30 to 1	40 to 1
Three aces	15 to 1	7 to 1	9 to 1	8 to 1
Three-of-a-kind	10 to 1	7 to 1	9 to 1	8 to 1
Flush	5 to 1	6 to 1	6 to 1	5 to 1
Straight	3 to 1	5 to 1	4 to 1	4 to 1
Two pair	2 to 1	2 to 1	2 to 1	3 to 1
Two Aces	1 to 1	1 to 1	1 to 1	1 to 1

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1
Full house	25 to 1	25 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1
Straight	10 to 1	10 to 1	9 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1

<i>Hand</i>	<i>Paytable D</i>	<i>Paytable E</i>
Six-card royal flush—diamonds		200,000 to 1
Six-card royal flush—hearts, spades or clubs		20,000 to 1
Royal flush	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1
Four-of-a-kind	100 to 1	50 to 1
Full house	20 to 1	20 to 1
Flush	15 to 1	15 to 1
Straight	10 to 1	10 to 1
Three-of-a-kind	7 to 1	5 to 1

(g) Notwithstanding the payout odds in subsections (e) and (f), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. However, if the certificate holder is offering the All-Six Bonus Wager and selects payable E, the aggregate payout limit established may not include the payout for the six card royal flush.

§ 682a.13. Irregularities.

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

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

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

(d) If one or more of the dealer's cards is inadvertently exposed prior to the player's placing their Raise Wagers in accordance with § 682a.11(b) (relating to procedures for completion of each round of play), all hands shall be void, all Ante and Raise Wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Prime, Aces Bonus or All-Six Bonus Wager, those wagers shall be settled in accordance with § 682a.11(e).

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

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

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

CHAPTER 683a. CAJUN STUD

Sec.

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- 683a.11. Procedures for completion of each round of play.
- 683a.12. Payout odds; payout limitation.
- 683a.13. Irregularities.

§ 683a.1. Definitions.

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

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

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

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

Community card—A card which is used by all players to form the best possible five-card Poker hand.

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

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

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

Raise Wager—An additional wager of one, two or three times the player's Ante Wager that a player shall make after examining the two cards dealt to the player and after the first and second community cards are revealed if the player opts to remain in the round of play.

§ 683a.2. Cajun Stud table physical characteristics.

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

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

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Ante Wager and three separate betting areas designated for the placement of the Raise Wagers for each player.
- (3) If the certificate holder offers the optional Pocket Bonus Wager authorized under § 683a.7(d)(2) (relating to wagers), the Board Bonus Wager authorized under § 683a.7(d)(3), the Lo Ball Wager authorized under § 683a.7(d)(4) or the All-Six Bonus Wager authorized under § 683a.7(d)(5), a separate area designated for the placement of each of the wagers for each player.

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

(5) If the certificate holder establishes a payout limit, per player, per round of play, as authorized under § 683a.12(f) (relating to payout odds; payout limitation), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Cajun Stud table.

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

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

§ 683a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Cajun Stud shall be played with one deck of 52 cards that are identical in appearance and one cover card.

(b) If an automated card shuffling device is utilized, Cajun Stud may be played with two decks of 52 cards in accordance with the following requirements:

- (1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.
- (2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.
- (3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.

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

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

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

§ 683a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 683a.5 (relating to shuffle and cut of the cards).

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

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

§ 683a.5. Shuffle and cut of the cards.

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

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

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

- (1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 683a.8, § 683a.9 or § 683a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

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

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

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

(f) If there is no gaming activity at a Cajun Stud table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 683a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

§ 683a.6. Cajun Stud rankings.

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

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

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

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

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

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

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

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

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

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

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

(c) If a certificate holder offers the Pocket Bonus Wager, the player's two cards eligible for a payout shall be:

(1) A pair of aces, which is a hand consisting of two aces.

(2) Suited Ace, which is a hand consisting of a jack, queen or king and an ace all of the same suit.

(3) Unsuited Ace, which is a hand consisting of a jack, queen or king and an ace of different suits.

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

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

(1) A mini-royal, which is a hand consisting of an ace, king and queen of the same suit.

(2) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, other than a mini-royal.

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

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

(5) A flush, which is a hand consisting of three cards of the same suit, regardless of rank.

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

(e) If a certificate holder offers the All-Six Bonus Wager, the rank of the hands shall be:

(1) A six-card royal flush, which is a hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

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

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

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

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

(6) A flush, which is a hand consisting of five cards of the same suit.

(7) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

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

§ 683a.7. Wagers.

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

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

(c) All wagers, except Raise Wagers, shall be placed prior to the dealer announcing "no more bets" in accord-

ance with the dealing procedures in § 683a.8, § 683a.9 or § 683a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 683a.11(b), (d) and (f) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

(d) The following wagers may be placed in the game of Cajun Stud:

(1) To compete in a round of play, a player shall place an Ante Wager then Raise Wagers, in an amount equal to one, two or three times the player’s Ante Wager, in accordance with § 683a.11(b), (d) and (f).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Cajun Stud table the option to make an additional Pocket Bonus Wager which shall win if the two cards dealt to the player are a pair or better as provided in § 683a.6(c) (relating to Cajun Stud rankings).

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Cajun Stud table the option to make an additional Board Bonus Wager, which shall win if the three community cards contains a pair or better as provided in § 683a.6(d).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Cajun Stud table the option to make an additional Lo Ball Wager which shall win if the highest five card hand formed from the player’s two cards and the three community cards is a single Jack or lower or a single Queen or lower, depending on the payout table selected by the certificate holder.

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Cajun Stud table the option to make an additional All-Six Bonus Wager, which shall win if the player’s two cards and the four additional All-Six cards form a three-of-a-kind or better as provided in § 683a.6(e).

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

§ 683a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 683a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

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

(c) If a player has placed an All-Six Bonus Wager, the dealer shall deal the first four cards face down to the area of the layout designated for the All-Six Bonus cards. Thereafter, starting with the player farthest to the deal-

er’s left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 683a.7(d)(1) (relating to wagers) until each player who placed an Ante Wager has two cards. All cards shall be dealt face down to the players.

(d) After two cards have been dealt to each player, three cards shall be dealt face down to the area designated for the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (e), place the stub in the discard rack without exposing the cards.

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

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

§ 683a.9. Procedures for dealing the cards from the hand.

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

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

(2) After the procedures required under § 683a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

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

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. If a player has placed an All-Six Bonus Wager, the dealer shall deal the first four cards face down to the area of the layout designated for the All-Six Bonus cards. Thereafter, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 683a.7(d)(1) (relating to wagers) until each player who placed an ante wager has two cards. All cards shall be dealt face down to the players.

(c) After two cards have been dealt to each player, three cards shall be dealt face down to the area designated for the community cards, the dealer shall remove

the stub from the manual dealing shoe and, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

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

§ 683a.10. Procedures for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 683a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

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

(b) The dealer shall deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed an Ante Wager in accordance with § 683a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager.

(c) After each stack of two cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the automated dealing shoe and follow the procedures in § 683a.9(a)(2) (relating to procedures for dealing the cards from the hand) and deal the remaining cards as follows:

(1) If any player placed an All-Six Bonus Wager, deal four cards face down to the area of the layout designated for the placement of the All-Six Bonus Wager.

(2) Deal the three community cards. Except as provided in subsection (d), after all three community cards have been dealt, the dealer shall place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

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

§ 683a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 683a.8, § 683a.9 or § 683a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer’s left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Raise Wager in an amount equal to one, two or three times the player’s Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager but does not forfeit the Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wagers. After each player who has placed an Ante Wager has either placed a Raise Wager on the designated area of the layout or forfeited his Ante Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, and place the cards in the discard rack.

(c) Once all players have either placed a Raise Wager or folded, the dealer shall turn over and reveal the first community card.

(d) Each player shall then make a second Raise Wager, in an amount equal to one, two or three times the player’s Ante Wager or forfeit the Ante Wager and the first Raise Wager and end his participation in the round of play. If a player has placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager and the first Raise Wager but does not forfeit the Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wagers. After each player who has placed an Ante Wager has either placed a second Raise Wager on the designated area of the layout or forfeited, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, and place the cards in the discard rack.

(e) Once all remaining players have either placed a second Raise Wager or folded, the dealer shall turn over and reveal the second community card.

(f) Each player shall then make a third Raise Wager, in an amount equal to one, two or three times the player’s

Ante Wager or forfeit the Ante Wager and the first and second Raise Wagers and end his participation in the round of play. If a player has placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager and the first and second Raise Wagers but does not forfeit the Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wagers. After each player who has placed an Ante Wager has either placed a third Raise Wager on the designated area of the layout or forfeited, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, and place the cards in the discard rack.

(g) Once all remaining players have either placed a third Raise Wager or folded, the dealer shall turn over and reveal the third community card.

(h) Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the player's cards. The dealer shall then evaluate and announce the best possible five-card Poker hand that can be formed using the player's two cards and the three community cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All Ante and Raise wagers shall be settled as follows:

(1) If a player's highest ranking five card hand is a pair of sixes or higher, as provided in § 683a.6(b) (relating to Cajun Stud hand rankings), the dealer shall pay the winning Ante and Raise Wagers in accordance with § 683a.12(a) (relating to payout odds; payout limitation).

(2) If a player's highest ranking five card hand is lower than a pair of sixes, as provided in § 683a.6(b), the dealer shall collect the player's losing Ante and Raise Wagers.

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

(1) For the Pocket Bonus Wager, if the two cards dealt to the player:

(i) Are not a pair or better, as provided in § 683a.6(c), the dealer shall collect the losing Pocket Bonus Wager.

(ii) Are a pair or better, as provided in § 683a.6(c), the dealer shall pay the winning Pocket Bonus Wager in accordance with § 683a.12(b).

(2) For the Board Bonus Wager, if the three community cards:

(i) Do not contain a pair or better, as provided in § 683a.6(d), the dealer shall collect the losing Board Bonus Wager.

(ii) Contains a pair or better, as provided in § 683a.6(d), the dealer shall pay the winning Board Bonus Wager in accordance with § 683a.12(c).

(3) For the Lo Ball Wager, if the player's five card hand formed from the player's two cards and the three community cards:

(i) Forms a five card Poker hand, as provided in § 683a.6(b) or is higher than a single Jack or a single Queen, depending on the payout table selected by the certificate holder, the dealer shall collect the losing Lo Ball Wager.

(ii) Does not form a five card Poker hand, as provided in § 683a.6(b), but is a single Jack or lower, or a single Queen or lower, depending on the payout table selected by the certificate holder, the dealer shall pay the winning Lo Ball Wager in accordance with § 683a.12(d).

(4) For the All-Six Bonus Wager, the dealer shall expose the four All-Six Bonus cards and combine them with the player's two cards to form the highest ranking six-card hand as provided in § 683a.6(e). If the hand:

(i) Does not contain a three-of-a-kind or better, as provided in § 683a.6(e), the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, as provided in § 683a.6(e), the dealer shall pay the winning All-Six Bonus Wager in accordance with § 683a.12(e).

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

§ 683a.12. Payout odds; payout limitation.

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	500 to 1	500 to 1	500 to 1
Straight flush	100 to 1	100 to 1	100 to 1
Four-of-a-kind	40 to 1	40 to 1	40 to 1
Full house	10 to 1	11 to 1	11 to 1
Flush	6 to 1	7 to 1	7 to 1
Straight	4 to 1	4 to 1	5 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1
Two pair	2 to 1	3 to 2	3 to 2
Pair of jacks or better	1 to 1	1 to 1	1 to 1
Pair of 6s to 10s	Push	Push	Push

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Pair of aces	30 to 1	25 to 1	30 to 1
Ace and a king, queen or jack of the same suit	20 to 1	20 to 1	20 to 1
Ace and a king, queen or jack of different suits	10 to 1	10 to 1	10 to 1
Pair of 2s—kings	5 to 1	5 to 1	4 to 1

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Mini-royal	40 to 1	40 to 1	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1	1 to 1

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
7 high	100 to 1	100 to 1
8 high	50 to 1	50 to 1
9 high	15 to 1	10 to 1
10 high	5 to 1	5 to 1
Jack high	1 to 1	1 to 1
Queen high	Loss	Push

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1
Full house	25 to 1	25 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1
Straight	10 to 1	10 to 1	9 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1

<i>Hand</i>	<i>Paytable D</i>	<i>Paytable E</i>
Six-card royal flush—diamonds		200,000 to 1
Six-card royal flush—hearts, spades or clubs		20,000 to 1
Royal flush	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1
Four-of-a-kind	100 to 1	50 to 1
Full house	20 to 1	20 to 1
Flush	15 to 1	15 to 1
Straight	10 to 1	10 to 1
Three-of-a-kind	7 to 1	5 to 1

(f) Notwithstanding the payout odds in subsection (a), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum Ante and Raise Wager, whichever is greater.

§ 683a.13. Irregularities.

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

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

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

(d) If any of the community cards are exposed prior to the dealer revealing the community cards in accordance with § 683a.11(c), (e) and (g) (relating to procedures for

completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, those wagers shall be settled in accordance with § 683a.11(i).

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

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

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

[Pa.B. Doc. No. 19-659. Filed for public inspection May 3, 2019, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF REVENUE

[61 PA. CODE CH. 876]

iLottery Games

The Department of Revenue (Department), is proposing permanent regulations to facilitate its responsibilities for iLottery implementation in this Commonwealth under the authority in 4 Pa.C.S. § 503 (relating to iLottery authorization) that granted the Secretary of the Department with the authority to offer iLottery games and under the general authority in section 303(a) of The State Lottery Law (72 P.S. § 3761-303(a)). Under section 503(b)(1) of Act 42 of 2017 (P.L. 419, No. 42) (act), the Department proposes amendments to the temporary regulations at 61 Pa. Code Chapter 876 (relating to iLottery games—temporary regulations) for permanent regulations as set forth in Annex A.

The act requires that the temporary regulations will expire no later than 2 years following the publication in the *Pennsylvania Bulletin*. The temporary regulations were published at 48 Pa.B. 1829 (March 31, 2018); therefore, the temporary regulations will expire no later than March 31, 2020.

Purpose of this Proposed Rulemaking

The purpose of this proposed rulemaking is to promulgate permanent rules associated with iLottery implementation in this Commonwealth. The Department, through the Secretary, is responsible for implementing iLottery, which will result in the generation of revenue dedicated to and deposited in the State Lottery Fund. Specifically, the Pennsylvania State Lottery, defined in the regulation as the “Bureau,” is responsible for the administration and operation of the lottery. The efficient and successful operation of the lottery requires that the Bureau implement the latest innovations and trends in the industry. The inability to adapt quickly may lead to a reduction in lottery revenues.

Explanation of Regulatory Requirements

The creation of Chapter 876 during the temporary regulations process addressed certain statutory requirements of the act, including iLottery terms and conditions and self-exclusion requirements. The temporary regulations also addressed iLottery games and the rules associated with those games. The permanent regulations provide for rules which were previously only referenced in the iLottery terms and conditions. Registered iLottery player requirements, self-exclusion requirements, along with categories of games and their associated rules will be addressed in permanent rules to be promulgated in this proposed rulemaking.

Changes to the temporary regulations include:

The title of the chapter is changed to iLottery to clarify that this section of the regulations provides for more than information related to iLottery games.

Section 876.2 (relating to definitions) is amended to add new definitions for terms used in this proposed rulemaking: “bonus money,” “bureau,” “cash-out games,” “drawing,” “fixed payouts,” “instant win game,” “lottery products,” “lotto game,” “numbers game,” “pari-mutuel,” “prize or lottery prize,” “prize pool or pools,” “prize tiers,” “progressive,” “purchase price,” “randomizer,” “random number generator,” “responsible gambling tools,” “secre-

tary,” “subscription services,” “top prize,” “traditional lottery products,” “winning play” and “winning numbers.” It is also amended to modify the following definitions for clarity: “iLottery,” and “lottery account.”

Section 876.2a (relating to lottery products available through iLottery) is an entirely new section and reiterates the power vested with the Secretary under section 303 to determine the type of lottery to be conducted.

Section 876.2b (relating to traditional lottery products) is an entirely new section, which establishes that traditional lottery products sold through iLottery may be electronically delivered to the registered iLottery player’s lottery account. Further, it clarifies that traditional lottery products sold through iLottery will be governed by the applicable traditional lottery regulations.

Section 876.2c (relating to categories of iLottery games) is an entirely new section, which sets forth the categories of iLottery games that the Secretary may authorize and that the Bureau may offer, the ways in which the winners or outcomes of a game or a play are determined, how often iLottery game outcomes are determined and iLottery game prize structures. iLottery games may combine any number of the characteristics set forth in subsections (a)—(d) of the regulations, which is provided for under subsection (e).

Section 876.2d (relating to iLottery game rules by category of game offered) replaces § 876.3 (relating to notice of iLottery game rules) and describes how the Bureau will notify players of new games offered by the Bureau, which may include any combination of the criteria described in § 876.2c regarding categories of iLottery games.

Section 876.3 is reserved.

Section 876.4 (relating to iLottery game description) is amended to remove the phrase “Pennsylvania Lottery’s iLottery” web site and replace it with a reference to the Bureau’s web site generally, in addition to the Bureau’s mobile application.

Section 876.4(2) is amended to provide for a range of purchase prices for an iLottery game play.

Section 876.4(6) is amended to remove the word “procedure” and replace it with the more accurate term “instructions.” Additionally, § 876.4(6) is revised to include the phrase “if applicable” at the beginning of the subparagraph and to remove it from elsewhere in the subsection.

Section 876.7 (relating to general provisions) is amended for clarity to include within subsections (a), (b) and (d), the phrase “and to purchase lottery products using a lottery account.”

Section 876.8 (relating to applicability) is amended for clarity to include both iLottery and the sale of lottery products.

Section 876.9 (relating to iLottery terms and conditions) is amended in subsection (a) to include the applicability of the terms and conditions to a lottery account. Further, this section is amended to state that the iLottery terms and conditions will be published in the *Pennsylvania Bulletin*. Two paragraphs are added to subsection (a), which explain where copies of the terms and conditions and amendments thereto can be located. Subsection (b) is amended to include the applicability of the terms and conditions to lottery accounts. Subsection (b)(1)(vi) is

revised to remove the phrase “forfeiture and escheatment of” and replace it with a reference to abandoned and unclaimed property, which is language taken directly from The Fiscal Code (72 P.S. §§ 1301.1—1805). Subsection (b)(1)(vi) is also revised to remove the phrase “that account has been dormant for” and replace with a more accurate description of the action or inaction that will result in the funds becoming abandoned or unclaimed property. Subsection (b)(1)(vii) involving account closure is revised to include subparagraphs (C)—(E) for consistency throughout this proposed rulemaking. Subsection (b)(1)(xi) is revised to change the section name referenced within the subsection. Subsection (b)(1)(xiii) is revised to broaden the possible responsible gambling tools that may be available to registered iLottery players and communicated through the iLottery terms and conditions. Subsection (b)(1)(xiv) is revised to indicate that a registered iLottery player’s self-exclusion may have an impact on the individual’s ability to access or use their lottery account. Subsection (b)(1)(xxi) is added to address the provision in the State Lottery Law which allows individuals to purchase lottery tickets for the benefit of another person. Subsection (b)(2)(iii) is revised to clarify that the prohibition against the use of software during participation in iLottery shall not prohibit the use of adaptive technologies for a registered iLottery player with a disability as defined by the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101—12213). Subsection (b)(2)(vi) is revised for purposes of clarification. Throughout § 876.9, the term “fund” is replaced with the term “moneys” for clarification.

Section 876.10 (relating to iLottery registration and participation) is amended at subsection (c) for clarity to include the establishment of a lottery account in addition to the registration for iLottery. Additionally, the phrase “the individual’s” is added to most of the paragraphs for clarity whose information is required. The phrase “for a foreign person such as a passport or taxpayer identification number” was removed and replaced with the more encompassing phrase “comparable equivalent.” Subsection (d) is amended to include the phrase “as set forth in the iLottery terms and conditions” to indicate where a registered iLottery player may locate information regarding supporting documentation and how it can be submitted. Subsection (f) is amended to remove the phrase “lottery account user” which was replaced with the defined term “registered iLottery player.” Subsection (g) is amended for consistency and clarification to include that the prohibition extends to the establishment of a lottery account. Subsection (h) is amended to include the phrase “chance or share or purchase lottery products using a lottery account” for purposes of consistency and to include the word “that” for clarification. Subsection (i) is amended to include a second sentence for purposes of clarification. Subsection (k) is included to provide for communications related to lottery accounts and iLottery to occur electronically. Subsection (l) is added to clarify that lottery accounts must be created through the Bureau’s web site or the Bureau’s mobile application. Subsection (m) is included to inform registered iLottery players that they may close their accounts at any time. Subsection (n) is included to inform registered iLottery players who close their accounts that their information may be retained for fraud prevention measures. Subsection (o) is added to inform registered iLottery players about the process of closing their lottery account.

Section 876.10a (relating to lottery account requirements) is added to expand upon the lottery account requirements, which previously appeared in the terms

and conditions. Subsections (1) and (2) require registered iLottery players shall be subject to the end user license agreements for software and services used in the provision of iLottery. Subsection (3) requires the confirmation of the registered iLottery player’s age and identity. Subsection (4) requires the registered iLottery player to provide true and correct information to the Bureau. Subsection (5) and (6) subject the registered iLottery player to the continuous monitoring and recording of account information, including transactions and physical location. Subsection (7) provides for the suspension or closure of a lottery account under the circumstances listed therein. Subsection (8) requires a registered iLottery player to comply with all applicable laws, statutes, regulations and the iLottery terms and conditions. Subsection (9) requires a registered iLottery player.

Section 876.11 (relating to purchase and prize restrictions) is amended to include paragraph (d), which prohibits the cancellation of a play or lottery product by a registered iLottery player once a play or product has been purchased.

Section 876.11a (relating to methods to fund a lottery account) is added to include requirements that were previously only addressed in the iLottery terms and conditions. Subsection (a) is added to clarify that a registered iLottery player is required to deposit money in their account prior to purchasing a play or other lottery product through a lottery account. Subsection (b) is added to specify that the Secretary will determine which specific payment methods will be available and where that information can be located. Subsection (c) is added to list the wide array of payment methods available and clarifies that the available payment options are at the discretion of the Secretary. Subsection (d) is added to allow the Secretary to establish limits related to different types of deposit methods. Subsection (e) is added to allow for a minimum deposit amount.

Section 876.11b (relating to lottery account moneys and credits) is added to include requirements which were previously only set forth in the iLottery terms and conditions. Subsection (a) is added to clarify that moneys and credits deposited in a lottery account can be used to purchase plays and other lottery products. Subsection (b) is added to state that moneys deposited in lottery accounts will not earn interest. Subsection (c) is added to indicate that moneys remaining in a dormant account will be considered abandoned and unclaimed property.

Section 876.12 (relating to prizes) is amended to add subsections (b)—(f), which include requirements that were previously only set forth in the iLottery terms and conditions. Subsection (b) is included to state that the Bureau will report taxable prizes and events to relevant taxing authorities. Subsection (c) is added to state that the Commonwealth and its agents shall not be liable upon payment of a prize. Subsection (d) is added to state that prizes will be reduced by the required tax withholding and legally required deductions. Subsection (e) is added to state that some prizes may be withheld until the Bureau can confirm there are no outstanding liabilities that must be deducted from the prize. Subsection (f) is added to state that winning plays are based on the information maintained by the Bureau.

Section 876.12a (relating to prize claims) is added to include requirements, which were previously only set forth in the iLottery terms and conditions. Specifically, this section is added to address the claims process requirements, formerly addressed only in the iLottery terms and conditions. Subsection (a) explains that the

Bureau will generate applicable tax forms for reportable gambling and lottery winnings. Subsection (b) states that the Bureau may use the lottery account information provided by the registered iLottery player to complete the applicable tax forms. Subsection (c) states that the Bureau may require a registered iLottery player to complete a claim form and submit it at one of the Bureau's claim centers. Subsection (d) states that prizes requiring a claim form will not be credited to a player's lottery account until the claim form is properly completed and submitted to the Bureau. Subsection (e) provides for the expiration of certain lottery prizes if a required claim form is not properly completed or received.

Section 876.14 (relating to deductions required by law) is amended to include requirements that were previously only set forth in the iLottery terms and conditions. Specifically, this section is amended to include paragraphs (1) and (2), which list the specific statutes that require lottery prizes to be intercepted and reduced by outstanding obligations. Additionally, the term "prize" is made plural in this section.

Section 876.14a (relating to withdrawals from a lottery account) is added to include requirements, which were previously only set forth in the iLottery terms and conditions. Specifically, this section is added to address withdrawal requirements and limitations that were previously only addressed in the iLottery terms and conditions. Subsection (a) states that registered iLottery players may make withdrawals from their lottery accounts. Subsection (b) allows the Secretary to establish a minimum balance in the lottery account before a withdrawal will be processed. Subsection (c) states that the withdrawal request is not required to occur immediately. Subsection (d) allows the Bureau to request information from a registered iLottery player to verify the player's withdrawal request. Subsection (e) prohibits a registered iLottery player from withdrawing bonus money. Subsection (f) provides for a registered iLottery player's withdrawal to be credited to whatever payment types are authorized by the Secretary. Subsection (g) allows the Bureau to make adjustments to a registered iLottery player's account if money or bonus money is mistakenly credited. Subsection (h) allows the Bureau to deduct the purchase price of a lottery product from the registered iLottery player's lottery account.

Section 876.16 (relating to self-exclusion from iLottery) is amended to include additional requirements, which were previously only included in the iLottery terms and conditions. Specifically, subsections (b) and (c) are amended to allow for multiple ways in which an individual may request self-exclusion. Subsection (d) is revised to include the phrase "shares or chances" for clarification and consistency. Subsection (f) allows the Bureau to request certain identifying information from a registered iLottery player upon a request for self-exclusion. Subsection (g) requires a registered iLottery player, who is requesting self-exclusion, to acknowledge and agree to certain statements before the self-exclusion is processed. Subsection (h) prohibits a registered iLottery player from accessing their lottery account until the self-exclusion period expires. Subsection (i) allows a registered iLottery player to request the release of moneys in their lottery account. Subsection (j) provides for the immediate effectiveness of the self-exclusion request. Subsection (k) makes the self-exclusion request irrevocable. Subsection (l) requires a self-excluded, registered iLottery player to contact the Bureau before access to their lottery account is authorized. Subsection (m) provides for the availability of responsible gambling tools through a lot-

tery account. Subsection (n) provides that a self-excluded, registered iLottery player may be prohibited from participating in certain promotions, second chance drawings and other events available through a lottery account.

Section 876.18 (relating to agent promotion programs) is amended to change the word "retailer" to the term "agent" for purposes of consistency.

Section 876.19 (relating to subscription services) is proposed to be added to address the availability of subscription services.

Section 876.20 (relating to confidential information) is proposed to be added to expand upon the provisions in 4 Pa.C.S. § 503(e).

Affected Parties

This proposed rulemaking provides information to the individuals who may register to use a lottery account and purchase products through iLottery in this Commonwealth.

Fiscal Impact

The Department has determined that this proposed rulemaking will generate revenue for the Commonwealth. Further, the Department has determined that the permanent regulation will have no adverse fiscal impact on the Commonwealth and that the iLottery features, such as lottery accounts and iLottery games, described by the regulation will increase revenue for the State Lottery Fund, which in turn benefits Pennsylvanians age 65 and older, in addition to disabled Pennsylvanians.

Paperwork

This proposed rulemaking will require minimal paperwork for the public or the Commonwealth. Registration for and participation in iLottery, in addition to the iLottery self-exclusion process for registered iLottery players are completed online.

Effectiveness / Sunset Date

This proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*. This proposed rulemaking is scheduled for review within 5 years of final publication. No sunset date has been assigned.

Public Comments and Contact Person

Interested persons are invited to submit in writing any comments, suggestions or objections regarding this proposed rulemaking to Maria L. Miller, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061, within 30 days after the date of the publication of this notice in the *Pennsylvania Bulletin*.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 23, 2019, the Department submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Finance and the Senate Committee on Finance. In addition to submitting this proposed rulemaking, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

The Committees may, at any time prior to the submittal of the final-form rulemaking, convey to the agency and IRRC, their comments, recommendations and objections

to this proposed rulemaking. IRRC may, within 30 days of the close of the public comment period, submit to the Department and Committees any comments, recommendations and objections to this proposed rulemaking. The notification shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

C. DANIEL HASSELL,
Secretary

Fiscal Note: 15-460. No fiscal impact. The Department will absorb nominal legal and accounting costs associated with the implementation of iLottery games; (8) recommends adoption.

Annex A

TITLE 61. REVENUE

PART V. STATE LOTTERIES

CHAPTER 876. iLOTTERY [GAMES—TEMPORARY REGULATIONS]

(Editor's Note: The Department is proposing to make permanent the Temporary Regulations published at 48 Pa.B. 1829 (March 31, 2018) as required by Act 42 of 2017 (P.L. 419, No. 42) (4 Pa.C.S. § 503).)

§ 876.1. Scope.

This chapter establishes procedures for the notification of iLottery game rules, iLottery registration and participation requirements, lottery account requirements and iLottery self-exclusion requirements.

§ 876.2. Definitions.

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

Bonus money—Credit issued to registered iLottery players that does not have a cash value, but which can be converted to a predetermined cash value as further detailed in § 876.14a (relating to withdrawals from a lottery account).

Bureau—The Pennsylvania State Lottery created to administer and operate the lottery by order of the Executive Board.

Cash-out games—A type of iLottery game in which the registered iLottery player is given the option to end the game early for a predetermined amount of money.

Drawing—The process of selecting the numbers, letters or symbols that determine the winning numbers or the outcome of an iLottery game or an individual play. Drawings may be conducted by a mechanical device using balls, a random number generator, a randomizer or by using any other method authorized by the Secretary. Drawings may be on demand or at a predetermined date and time as established by the Secretary.

Fixed payouts—The numbers and amounts of prizes established for an iLottery game, regardless of how many plays are sold.

iLottery—A system that provides for the distribution of lottery products through numerous channels that include, but are not limited to, web applications, mobile applications, mobile web, tablets and social media platforms

that [allows] **allow** players to interface through a portal for the purpose of obtaining lottery products and ancillary services, such as account management, game purchase, game play and prize redemption.

iLottery game—

(i) Internet instant games and other lottery products offered through iLottery.

(ii) The term does not include games that represent physical, Internet-based or monitor-based interactive lottery games which simulate casino-style lottery games, specifically including poker, roulette, slot machines and blackjack.

Instant win game—A type of iLottery game in which the result of a play is the display of numbers, letters or symbols indicating whether a prize has been won. Unlike internet instant games, no reveal is required to determine whether a prize has been won.

Internet instant game—A lottery game of chance in which, by the use of a computer, tablet computer or other mobile device, a player purchases a play, with the result of play being a reveal on the device of numbers, letters or symbols indicating whether a lottery prize has been won according to an established methodology as provided by the Lottery.

Lottery account—An account established by an individual with the Bureau that shall be used to register for [and participate in] iLottery and to participate in iLottery. A lottery account may be used to purchase or use lottery products, to participate in lottery promotions and second chance drawings and for lottery communications.

Lottery products—Plays, shares or chances offered by the Bureau as well as lottery property that may be exchanged for plays, shares or chances. The term includes instant tickets, terminal-based tickets, raffle games, play-for-fun games, lottery vouchers, subscription services and gift cards authorized for sale under the State Lottery Law.

Lotto game—A type of iLottery game in which a registered iLottery player chooses "X" numbers from a field of "Y" numbers. The field of "Y" numbers is established by the Bureau. Winning plays are those in which the registered iLottery player matches a designated combination of numbers, letters, symbols, or a specified combination thereof, with the winning numbers, letters or symbols randomly drawn by the Bureau. Examples of lotto games include Powerball and MegaMillions® and similar games in which multiple "Y" numbers are chosen from a single set of numbers.

Numbers game—A type of iLottery game in which a registered iLottery player chooses "X" numbers from multiple fields of "Y" numbers. The player must choose whether to purchase a straight play or a box play. A straight play requires the registered iLottery player to match the numbers in the same order as the winning numbers are drawn by the Bureau. A box play requires the registered iLottery player to match all of the winning numbers drawn by the Bureau, but in any order. Examples of numbers games include Pick 4 and Pick 5 and similar games in which "Y" numbers are chosen from multiple sets of numbers.

Pari-mutuel—A prize structure in which the total available prize pool is split between all winners at a particular prize level or levels.

Play—An opportunity, for a predetermined price, to participate in an iLottery game. **May also be referred to as a chance or a share.**

Prize or lottery prize—The item or money that can be won in each iLottery game as determined by the prize structure for that iLottery game. A prize or lottery prize may also be referred to as lottery winnings.

Prize pool or pool—Amount of money designated for payments of prizes for an iLottery game.

Prize tiers—One or more different levels, amounts or types of prizes for an iLottery game.

Progressive—An iLottery game prize structure in which the top prize available begins with a minimum prize amount, as determined by the Bureau, which grows at a predetermined rate every time a play is purchased and then resets to the minimum prize amount whenever a top prize winning play is purchased.

Purchase price—The cost of a play, share or chance for an iLottery game.

Randomizer—A device or program that generates a random set of numbers.

Random number generator—A secured computerized system, which draws random numbers to determine the outcome of an individual play or an iLottery game.

Registered iLottery player—An individual who created a lottery account with the Bureau, registered for iLottery and is approved for participation in iLottery.

Responsible gambling tools—Settings available to a registered iLottery player through iLottery that promote responsible gambling.

Secretary—The Secretary of Revenue of the Commonwealth.

Subscription services—A payment, advance payment or promise of payment for multiple lottery products over a specified period of time, including payment through iLottery.

Top prize—The highest prize available to be won in an iLottery game.

Traditional lottery products—Lottery products offered by the Bureau under 61 Pa. Code Chapters 801—875.

Winning play—A play, chance or share that has been validated by the Bureau and qualifies for a prize.

Winning numbers—The numbers, letters or symbols selected in a particular iLottery game that have been validated by the Bureau and will be used to determine the winning plays for that particular iLottery game.

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

§ 876.2a. Lottery products available through iLottery.

The Secretary shall authorize and determine the availability of lottery products through iLottery and for purchase using a lottery account.

§ 876.2b. Traditional lottery products.

(a) The Secretary may authorize the sale of traditional lottery products through iLottery and for purchase using a lottery account.

(b) Traditional lottery products delivered through a lottery account may be delivered to a registered iLottery player electronically and in a form and manner determined by the Bureau.

(c) Traditional lottery products offered through iLottery are governed by applicable regulations and corresponding notices published in the *Pennsylvania Bulletin*, unless otherwise noted by the Bureau in the notice for the applicable traditional lottery product.

§ 876.2c. Categories of iLottery games.

(a) In addition to traditional lottery products, the Secretary may authorize and the Bureau may offer categories of iLottery games which include the following types of iLottery games:

- (1) Numbers games.
- (2) Instant win games.
- (3) Lotto games.
- (4) Internet instant games.
- (5) Cash-out games.

(b) The outcomes of iLottery games or plays, chances or shares of iLottery games may be determined on demand or at a predetermined date and time established by the Secretary.

(c) The outcomes of iLottery games or plays of iLottery games may be determined by one or more of the following methods:

- (1) Randomizer.
- (2) Random number generator.
- (3) Drawing.
- (d) Prize structures for iLottery games may include one or more of the following:

- (1) Pari-mutuel.
- (2) Prize tiers.
- (3) Progressive.
- (4) Fixed-payout.
- (5) Prize pool or pools.

(e) Categories of iLottery games may contain any combination of the characteristics described in subsections (a)—(d).

§ 876.2d. iLottery game rules by category of game offered.

For each category of iLottery game authorized under §§ 876.2a, 876.2b and 876.2c (relating to lottery products available through iLottery; traditional lottery products; and categories of iLottery games), the Secretary will publish a notice in the *Pennsylvania Bulletin* with the following minimum information, as applicable:

(1) iLottery game type or types under §§ 876.2b(c) and 876.2c(a).

(2) Definitions.

(3) Whether the outcome of iLottery games or plays of iLottery games are determined on demand or at a predetermined date and time established by the Secretary pursuant to §§ 876.2b(c) and 876.2c(b).

(4) How the outcome or winning numbers of the Lottery game or play are determined under § 876.2c(c).

(5) Prize structure of the iLottery game under § 876.2c(d).

(6) Purchase price or range of purchase prices for a play, share or chance of the iLottery game.

(7) Availability.

(8) Other relevant information as determined by the Secretary.

§ 876.3. **[Notice of iLottery game rules] Reserved.**

[The Secretary will publish a notice in the *Pennsylvania Bulletin* with the following minimum information about iLottery game rules:

- (1) **Definitions.**
- (2) **Operation of the iLottery game.**
- (3) **Price range for a play.**
- (4) **Eligibility requirements.**
- (5) **Procedures for purchasing a play.**
- (6) **Procedures for claiming and payment of prizes.**
- (7) **Funding for prizes.**
- (8) **Retention of unclaimed prizes.**
- (9) **Purchase and prize restrictions.**
- (10) **Governing law.**
- (11) **Termination of the game.**
- (12) **Applicability.]**

§ 876.4. **iLottery game description.**

The Secretary will post **[an]** iLottery game descriptions on the **[Pennsylvania Lottery's iLottery] Bureau's** web site, **including the Bureau's mobile application**, for each iLottery game with the following minimum information:

- (1) The name of the iLottery game.
- (2) The purchase price **or range of purchase prices** of a play for the iLottery game.
- (3) The chances of winning the iLottery game and the prizes which can be won.
- (4) iLottery game instructions.
- (5) The existence of a finalist, grand prize, second chance or other offering, if applicable, and the procedure for the conduct of the same, if applicable.
- (6) **[The] If applicable, the** existence of a bonus game, mini-game or a game within a game, **[if applicable, and the procedure] the instructions** for conduct of the same, **[if applicable] and the chances of winning the bonus game, mini-game or game within a game and the prizes which can be won.**
- (7) Other information necessary for the conduct of the iLottery game.

§ 876.5. **Price.**

The purchase price of a play for each iLottery game will be included in the iLottery game description for each game, as provided for under § 876.4 (relating to iLottery game description).

§ 876.6. **Governing law.**

By registering to participate in iLottery, the registered iLottery player agrees to comply with and abide by Federal and State law, this chapter, the terms and conditions for registration and participation in iLottery, and final decisions of the Secretary. Revenues generated by iLottery games will be apportioned as provided by 4 Pa.C.S. § 503(f) (relating to iLottery authorization) and section 311 of the State Lottery Law (72 P.S. § 3761-311).

§ 876.7. **General provisions.**

(a) An individual shall establish a lottery account and register for iLottery as provided for under § 876.10 (relating to iLottery registration and participation) to purchase **[plays] a play, chance or share and to purchase lottery products using a lottery account.**

(b) An individual shall accept, consent, acknowledge and agree to **be legally bound by** the iLottery terms and conditions as provided for under § 876.9 (relating to iLottery terms and conditions) to register for iLottery **[and] to purchase a play, chance or share and to purchase lottery products using a lottery account.**

(c) An individual shall be located in this Commonwealth to purchase a play.

(d) An individual shall be 18 years of age or older to register for iLottery, to purchase a play **or to purchase lottery products using a lottery account.**

§ 876.8. **Applicability.**

This chapter applies **[only]** to iLottery **and the sale of lottery products** as offered by the Department and the Bureau.

§ 876.9. **iLottery terms and conditions.**

(a) The terms and conditions for **the establishment of a lottery account and for the** registration and participation in iLottery will be **[available on the Pennsylvania Lottery's iLottery web site and other locations as determined by the Secretary] published in the *Pennsylvania Bulletin*.**

(1) Amendments to the terms and conditions will be published in the *Pennsylvania Bulletin*.

(2) The terms and conditions will be available on the Bureau's web site and other locations as determined by the Secretary.

(b) The terms and conditions for **the establishment of a lottery account and for** registration and participation in iLottery will include all of the following:

(1) Acknowledgment, consent, agreement and acceptance by the individual to all of the following:

(i) Confirmation by the Bureau of the applicant's age and identity.

(ii) The use of a mechanism by the Bureau to detect the physical location of a registered iLottery player in compliance with 4 Pa.C.S. § 503(h)(1) (relating to iLottery authorization).

(iii) The terms of the end user license agreement for the software and terms and conditions of any third-party services used for the implementation and operation of iLottery and the provision of iLottery games.

(iv) The monitoring and recording by the Department or the Bureau of any iLottery communications and geographic location information.

(v) The jurisdiction of the Commonwealth to resolve disputes arising out of the conduct of iLottery.

(vi) **[The forfeiture and escheatment of funds remaining on deposit in the registered iLottery player's account if that account has been dormant for 3 years.]**

Any moneys remaining on deposit in the registered iLottery player's account as abandoned and unclaimed property if the registered iLottery player has not logged into their lottery account using their username and password in more than 3 years.

(vii) The registered iLottery player's account may be suspended or closed for reasons established by the Secretary, including any of the following:

(A) Violations of the iLottery terms and conditions as provided for under this chapter.

(B) The registered iLottery player has been charged with or convicted of an offense under 18 Pa.C.S. §§ 4106, 5111 and 5512—5514 or 4 Pa.C.S. (relating to amusements) or conspiracy to commit offenses under 18 Pa.C.S. § 903 (relating to criminal conspiracy), or equivalent crimes under Federal law or the law of another state.

(C) A self-exclusion request under § 876.16 (relating to self-exclusion from iLottery).

(D) The application of a responsible gambling tool, as described in the iLottery terms and conditions, which limits the ability of the registered iLottery player to log into his lottery account.

(E) Other reasons as determined by the Secretary.

(viii) Other terms and conditions that may apply related to registration and participation in iLottery.

(ix) Lottery winnings are subject to Federal and State withholding taxes and prizes awarded to the registered iLottery player will be reduced by the amount of withholding required under applicable law.

(x) Lottery winnings are subject to certain deductions as required by law and that prizes awarded to the registered iLottery player will be reduced by any amount required to be deducted under applicable law.

(xi) To receive certain **[iLottery]** prizes, as identified and described in the iLottery game rules provided for under **[§ 876.3 (relating to notice of iLottery game rules)] § 876.2(c) (relating to categories of iLottery games)** or iLottery game description as provided for under § 876.4 (relating to iLottery game description) or promotional prize notices provided for under § 811.41 (relating to promotional prizes), the registered iLottery player may be required to take additional measures to claim a prize, including to appear in person at a specified **[Pennsylvania Lottery] Bureau** claim center.

(xii) Use of electronic communications to establish a lottery account, for iLottery registration, communications regarding the lottery account and other communications related to iLottery as determined by the Bureau.

(xiii) Ability of the registered iLottery player to **[establish] use the** responsible gambling **[limits including a deposit limit, spend limit or time-based limit, as available, through the lottery account] tools available through iLottery.**

(xiv) Ability of the registered iLottery player to self-exclude from iLottery **and the extent to which the self-exclusion applies to use of the registered iLottery player's lottery account.**

(xv) Methods by which **[funds] moneys** or credits may be deposited and under what circumstances **[funds] moneys** or credits may be deposited into the registered iLottery player's lottery account.

(xvi) Moneys or credits deposited and held in the registered iLottery player's account do not earn interest.

(xvii) Methods by which **[funds] moneys** or credits may be withdrawn and under what circumstances funds or credits may be withdrawn from the registered iLottery player's lottery account.

(xviii) Reporting of suspected fraudulent or unlawful activity related to the operation of iLottery.

(xix) Dispute resolution procedures related to iLottery.

(xx) Information provided to the Department during the establishment, use, access or closure of the lottery account is true and correct.

(xxi) Methods by which a registered iLottery player may purchase lottery products as a gift or for the benefit of another person.

(2) Rules and obligations applicable to the registered iLottery player, other than rules of individual games, including all of the following:

(i) Prohibition from allowing another **[person] individual** to access or use the registered iLottery player's account.

(ii) Prohibition from purchasing a play unless the registered iLottery player is physically located in this Commonwealth.

(iii) Prohibition against **[utilizing] using** automated computerized software or other equivalent mechanisms to engage in iLottery. **Nothing in this section shall prohibit the use of adaptive technologies for registered iLottery players with a disability as defined in the Americans with Disabilities Act of 1990 (42 U.S.C.A. §§ 12101—12213).**

(iv) Prohibition against participation in iLottery by **[a person] an individual** under 18 years of age.

(v) Prohibition of **[a person] an individual** who self-excluded from iLottery from participating in iLottery.

(vi) **[Prohibition against the sale of a play or the award of a prize as follows:] Prohibition against purchasing a play or receiving a prize if the registered iLottery player is:**

(A) **[To an] An** officer or employee of the Bureau.

(B) **[To a] A** spouse, child, brother, sister or parent residing as a member of the same household as an officer or employee of the Bureau.

(C) **[To an] An** officer or employee of a contractor or subcontractor who is directly involved in the operation of iLottery or the provision of iLottery related services.

(D) **[To a] A** spouse, child, brother, sister or parent residing in the same household as an officer or employee of a contractor or subcontractor who is directly involved in the operation of iLottery and the provision of iLottery related services.

(3) Any other terms and conditions the Secretary deems necessary and relevant for the conduct of iLottery.

§ 876.10. iLottery registration and participation.

(a) An individual may not participate in iLottery without first creating a lottery account and registering to participate in iLottery through the Bureau as described in this chapter.

(b) A registered iLottery player agrees to be bound by the terms and conditions in § 876.9 (relating to iLottery terms and conditions).

(c) **[The following information will be required to register for iLottery] To establish a lottery account and register for iLottery, an individual shall provide the following information:**

(1) **[Name] The individual's name** as it appears on a valid government-issued identification or **[on]** tax documents.

(2) **[Date] The individual's date** of birth.

(3) **[Entire] The entire** or last four digits of the individual's Social Security **[number] Number**, or **comparable** equivalent **[for a foreign person such as a passport or taxpayer identification number]**.

(4) **[Home] The individual's** address.

(5) **[Telephone] The individual's telephone** number.

(6) **[E-mail] The individual's e-mail** address.

(7) Any other information as determined by the Secretary to be necessary to verify the age and identity of the individual.

(d) An individual may be required to provide additional information or documentation, **as provided for in the iLottery terms and conditions**, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(e) The lottery account will require a username and password.

(f) Access to the lottery account and participation in iLottery is limited to the **[lottery account user] registered iLottery player**.

(g) An individual will be prohibited from **establishing a lottery account and from** registering for iLottery if one or more of the following occurs:

(1) The Department is unable to verify the age of the individual.

(2) The Department **[in] is** unable to verify the identity of the individual.

(3) The individual fails to agree to the iLottery terms and conditions as provided for under § 876.9.

(4) The information provided to the Bureau is false or misleading.

(5) Other reasons **[as]** set forth in the terms and conditions as provided for under § 876.9.

(h) A registered iLottery player may not purchase a play, **chance or share or purchase lottery products using a lottery account** if the Bureau is unable to

verify **that** the registered iLottery player is physically located within the geographical borders of this Commonwealth.

(i) An individual may not open, access, maintain or otherwise **[utilize] use** more than one lottery account for participation in iLottery. **This will not prohibit a registered iLottery player that closes their lottery account from reopening their lottery account or creating a new account, as applicable, at a later date.**

(j) An individual may not register or attempt to register for iLottery **[utilizing] using** more than one account.

(k) By establishing a lottery account and registering for iLottery, a registered iLottery player agrees that all communications related to the establishment and use of the lottery account may be through electronic communication. All electronic communications from the Bureau may be directed to a registered iLottery player based on the lottery account information provided by the registered iLottery player and verified by the Bureau.

(l) An individual must create a lottery account and register for iLottery through the Bureau's web site or the Bureau's mobile application.

(m) A lottery account may be closed by the registered iLottery player at any time.

(n) A registered iLottery player's lottery account information may be retained by the Bureau to prevent another individual from using the same lottery account information to open a different lottery account.

(o) To close the registered iLottery player's lottery account, the registered iLottery player is required to contact the Bureau. The Bureau may require the registered iLottery player to confirm lottery account information prior to closing the lottery account.

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

§ 876.10a. Lottery account requirements.

A registered iLottery player is subject to all of the following:

(1) The end user license agreement or agreements for software used in the provision of iLottery.

(2) The terms and conditions of any third-party service providers used in the provision of iLottery, including electronic payment processors, electronic payment transmitters and financial institutions.

(3) The confirmation of the individual's age and identity.

(4) To at all times provide true and correct information to the Department during the establishment, access, use or closure of the registered iLottery player's lottery account.

(5) The continuous monitoring and recording of information communicated and transactions conducted through iLottery, including electronic communications.

(6) The use of a mechanism by the Bureau to detect the physical location of a registered iLottery player in compliance with 4 Pa.C.S. § 503(h)(1) (relating to iLottery authorization).

(7) A registered iLottery player's lottery account may be suspended or closed for any of the following reasons:

(i) Violations of the iLottery terms and conditions as provided under § 876.9 (relating to iLottery terms and conditions).

(ii) A self-exclusion request under § 876.16 (relating to self-exclusion from iLottery).

(iii) The application of a responsible gambling tool which limits access to the registered iLottery player's lottery account as provided for in the iLottery terms and conditions.

(iv) The determination that the registered iLottery player has been charged or convicted of an offense under 18 Pa.C.S. §§ 4106, 5111 and 5512—5514 or 4 Pa.C.S. (relating to amusements) or conspiracy to commit offenses under 18 Pa.C.S. § 903 (relating to criminal conspiracy), or equivalent crimes under Federal law or the law of another state.

(v) Other reasons as determined by the Secretary.

(8) A registered iLottery player's use of iLottery and software or third-party services used by the Bureau in the provision of iLottery shall comply at all times with all applicable laws, statutes, regulations and the iLottery terms and conditions.

(9) The iLottery privacy policy.

§ 876.11. Purchase and prize restrictions.

(a) Individuals must be at least 18 years of age to register for iLottery or to purchase a play.

(b) Registered iLottery players shall be located within the geographical boundaries of this Commonwealth to purchase a play.

(c) A play may not be purchased by and a prize may not be awarded to the following:

(1) An officer or employee of the Bureau.

(2) A spouse, child, brother, sister or parent residing in the same household as an officer or employee of the Bureau.

(3) An officer or employee of a contractor or subcontractor who is directly involved in the operation of iLottery or the provision of iLottery related services.

(4) A spouse, child, brother, sister or parent of an officer or employee of a contractor who is directly involved in the operation of iLottery or the provision of iLottery related services.

(d) A registered iLottery player is prohibited from cancelling the purchase of a play, chance, share or lottery product.

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

§ 876.11a. Methods to fund a lottery account.

(a) A registered iLottery player shall deposit moneys or credits in the lottery account prior to purchasing a play or purchasing other lottery products using a lottery account.

(b) The Secretary, in his sole discretion, will determine the methods by which registered iLottery players may fund a lottery account and purchase iLottery products. The Bureau will describe those methods in the iLottery terms and conditions.

(c) Methods for funding a lottery account may include the following:

(1) A registered iLottery player's credit card or debit card, including prepaid cards.

(2) Gift cards, as authorized by the Secretary.

(3) Player cards issued by agents, as authorized by the Secretary.

(4) Automated clearing house transfers.

(5) Bonus money, credits or promotional prizes issued by the Bureau.

(6) Prizes received from a winning play.

(7) Payment processors or payment transmitters.

(8) Any other method authorized by the Secretary.

(d) The Secretary may establish conditions of purchase applicable to credit card and debit card transactions, such as daily deposit limits.

(e) The Secretary may establish a minimum deposit amount.

§ 876.11b. Lottery account moneys and credits.

(a) Moneys or credits deposited into a registered iLottery player's lottery account may be used to purchase plays and lottery products as authorized by the Secretary.

(b) Moneys or credits deposited and held in a registered iLottery player's lottery account will not earn interest.

(c) Moneys or credits remaining on deposit in a registered iLottery player's lottery account will be considered abandoned and unclaimed property if the registered iLottery player has not logged into their lottery account using their username and password for more than 3 years.

§ 876.12. Prizes.

(a) Prizes may be awarded by check, draft or electronically through the registered iLottery player's **lottery account or other means as authorized by the Secretary.**

(b) The Bureau will report taxable prizes and events to relevant taxing authorities based on established statutory thresholds.

(c) The Commonwealth and its agents, officers and employees shall be discharged of liability upon payment of a prize.

(d) Prizes will be reduced by required tax withholding and any deductions for outstanding liabilities as required by law, including those set forth in § 876.14 (relating to deductions required by law).

(e) A registered iLottery player may be prohibited from accessing a prize until the Department determines whether there are outstanding liabilities that must be deducted from the prize, including those set forth in § 876.14.

(f) Prize winning plays will be determined based on the iLottery game rules as established in § 876.2d (relating to iLottery game rules by category of game offered) and by the data recorded by the Bureau on its system or systems of record.

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

§ 876.12a. Prize claims.

(a) The Bureau will generate applicable tax forms for reportable gambling and lottery winnings as required by State and Federal laws and regulations.

(b) The Bureau may use lottery account information provided by a registered iLottery player and verified by the Bureau to generate applicable tax forms for reportable gambling and lottery winnings.

(c) The Bureau may require a registered iLottery player to complete a claim form and to submit it in person at a claim center designated by the Bureau.

(d) A prize requiring the completion of a claim form will not be credited to the registered iLottery player's lottery account until a properly completed claim form is submitted to the Bureau.

(e) If a registered iLottery player fails to complete a claim form as required by this section, the prize money will be retained for payment to the prize winner for 1 year after the prize is won. If a claim form is not completed within that period, the ability to claim the prize will expire and the prize money will be used consistent with the State Lottery Law.

§ 876.13. Withholding.

Federal and State withholding taxes will be withheld by the Bureau from prize payments as required by law.

§ 876.14. Deductions required by law.

In addition to any withholding required by Federal and State law, the Department will deduct amounts from [**iLottery prize winnings**] **prizes** as required by law[.], **including those amounts required under:**

(1) 23 Pa.C.S.A. § 4308 (relating to lottery winnings intercept).

(2) 72 P.S. § 215.

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

§ 876.14a. Withdrawals from a lottery account.

(a) A registered iLottery player may withdraw moneys from the registered iLottery player's lottery account.

(b) The Secretary may require a minimum balance in the registered iLottery player's lottery account prior to authorizing a withdrawal.

(c) The Bureau shall not be required to grant a withdrawal request immediately. A withdrawal request from a registered iLottery player's lottery account may be delayed for reasons consistent with these regulations and as provided for in the iLottery terms and conditions.

(d) A registered iLottery player may be required to provide the Bureau with information to verify the details of a withdrawal request before the withdrawal request from the registered iLottery player's lottery account is processed.

(e) A registered iLottery player shall be prohibited from withdrawing bonus money from their lottery account where the registered iLottery player fails to convert bonus money into cash in conformance with the promotional terms and conditions issued under § 811.41 (relating to promotional prizes) and § 876.17 (relating to iLottery promotional prizes).

(f) A registered iLottery player may request that a withdrawal from the registered iLottery player's lottery account be credited to any payment type authorized by the Secretary.

(g) The Bureau may make adjustments to a registered iLottery player's lottery account if the Bureau determines

that moneys or bonus moneys are mistakenly credited to a registered iLottery player's lottery account.

(h) The Bureau will deduct the purchase price of a lottery product from a registered iLottery player's lottery account following the purchase of a lottery product.

§ 876.15. Termination of a game.

The Secretary may terminate an iLottery game at any time and without notice.

§ 876.16. Self-exclusion from iLottery.

(a) A registered iLottery player may request self-exclusion from iLottery under this section.

(b) A registered iLottery player may request self-exclusion through the registered iLottery player's lottery account **or through other means authorized by the Secretary.**

(c) A registered iLottery player may select from the predetermined periods of self-exclusion offered [**through the lottery account**] **by the Secretary.**

(d) During a period of self-exclusion, a self-excluded, registered iLottery player may not purchase plays, **shares or chances**, deposit [**or withdraw funds from**] **funds into** the registered iLottery player's account, or otherwise participate in iLottery and iLottery promotions prior to the conclusion of the self-exclusion period.

(e) During a period of self-exclusion, a registered iLottery player elects not to receive e-mails or other communications about iLottery.

(f) The Bureau may require a registered iLottery player to verify any of the following lottery account information to request self-exclusion:

(1) The individual's name as it appears on a valid government-issued identification or tax documents.

(2) The individual's date of birth.

(3) Social Security Number or comparable equivalent.

(4) The individual's address.

(5) The individual's telephone number.

(6) The individual's e-mail address.

(7) Any other information as determined by the Secretary to be necessary to verify the age and identity of the individual.

(g) To request self-exclusion, a registered iLottery player must:

(1) Acknowledge and agree that self-exclusion is requested voluntarily.

(2) Acknowledge and agree that self-exclusion applies to iLottery but may apply to other lottery products, promotions and drawings as provided for in the iLottery terms and conditions.

(3) Acknowledge and agree to waive and release the Commonwealth and its agents and employees from all liability relating to the processing and enforcement of self-exclusion.

(h) A self-excluded, registered iLottery player shall be prohibited from logging into their lottery account using their username and password until the self-exclusion period expires.

(i) A self-excluded, registered iLottery player may request the release of moneys in the registered iLottery player's lottery account as provided for in the iLottery terms and conditions.

(j) The self-exclusion period will become effective immediately upon submission and verification of the request.

(k) A request for self-exclusion is irrevocable.

(l) At the conclusion of any period of self-exclusion, a self-excluded, registered iLottery player must contact the Bureau to reinstate the registered iLottery player's account.

(m) The Bureau may offer responsible gambling tools applicable to iLottery and the purchase of lottery products through a lottery account as provided for in the iLottery terms and conditions.

(n) During any period of self-exclusion or through the use of responsible gambling tools, a registered iLottery player may be prohibited from participating in second chance drawings, promotions offered by the Bureau and marketing communications from the Bureau.

§ 876.17. iLottery promotional prizes.

The Secretary may authorize iLottery promotions and issue the terms and conditions related thereto under this part and § 811.41 (relating to promotional prizes).

§ 876.18. [Retailer] Agent promotion programs.

[Retailer] Agent incentive and marketing promotion programs may be implemented at the discretion of the Secretary. Funds for the programs, if needed, will be drawn from the Lottery Fund.

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

§ 876.19. Subscription services.

(a) The Bureau may offer subscription services for lottery products as determined by the Secretary.

(b) The subscription services will be governed by the iLottery terms and conditions.

(c) Details of subscription services purchased through iLottery will be available electronically through a registered iLottery player's lottery account.

§ 876.20. Confidential information.

The following information about a registered iLottery player is confidential, exempt from being disclosed and will be maintained as such by the Bureau:

- (1) The individual's last name.
- (2) The individual's address.
- (3) The individual's telephone number.
- (4) The individual's financial information.
- (5) The individual's self-exclusion information.
- (6) The individual's Social Security Number or comparable equivalent.
- (7) Information related to the individual's use of responsible gambling tools.
- (8) The individual's play history, including information related to wins and losses.
- (9) The individual's play tendencies.

[Pa.B. Doc. No. 19-660. Filed for public inspection May 3, 2019, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, May 15, 2019, at the Delaware River Basin Commission, 25 Cosey Road, West Trenton, NJ. A business meeting will be held the following month on Wednesday, June 12, 2019, at the West Trenton Volunteer Fire Company, 40 West Upper Ferry Road, Ewing, NJ. The hearing and business meeting are open to the public.

Public hearing. The public hearing on May 15, 2019, will begin at 1:30 p.m. Hearing items include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources, as well as resolutions to: (a) adopt the Commission's annual current expense and capital budgets for the fiscal year ending June 30, 2020 (July 1, 2019, through June 30, 2020); and (b) apportion among the signatory parties the amounts required for the support of the current expense and capital budgets for the fiscal year ending June 30, 2020.

Written comments on matters scheduled for hearing on May 15, 2019, will be accepted through 5 p.m. on May 20, 2019. Time permitting, an opportunity for open public comment will be provided upon the conclusion of Commission business at the June 12, 2019, business meeting.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is needed to complete the Commission's review and items may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is also asked to be aware that the details of projects may change during the Commission's review, which is ongoing.

1. *Harbor Group Management Company, LLC, D-1968-092 CP-4.* An application to renew the approval of the existing 0.069 million gallons per day (mgd) William Henry Apartments Wastewater Treatment Plant (WWTP) and its discharge. The WWTP will continue to discharge to an unnamed tributary (UNT) of Ridley Creek at River Mile 84.0—20.8—0.6 (Delaware River—Ridley Creek—UNT Ridley Creek), by means of Outfall No. 001, in East Whiteland Township, Chester County, PA.

2. *Exelon Generation Company, D-1969-210 CP-15.* An application to renew the approval of the applicant's existing Limerick Generating Station (LGS) and its related water withdrawals and discharge. Approved withdrawals include: (a) surface water withdrawals from the Schuylkill River, Perkiomen Creek, Wadesville Mine Pool and the Tamaqua Area Water Authority's Still Creek Reservoir and Owl Creek Reservoir of up to 58.2 mgd and 1,742.2 million gallons per month (mgm); and (b) groundwater withdrawals from Wells Nos. 1 and 3 of up to 3.2 mgm and 2.9 mgm, respectively. The approved discharge consists of up to 14.2 mgd of noncontact cooling water (NCCW) and treated industrial wastewater by means of Outfall No. 001. The wells are located in the Schuylkill—Sprogels Run Subbasin of the Southeastern Pennsylvania Groundwater Protected Area (GWPA). The LGS will continue to discharge NCCW and treated industrial wastewater to the Schuylkill River at River Mile

92.47—48.01 (Delaware River—Schuylkill River) in Limerick Township, Montgomery County, PA.

3. *Bethlehem City, D-1971-078 CP-4.* An application to renew the approval of the existing 20.0 mgd Bethlehem WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Lehigh River at River Mile 183.66—9.51 (Delaware River—Lehigh River), within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in the City of Bethlehem, Northampton County, PA.

4. *Berks-Montgomery Municipal Authority, D-1973-060 CP-4.* An application to renew the approval of the applicant's existing 0.32 mgd Morysville WWTP and its discharge. The WWTP will continue to discharge treated effluent to Ironstone Creek at River Mile 92.5—54.1—4.0—4.1 (Delaware River—Schuylkill River—Manatawny Creek—Ironstone Creek) in Colebrookdale Township, Berks County, PA.

5. *Doylestown Borough, D-1979-018 CP-6.* An application to renew the approval of an existing groundwater withdrawal with a decrease in allocation from 50.6 million gallons per 30 days (mg/30 days) to 48 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 7—10 and 12. The project wells are completed in the Stockton Formation. The project is located in the Commission's Southeastern Pennsylvania GWPA in the Neshaminy Creek Watershed, Borough of Doylestown, Bucks County, PA.

6. *Blue Ridge Real Estate Company, D-1985-081-2.* An application to approve a proposed revision to the docket holder's existing service area and renew the approval of the 0.4 mgd Jack Frost WWTP and its discharge. The proposed revision will include the partial removal of existing service area and the addition of area with equivalent acreage to offset and maintain the docket holder's existing total acres served. The Jack Frost WWTP will continue to discharge treated effluent to Porter Run, upstream of the F.E. Walter Reservoir, at River Mile 183.66—82.9—1.5 (Delaware River—Lehigh River—Porter Run) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Kidder Township, Carbon County, PA.

7. *Reading Regional Airport Authority, D-1986-038 CP-4.* An application to renew the approval for the existing 0.42 mgd Reading Regional Airport Authority (RRAA) WWTP and its discharge. The RRAA WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.47—80.3 (Delaware River—Schuylkill River) by means of Outfall No. 001, in Bern Township, Berks County, PA.

8. *Monroe Energy, LLC, D-1986-041-3.* An application to renew the approval of the docket holder's existing 4.3 mgd Trainer Industrial Wastewater Treatment Plant (IWTP) and its discharges of treated industrial wastewater, NCCW, steam condensate and backwash. The project will continue to discharge by means of Outfall No. 001 to Marcus Hook Creek at River Mile 80.2—0.5 (Delaware River—Marcus Hook Creek) and by means of Outfall No. 002 to Stony Creek at River Mile 80.4—0.2 (Delaware River—Stony Creek). The discharges are located in the tidal portion of Water Quality Zone 4 of the Delaware River in the Borough of Trainer, Delaware County, PA.

This docket also updates the Commission approval to reflect an ongoing project to install three cooling towers and a closed-loop cooling system to replace the existing once-through cooling system.

9. *Rohm and Haas Chemicals, LLC, D-1989-002-4.* An application to renew the approval of the applicant's existing 3.7 mgd IWTP and its discharges of treated industrial wastewater effluent and NCCW. The WWTP will continue to discharge treated industrial wastewater to Delaware River Water Quality Zone 2 at River Mile 117.0—0.3 (Delaware River—Hog Run Creek) by means of Outfall No. 009, and NCCW to Water Quality Zone 2 at River Mile 118.9—0.4 (Delaware River—Otter Creek) by means of Outfall Nos. 003 and 008. All three outfalls are located in Bristol Township, Bucks County, PA.

10. *New Castle County Department of Special Services, D-1993-006 CP-4.* An application to renew the approval of the existing 2.5 mgd Middletown—Odessa—Townsend Regional WWTP and spray-irrigation facility and its discharge. When the treated effluent cannot be spray-irrigated, the WWTP will continue to discharge to a UNT of Appoquinimink River, at River Mile 50.88—6.2—0.2 (Delaware River—Appoquinimink River—UNT Appoquinimink River), in New Castle County, DE.

11. *Warrington Township, D-1999-012 CP-4.* An application to renew the approval of the existing 0.33 mgd Tradesville WWTP and its discharge. The WWTP will continue to discharge treated effluent to Mill Creek at River Mile 115.6—36.4—1.5 (Delaware River—Neshaminy Creek—Mill Creek) in Warrington Township, Bucks County, PA.

12. *Northeastern Schuylkill Joint Municipal Authority, D-1999-033 CP-3.* An application to renew the approval of the existing 0.245 mgd Northeastern Schuylkill Joint Municipal Authority WWTP and its discharge. The WWTP will continue to discharge treated effluent to Pine Creek at River Mile 92.47—102.1—27.6—1.2 (Delaware River—Schuylkill River—Little Schuylkill River—Pine Creek) by means of Outfall No. 001, in Rush Township, Schuylkill County, PA.

13. *Sanofi Pasteur, Inc., D-1999-071-5.* An application to renew the approval of the existing 0.95 mgd Sanofi Swiftwater IWTP and its discharges. The IWTP will continue to discharge treated industrial process water to land (by means of spray irrigation), and to Swiftwater Creek, at River Mile 213.0—11.4—4.4—3.5 (Delaware River—Brodhead Creek—Paradise Creek—Swiftwater Creek). The IWTP is located within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Pocono Township, Monroe County, PA. The application also includes a request to continue approval of a total dissolved solids determination consisting of an average monthly effluent concentration limit of 1,200 milligrams/liter (mg/l) and a daily maximum effluent concentration limit of 1,752 mg/l.

14. *Muhlenberg Township Authority, D-2001-030 CP-3.* An application to renew the approval of a groundwater withdrawal from existing Wells Nos. 1, 2, 6, 8, 9, 12—15 and decrease the total combined allocation from 168.5 mg/30 days to 119.9 mgm for continued use in the docket holder's public water system. The wells are completed in the Allentown, Leithsville and Hardyston formations and the Hamburg Sequence in the Laurel Run—Schuylkill River and Willow Creek watersheds in Muhlenberg and Ontelaunee Townships and Laureldale Borough, Berks County, PA.

15. *Bedminster Municipal Authority, D-2003-014 CP-3.* An application to renew the approval of the applicant's existing 0.436 mgd Bedminster WWTP and its discharge. The WWTP will continue to discharge treated effluent to a UNT of Deep Run at River Mile 157.0—6.1—3.8—1.1 (Delaware River—Tohickon Creek—Deep Run—UNT Deep Run) within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Bedminster Township, Bucks County, PA.

16. *Upper Hanover Authority, D-2004-017 CP-4.* An application to renew the approval of the existing 0.098 mgd Perkiomen WWTP and its discharge. The existing WWTP will continue to discharge treated effluent to Perkiomen Creek at River Mile 92.5—31.2—26.5 (Delaware River—Schuylkill River—Perkiomen Creek), by means of Outfall No. 001, in Upper Hanover Township, Montgomery County, PA.

17. *Department of Conservation and Natural Resources, D-2005-008 CP-3.* An application to renew the approval of the existing 0.06 mgd Hickory Run State Park WWTP and its discharge. The Hickory Run WWTP will continue to discharge treated effluent to Hickory Run at River Mile 183.7—67.3—1.7 (Delaware River—Lehigh River—Hickory Run) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Kidder Township, Carbon County, PA.

18. *Downingtown Municipal Water Authority, D-2006-031 CP-3.* An application to renew the approval of the docket holder's 2.5 mgd Water Treatment Plant (WTP) and its discharge of 0.466 mgd backwash filtrate and supernatant. The WTP will continue to discharge water filtration backwash to a UNT of the East Branch Brandywine Creek at River Mile 70.7—1.5—20.0—9.0—0.4 (Delaware River—Christina River—Brandywine Creek—East Branch Brandywine Creek—UNT East Branch Brandywine Creek) by means of Outfall No. 001, within the drainage area of Delaware River Water Quality Zone C7, in Downingtown Borough, Chester County, PA.

19. *Wallenpaupack School District, D-2009-027 CP-3.* An application to renew the approval for the existing 0.01 mgd New Foundland Elementary School WWTP and its discharge. The existing WWTP will continue to discharge treated effluent to Wallenpaupack Creek, upstream of Lake Wallenpaupack at River Mile 277.7—15.8—1.4—12.7—7.8 (Delaware River—Lackawaxen River—Wallenpaupack Creek—Lake Wallenpaupack—Wallenpaupack Creek) by means of Outfall No. 001, in the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Dreher Township, Wayne County, PA.

20. *Aqua Pennsylvania Wastewater, Inc., D-2014-005 CP-2.* An application to renew the approval of the existing 0.15 mgd Woodloch Springs WWTP and its discharge. The existing WWTP will continue to discharge treated effluent for seasonal spray irrigation and to Teedyuskung Creek at River Mile 277.7—9.9—0.35 (Delaware River—Lackawaxen River—Teedyuskung Creek) by means of Outfall No. 001, within the drainage area of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Lackawaxen Township, Pike County, PA.

21. *Concord Township, D-2014-012 CP-2*. An application to renew the approval of the existing 0.0635 mgd Riviera at Concord WWTP and its discharge. The WWTP will continue to discharge treated effluent to Green Creek at River Mile 82.9—8.9—3.3—0.9 (Delaware River—Chester Creek—West Branch Chester Creek—Green Creek), by means of Outfall No. 001, in Concord Township, Delaware County, PA.

22. *Lloyd's Otto, LLC, D-2014-017 CP-2*. An application to renew the approval of the 0.019 mgd recreational vehicle park WWTP and its discharge. The WWTP will continue to discharge treated effluent to Pohopoco Creek at River Mile 183.7—40.9—2.8 (Delaware River—Lehigh River—Pohopoco Creek) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Franklin Township, Carbon County, PA.

23. *Becker, Richard C., D-2014-021 CP-2*. An application to renew the approval of the existing 0.05 mgd Walnutport Mobile Court WWTP and its discharge. The WWTP will continue to discharge treated effluent to Bertsch Creek at River Mile 183.7—30.7—0.16 (Delaware River—Lehigh River—Bertsch Creek) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lehigh Township, Northampton County, PA.

24. *Arrowhead Sewer Company, Inc., D-2003-010-2*. An application to renew and approve upgrades to the existing 0.525 mgd Arrowhead Sewer Company WWTP. The upgrades consist of adding new influent pumps and splitter boxes, improving the aeration blowers, adding new return activated sludge pumps, adding sludge holding tanks, installing a supervisory control and data acquisition alarm system, and improving chemical addition. The WWTP will remain designed for 0.525 mgd and continue to discharge treated effluent to the Lehigh River upstream of the F.E. Walter Reservoir, at River Mile 183.7—90.5 (Delaware River—Lehigh River), within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Coolbaugh Township, Monroe County, PA.

25. *Centerport Borough Municipal Authority, D-2018-006 CP-1*. An application to approve the existing 0.06 mgd Centerport Borough Municipal Authority WWTP and its discharge. The WWTP will continue to discharge treated effluent to Irish Creek at River Mile 92.47—89.6—2.8 (Delaware River—Schuylkill River—Irish Creek) by means of Outfall No. 001, in Centre Township, Berks County, PA.

26. *Berkshire Country Club, D-2018-010-1*. An application to approve a surface water withdrawal of up to 9.3 mgm to irrigate the applicant's golf course from Intake No. 001 located on the Schuylkill River. The project is in the Schuylkill River Watershed in Bern Township, Berks County, PA.

27. *Downe Township, D-2019-001 CP-1*. An application to include the proposed 0.17 mgd Fortescue WWTP and sewage collection and conveyance system in the Commission's Comprehensive Plan. The new package plant will serve approximately 390 developed lots in Fortescue and Gandy's Beach, in Downe Township, Cumberland County,

NJ. Section 3.8 Review of the project will be conducted in accordance with the 2015 Administrative Agreement between the New Jersey Department of Environmental Protection and the Commission. Treated effluent will be discharged to Fortescue Creek at River Mile 28.0—0.5 (Delaware River—Fortescue Creek) in Water Quality Zone 6.

Public meeting. The public business meeting on June 12, 2019, will begin at 1:30 p.m. and will include: adoption of the minutes of the Commission's March 13, 2019, business meeting; announcement of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required. The latter may include but are not limited to resolutions for the minutes: (a) authorizing the Executive Director to retain an accounting firm to perform the Commission's annual independent audits; and (b) providing for the election of the Commission Chair, Vice Chair and Second Vice Chair for the fiscal year commencing July 1, 2019, and ending June 30, 2020.

After all scheduled business has been completed and as time allows, the business meeting will also include up to 1 hour of open public comment.

There will be no opportunity for additional public comment for the record at the June 12, 2019, business meeting on items for which a hearing was completed on May 15, 2019, or a previous date. Commission consideration on June 12, 2019, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance sign-up for oral comment. Individuals who wish to comment on the record during the public hearing on May 15, 2019, or to address the Commissioners informally during the open public comment portion of the meeting on June 12, 2019, as time allows, are asked to sign-up in advance through EventBrite. Links to EventBrite for the public hearing and the business meeting are available at www.drbc.gov. For assistance contact Paula Schmitt at paula.schmitt@drbc.gov.

Submitting written comment. Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at www.drbc.gov. Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need by writing to the attention of the Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance in using the web-based comment system contact Paula Schmitt at paula.schmitt@drbc.gov.

Accommodations for special needs. Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the meeting or

hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

Additional information and contacts. Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Denise McHugh, (609) 883-9500, Ext. 240. For other questions

concerning hearing items contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 19-661. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending April 23, 2019.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Corporate Applications Division, 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, contact the Corporate Applications Division at (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>
04-22-2019	Republic First Bank Philadelphia Philadelphia County	Corner of Mechanicsville Road and Street Road Bensalem Bucks County	Approved
04-22-2019	Republic First Bank Philadelphia Philadelphia County	Corner of Tilton Road and Cresson Avenue Northfield Atlantic County, NJ	Approved
04-22-2019	Wayne Bank Honesdale Wayne County	734 Sans Souci Parkway Hanover Township Luzerne County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-22-2019	ESSA Bank & Trust Stroudsburg Monroe County	<i>To:</i> 76 South Main Street Nazareth Northampton County <i>From:</i> 14 South Main Street Nazareth Northampton County	Approved

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-662. Filed for public inspection May 3, 2019, 9:00 a.m.]

**DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES**

Environmental Assessment Resolution of Conversions from Recreational Use on Land and Water Conservation Fund-Funded State Forest Land

This Environmental Assessment addresses conversions from recreational use of Land and Water Conservation Fund (LWCF)-protected State forest land that occurred in 2008—2011.

As part of the National Park Service requirements for conversion resolution of LWCF-protected lands, an Environmental Assessment of the conversion areas has been completed and is available for review and comment.

The Environmental Assessment will be available for review from May 4, 2019, until June 18, 2019, at the Department of Conservation and Natural Resources web site at http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/dcnr_20033875.docx.

Questions or comments on this proposal should be forwarded to Thomas Ford, Director, Bureau of Recreation and Conservation, 400 Market Street, Rachel Carson State Office Building, 5th Floor, Harrisburg, PA 17101-2301 or RA-NRBRC_CONVERSIONS@pa.gov. Comments must be received within 45 days following publication of this notice.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 19-663. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM)
PERMITS**

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063606 (Industrial)	Closed Bangor Ash Disposal Site 5027 River Road Mount Bethel, PA 18343-5610	Northampton County Bangor Borough	Unnamed Tributary to Martins Creek (CWF, MF) (1-F)	Yes
PA0065421 (Industrial)	Lehigh Cement Co. Nazareth Operations 7660 Imperial Way Allentown, PA 18195	Northampton County Nazareth Borough	Unnamed Tributary to Shoeneck Creek (WWF, MF) and Unnamed Tributary to East Branch Monocacy Creek (HQ-CWF, MF) (2-C and 1-F)	Yes
PA0065471 (Storm Water)	Behr Process Corporation Allentown Facility 7529 Morris Court Allentown, PA 18106	Lehigh County Upper Macungie Township	Iron Run (HQ-CWF, MF) (2-C)	Yes

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PAS123501 (Storm Water)	Linette Quality Chocolates Inc./ Treehouse Private Brands Inc. 336 Hill Road Womelsdorf, PA 19567-9200	Berks County Heidelberg Township	Unnamed Tributary to Tulpehocken Creek (HQ-CWF (existing use)) (3-C)	Yes
PA0085235 (Sewage)	Emily's Restaurant DeGrazia, LLC 3790 Morgantown Road Mohnton, PA 19540	Berks County/ Robeson Twp	UNT Allegheny Creek (3-C)	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0110485 (Sewage)	Columbia County Industrial Park WWTP 4211 E Park Circle Harrisburg, PA 17111-2806	Columbia County South Centre Township	Susquehanna River (WWF, MF) (5-D)	Yes
PA0009857 (Industrial)	US F & W Lamar National Fish Hatchery P.O. Box 75 Lamar, PA 16848-0075	Clinton County Porter Township	Fishing Creek (HQ-CWF) and Unnamed Tributary to Fishing Creek (HQ-CWF) (9-C)	Yes

Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0096814 (Sewage)	Robyns Shop Donegal Tri Fuel Project 2848 Copper Kettle Highway Rockwood, PA 15557	Westmoreland County Donegal Township	UNT of Minnow Run (CWF) (19-E)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0096113 (Sewage)	McGuffey Jr Middle & Sr High School 90 McGuffey Drive Claysville, PA 15323-2304	Washington County Buffalo Township	Buffalo Creek (HQ-WWF) (20-E)	Yes
PA0093866 (Industrial)	Southern Alleghenies Landfill, Inc. 843 Miller Picking Road Davidsville, PA 15928-8917	Somerset County Conemaugh Township	Unnamed Tributary to Stonycreek River (CWF) and Stonycreek River (WWF) (18-E)	No

II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications.

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.

PA0255441, Storm Water, SIC Code 4953, **Duquesne Light Co.**, 2825 New Beaver Avenue # N6-Tng, Pittsburgh, PA 15233-1003. Facility Name: Kissick Ash Disposal Site. This proposed facility is located in Indiana Township, **Allegheny County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of Industrial Stormwater.

The receiving stream(s), Unnamed Tributary to Little Deer Creek (TSF), is located in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

PA0254274, Industrial, SIC Code 3273, **C. E. Ready Mix**, 185 N Washington Road, Apollo, PA 15613-9603. Facility Name: C. E. Ready Mix. This proposed facility is located in Washington Township, **Westmoreland County**.

Description of Proposed Activity: The application is for a new Individual NPDES permit for a new discharge of treated Industrial Waste.

The receiving stream(s), Unnamed Tributary of Pine Run (WWF), is located in State Water Plan watershed 18-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow that is variable due to precipitation.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
* Cadmium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
* Cobalt, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
* Copper, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
* Nickel, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
* Selenium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
* Silver, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX

* Limits proposed based on sample analyses that did not meet the Department Quantitation Limits (QLs).

The proposed effluent limits for Outfall 001 are based on a design flow that is variable due to precipitation.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
			Daily Min			
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
* Cadmium, Total (ug/L)	XXX	XXX	XXX	0.271	0.542	XXX
* Cobalt, Total (ug/L)	XXX	XXX	XXX	19.0	38.0	XXX
* Copper, Total (ug/L)	XXX	XXX	XXX	9.3	18.6	XXX
Iron, Total	XXX	XXX	XXX	1.50	3.00	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
* Nickel, Total (ug/L)	XXX	XXX	XXX	52.2	104.4	XXX
* Selenium, Total (ug/L)	XXX	XXX	XXX	5.0	10.0	XXX
* Silver, Total (ug/L)	XXX	XXX	XXX	3.8	7.6	XXX
Chloride	XXX	XXX	XXX	250.0	500.0	XXX

* Limits proposed based on sample analyses that did not meet the Department QLs.

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	Report	XXX
			Daily Min			
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following condition:

- If the permit applicant provides new sample analyses that meet the QLs and demonstrate that the noted effluent limits are unnecessary, applicable pollutants may be dropped before issuance of the Final Permit.

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.

PA0026522, Sewage, **W Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122. Facility Name: New England STP. This existing facility is located in West Mifflin Borough, **Allegheny 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 Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 101 are based on a design flow of 1.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	250.0	376.0	XXX	25.0	37.5	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	300.0	450.0	XXX	30.0	45.0	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
Ammonia-Nitrogen						
Nov 1 - Apr 30	30.0	45.0	XXX	3.0	4.5	6
May 1 - Oct 31	20.0	30.0	XXX	2.0	3.0	4
Ultraviolet light dosage (mWsec/cm ²)	XXX	XXX	Report	Report	XXX	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 1.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Aluminum, Total	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Iron, Total	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Manganese, Total	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 1.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX

Sludge use and disposal description and location(s): All sludge is dewatered and disposed of at Westmoreland County Sanitary Landfill, Permit No. 100277.

The EPA Waiver is not in effect.

III. WQM Industrial Waste and Sewerage Applications Under the Clean Streams Law (35 P.S. §§ 691.1—691.1001).

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. 1519402, Sewage, **East Brandywine Township Municipal Authority**, 1214 Horseshoe Pike, Downingtown, PA 19335.

This proposed facility is located in East Brandywine Township, **Chester County**.

Description of Action/Activity: Proposed townhomes drip irrigation system.

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

WQM Permit No. 5219401, Sewage, **New Jersey Federation of YMHA & YWHA Camps**, 21 Plymouth Street, Fairfield, NJ 07004-1615.

This proposed facility is located in Dingman Township, **Pike County**.

Description of Proposed Action/Activity: Upgrades will be made to the existing WWTP. The upgrades include: a new dechlorination pump installed in a new storage shed, replacement of the existing chlorine pump with matching metering pump to allow synchronization of the pump systems, installation of an aeration system at the bottom of the existing digester, and a new automated dialer that can send alarm signals over cellular telephone networks.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

WQM Permit No. 2117408 A-1, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity Replacement of an existing 8-inch pipe with 1,103 LF of 12-inch PVC within the Wertz Run Interceptor.

WQM Permit No. WQG0267901, Sewerage, **Penn Township**, 20 Wayne Ave., Hanover, PA 17331.

This proposed facility is located in Penn Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Oak Hills/Hershey Heights Developments sanitary sewer.

WQM Permit No. 3898404, Amendment # 2, Sewerage, **South Londonderry Township Municipal Authority**, 27 West Market Street, Palmyra, PA 17078.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of upgrades to an existing wastewater treatment facility to improve aeration capabilities, controls and increase organic capacity at the Campbelltown East WWTP.

WQM Permit No. 2219201, Industrial Waste, **PA American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055.

This proposed facility is located in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for the removal of chlorine gas feed facilities, construction of sodium hypochlorite feed equipment, construction of ultraviolet disinfection equipment, upgrade de-chlorination fee system at the Hershey WTP.

WQM Permit No. 2119201, Industrial Waste, **PA American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055.

This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for the removal of chlorine gas feeding facilities, construction of sodium hypochlorite feed equipment, construction of ultraviolet disinfection equipment, upgrade dichlorination fee system at the Silver Spring WTP.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQM Permit No. 2519408, Sewage, **Scott Jackson & Scott Taylor**, 1525 Three Degree Road, Mars, PA 16046.

This proposed facility is located in Springfield Township, **Erie County**.

Description of Proposed Action/Activity: Small Flow Treatment Facility.

WQM Permit No. 1619401, Sewage, **Melissia L McClain**, 49671 Carmel Achor Road, Rogers, OH 44455-9750.

This proposed facility is located in Highland Township, **Clarion County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. WQG01251904, Sewage, **Mark Currier**, 2430 E 32nd Street, Erie, PA 16510-2702.

This proposed facility is located in Conneaut Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 2519409, Sewage, **Deborah McLaughlin**, 3389 Hoover Heights, Harborcreek, PA 16421.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone: 570.826.2511.

PAI132230, MS4, **Wilson Borough**, 2040 Hay Terrace, Easton, PA 18042-4617. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Wilson Borough, **Northampton County**. The receiving stream(s), Lehigh River (WWF, MF), is located in State Water Plan watershed 2-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.

PAI133500, MS4, Mohnton Borough Berks County, 21 N O'Neil Street, Mohnton, PA 19540. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Mohnton Borough, **Berks County**. The receiving stream(s), Wyomissing Creek and Unnamed Tributary to Wyomissing Creek, is located in State Water Plan watershed 3-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4 and is not in effect for large MS4s.

PAI133503, MS4, Spring Township Berks County, 2850 Windmill Road, Sinking Spring, PA 19608. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Spring Township, **Berks County**. The receiving stream(s), Unnamed Stream (TSF, MF), Cacoosing Creek (CWF, MF), Unnamed Tributary to Tulpehocken Creek (WWF, MF), and Unnamed Tributary of Wyomissing Creek (HQ-CWF, MF), is located in State Water Plan watershed 7-J and 3-C and is classified for Migratory Fishes, Cold Water Fishes, Warm Water Fishes, High Quality—Cold Water, Migratory Fish, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

PAI133507, MS4, Cumru Township Berks County, 1775 Welsh Road, Mohnton, PA 19540-8803. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Cumru Township, **Berks County**. The receiving stream(s), Unnamed Tributary to Angelica Creek (CWF, MF), Unnamed Tributary to Schuylkill River (WWF, MF), Angelica Creek (CWF, MF), Unnamed Tributary to Allegheny Creek (CWF, MF), Unnamed Tributary to Wyomissing Creek (HQ-CWF, MF), and Wyomissing Creek (HQ-CWF, MF), is located in State Water Plan watershed 3-C and is classified for Cold Water Fishes, Migratory Fishes, High Quality—Cold Water, Warm Water Fishes, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

PAI133504, MS4, West Reading Borough Berks County, 500 Chestnut Street, West Reading, PA 19611. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in West Reading Borough, **Berks County**. The receiving stream(s), Schuylkill River (WWF, MF) and Wyomissing Creek (CWF, MF), is located in State Water Plan watershed 3-C and is classified for Cold Water Fishes, Migratory Fishes, and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be

extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

PAI133502, MS4, **Shillington Borough Berks County**, 2 E Lancaster Avenue, Shillington, PA 19607-0247. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Shillington Borough, **Berks County**. The receiving stream(s), Unnamed Tributary to Angelica Creek (CWF, MF) and Wyomissing Creek (HQ-CWF, MF), is located in State Water Plan watershed 3-C and is classified for Cold Water Fishes, Migratory Fishes, High Quality—Cold Water, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.

PAI136123, MS4, **Salem Township**, 244 Congruity Road, Greensburg, PA 15601-8473. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Salem Township, **Westmoreland County**. The receiving streams, Beaver Run and Thorn Run are located in State Water Plan watershed 18-B and are classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities.

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

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390127	Myron R Haydt Development Co 2105 Sonoma Dr Bethlehem, PA 18015	Lehigh	Salisbury Twp	Trout Creek (HQ-CWF, MF) Black River (CWF, MF)
PAD390120	Depot Properties LLC 2310 S Redwood Ave Independence, MO 64057	Lehigh	Lower Macungie Twp	Swabia Creek (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140052	Pennsylvania State University 139J Physical Plant Building University Park, PA 16802	Centre	State College Boro Ferguson Twp	Thompson Run HQ-CWF Big Hollow CWF

Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180021 Previously PAI041814002 Renewal	Glossners Concrete 515 Laurel Run Road Beech Creek, PA 16822	Clinton	Porter Twp	Finishing Creek HQ-CWF

Sullivan County Conservation District: RR 2, Box 2022B, Dushore, PA 18614, (570) 928-7057.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD570001 (Resubmittal with corrected permit #)	Department of Conservation of Natural Resources Rachel Carson Building Harrisburg, PA 17105	Sullivan	Fox Twp	West Branch Mill Creek HQ, CWF

Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD600005	Jeffery Thomas White Deer Run 360 White Deer Run Road Allenwood, PA 17810	Union	Gregg Twp	White Deer Hole Creek HQ-CWF

VII. List of NOIs for NPDES and/or Other General Permit Types.

PAG-12 CAFOs

CAFO Notices of Intent Received.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.

NPDES Permit No. PAG123759 A-1, CAFO, Sweigart III David W, 189 Ridge View Road S, Elizabethtown, PA 17022.

This existing facility is located in Mount Joy Township, **Lancaster County**.

Description of size and scope of existing operation/activity: Dairy (Cows, Heifers, Calves), Swine (Wean—Finish): 2,140.07 AEUs.

The receiving stream, Unnamed Tributary to Conoy Creek, is in watershed 7-G and classified for: Migratory Fishes and Trout Stocking.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PAG126106, CAFO, Washington Trotting Association LLC, 210 Racetrack Road, Washington, PA 15301-8966.

This proposed facility is located in North Strabane Township, **Washington County**.

Description of size and scope of proposed operation/activity: Horses: 929.5 AEUs.

The receiving stream, Unnamed Tributary to Chartiers Creek (WWF), is in watershed 20-F and classified for: Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

MS4 PAG-13 Notices of Intent Received.

Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136373	Kilbuck Township 343 Eicher Road Pittsburgh, PA 15237-1012	Kilbuck Township Allegheny County	Y	N

**STATE CONSERVATION COMMISSION
PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS
FOR NPDES PERMITS FOR CAFOs**

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Daryl Martin 204 Farmers Lane Myerstown, PA 17067	Lebanon	25	290.91	Layers Dairy Heifer Finishing Swine	NA	Renewal
Wen-Crest Farms 549 Schaeffer Road Lebanon, PA 17042	Lebanon	1,241.5	1,177.35	Broilers/ Beef	NA	R
Malcolm Sonnen 101 Sonnens Road Richland, PA 17087	Lebanon	15.3	242.08	Poultry— Layers	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

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

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 6719508, Public Water Supply.
 Applicant **The York Water Company**
 Municipality Spring Garden Township
 County **York**
 Responsible Official Mark S. Snyder, Engineering Manager
 130 East Market Street
 P.O. Box 15089
 York, PA 17405-7089

Type of Facility Public Water Supply
 Consulting Engineer Mark S. Snyder, PE
 The York Water Company
 130 East Market Street
 P.O. Box 15089
 York, PA 17405-7089

Application Received: 4/17/2019
 Description of Action Two (2) of the existing pumps at Brillhart Pumping Station will be replaced with three (3) new pumps each with a capacity of 2,800 gallons per minute at 307 feet TDH.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 0419505, Public Water Supply.
 Applicant **Creswell Heights Joint Authority**
 3961 Jordan Street
 Box 301
 South Heights, PA 15081

[Township or Borough] Crescent Township
 Responsible Official Dan Losco, General Manager
 Creswell Heights Joint Authority
 3961 Jordan Street
 Box 301
 South Heights, PA 15081

Type of Facility Water system
 Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Application Received Date April 12, 2019
 Description of Action Installation of mixing systems in the Cochran Acres, Clearview and Gringo water storage tanks.

Permit No. 0219511, Public Water Supply.
 Applicant **Coraopolis Water and Sewer Authority**
 1301 Fourth Avenue
 Suite 1
 Coraopolis, PA 15108

[Township or Borough] Coraopolis Borough
 Responsible Official Raymond McCutcheon, Authority Manager
 Coraopolis Water and Sewer Authority
 1301 Fourth Avenue
 Suite 1
 Coraopolis, PA 15108

Type of Facility Water system

Consulting Engineer Lennon, Smith, Souleret Engineering, Inc.
 846 Fourth Avenue
 Coraopolis, PA 15108

Application Received Date April 23, 2019
 Description of Action Installation of a corrosion control chemical injection point at the School Street pump station interconnect.

Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 4311502-MA1, Public Water Supply.
 Applicant **Sandy Lake Borough**
 Township or Borough Sandy Lake
 County **Mercer**
 Responsible Official Daniel Schulz
 Type of Facility Public Water Supply
 Consulting Engineer Chad Hanley, PE
 Herbert, Rowland & Grubic
 200 West Kensington Drive
 Cranberry Township, PA 16066

Application Received Date April 8, 2019
 Description of Action Water connection with the Borough of Stoneboro.

Permit No. 0375501-T1-MA1, Public Water Supply.
 Applicant **Worthington-West Franklin Joint Municipal Authority**
 Township or Borough West Franklin Township
 County **Armstrong**
 Responsible Official Marcia Long
 Type of Facility Public Water Supply
 Consulting Engineer Michael Basista, PE
 Bankson Engineers
 267 Blue Run Road
 Cheswick, PA 15024

Application Received Date April 12, 2019
 Description of Action Interior and exterior painting of standpipe.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WA 37-420-B, Water Allocations. **New Wilmington Municipal Authority**, 134 High Street, New Wilmington, PA 16142, **Lawrence County**. Water Allocation Permit application requesting the right to purchase up to 325,000 gpd as a peak month (30-day) flow rate from Aqua Pennsylvania, Inc. Shenango Valley Water System. Permittee contact: Mr. Tom Taylor, Chair, New Wilmington Municipal Authority 134 High Street, New Wilmington, PA 16142 Consulting Engineer Mr. Matthew

J. Arena, PE, Herbert, Rowland & Grubic, Inc., 200 West Kensinger Drive, Suite 400, Cranberry Township, PA 16066.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

David Golberg Residence, 404 Blacklatch Lane, Camp Hill, PA 17011-8414, Lower Allen Township, **Cumberland County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Erie Insurance, 1400 North Providence Road, Media, PA 19063, and David Golberg, 404 Blacklatch Lane, Camp Hill, PA 17011-8414, submitted a Notice of Intent to Remediate site soil contaminated with # 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is residential. The Notice of Intent to Remediate was published in the *Patriot News* on January 10, 2019.

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Gerhart Residence, 101 Pinewood Drive, Falls Township, **Bucks County**. Chris Black, Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468 on behalf of Mr. and Mrs. Glen Gerhart, 101 Pinewood Drive, Levittown, PA 19054 submitted a Notice of Intent to Remediate. The soils onsite have been found to be contaminated with benzene and 1,2,4-trimethylbenzene. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on February 13, 2019.

Clover Store No. 4, Intersection of Old Lincoln Highway (Route 1) and West Trenton Avenue, Falls Township, **Bucks County**. John C. Lydzinski, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Stuart W. Cox, Kimco Morrisville 648 Trust c/o Kimco Realty Corporation, 1954 Greenspring Drive, Suite 330, Timonium, MD 21093 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with unleaded and leaded gasoline. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on February 28, 2019.

1952 East Allegheny Avenue, 1952 East Allegheny Avenue, City of Philadelphia, **Philadelphia County**. Sarah Szymanski, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Steve Culbertson, Impact Services Corporation, 1952 East Allegheny Avenue, Philadelphia, PA 19134 submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been contaminated with the release of TCE and PAHs. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on February 7, 2019.

2035 East Lehigh Avenue, 2035 East Lehigh Avenue, City of Philadelphia, **Philadelphia County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Larry McKnight, L&M Fishtown Residence, LLC, 3020 Richmond Street, Philadelphia, PA 19134 submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with the release of metals and PAHs. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on December 5, 2018.

Medical Products Laboratories Inc., 9990 Global Road, City of Philadelphia, **Philadelphia County**. Terry Harris, Boucher & James, Inc., 1456 Ferry Road Building 500, Doylestown, PA 18901 on behalf of Elliott Stone, Medical Products Laboratories, Inc., 9990 Global Road, Philadelphia, PA 19115 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with fuel oil components which have contaminated

groundwater on the site. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on March 8, 2019.

Folcroft West Business Park, 701A, 701B, 701C, Ashland Avenue and 801 Carpenters Crossing, Folcroft Borough, **Delaware County**. Michael Edelman, TRC Environmental Corporation, 1601 Market Street, Suite 2555, Philadelphia, PA 19103 on behalf of Brian Coyle, Henderson Ashland Carpenters Associates LLC (Ashland I and II and IV) and Henderson Ashland Three Associates LLC (Ashland III) submitted a Notice of Intent to Remediate. Groundwater at the site has been found to be contaminated with the release of chlorinated solvents compounds including perchloroethylene, trichloroethylene, and cis-1, 2-dichloroethylene. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on March 8, 2019.

SPC Corporation Facility, 2600 Penrose Avenue, City of Philadelphia, **Philadelphia County**. William F. Schmidt, The Vertex Companies, Inc, 700 Turner Way, Suite 105, Aston, PA 19014 submitted a Notice of Intent to Remediate. Groundwater has been found to be contaminated with VOCs and SVOCs. The Notice of Intent to Remediate was published in the *Metro Philadelphia* on March 7, 2019.

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

Schroder Property, 372 Lake Minsi Drive, Upper Mount Bethel Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Kevin Schroder, 372 Lake Minsi Drive, Bangor, PA 18013, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in the *Express Times* on March 15, 2019.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Applications received, withdrawn, denied or returned under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

RCRA Post-Closure Permit Renewal Application No. PAR000514182. National Standard, LLC, 1000 East Main Street, Mount Joy, PA 17552. National Standard, LLC has submitted a post-closure permit renewal application for its Mount Joy Wire Site located in Mount Joy Borough, **Lancaster County**. The application was determined to be administratively complete on April 19, 2019.

Persons interested in obtaining more information about this permit application may contact Mr. John Oren, PE, Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. A copy of the permit application is available for review at Milanof-Schock Library, 1184 Anderson Ferry Road, Mount Joy, PA 17552. In addition, the public is invited to review the application

at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732.

MUNICIPAL WASTE GENERAL PERMITS

Renewal Application(s) received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit Application No. WMGM039SC003. Pennsy Supply, Inc., has submitted a general permit renewal application for Prescott Quarry, 200 Prescott Road, Lebanon, PA 17042 in South Lebanon Township, **Lebanon County**. This general permit authorizes the processing and beneficial use of post-consumer asphalt shingles and pre-consumer asphalt shingles as an ingredient in hot-mix and cold-mix asphalt paving material, a component of a sub-base material, as dust control on rural roads when applied with a binder, and as a component or ingredient in fuel used in cement or manufacturing or in the generation of electricity or steam. The application for renewal was determined to be complete on April 19, 2019.

General Permit Application No. WMGM039SC004. Pennsy Supply, Inc., has submitted a general permit renewal application for Penn Township Quarry, 20 Pennsy Drive, Newville, PA 17241 in Penn Township, **Cumberland County**. This general permit authorizes the processing and beneficial use of post-consumer asphalt shingles and pre-consumer asphalt shingles as an ingredient in hot-mix and cold-mix asphalt paving material, a component of a sub-base material, as dust control on rural roads when applied with a binder, and as a component or ingredient in fuel used in cement or manufacturing or in the generation of electricity or steam. The application for renewal was determined to be complete on April 19, 2019.

General Permit Application No. WMGM039SC005. Pennsy Supply, Inc., has submitted a general permit renewal application for East Petersburg Quarry, 2742 Lancaster Road, East Petersburg, PA 17520 in East Hempfield Township, **Lancaster County**. This general permit authorizes the processing and beneficial use of post-consumer asphalt shingles and pre-consumer asphalt shingles as an ingredient in hot-mix and cold-mix asphalt paving material, a component of a sub-base material, as dust control on rural roads when applied with a binder, and as a component or ingredient in fuel used in cement or manufacturing or in the generation of electricity or steam. The application for renewal was determined to be complete on April 19, 2019.

Persons interested in obtaining more information about the general permit renewal applications may contact Mr. John Oren, PE, Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

*Northcentral Region: Regional Solid Waste Manager,
208 West Third Street, Williamsport, PA 17701.*

Permit No. 100963. Lycoming County Resource Management Service, P.O. Box 187, Montgomery, PA 17752, Brady Township, **Lycoming County**. Permit renewal application for an existing municipal waste landfill. The application was received by Northcentral Regional Office on March 29, 2019.

Comments concerning the application should be directed to Lisa D. Houser, PE, Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

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

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

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

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

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

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

*Contact: David Balog, New Source Review Chief—
Telephone: 814-332-6328.*

25-995C: Essentra Components (3123 Station Road, Erie, PA 16510), for the proposed VOC & HAP emission limit increase for the Plastisol Dip Mold Operation (Sources 101, 103, & 106) and the upgrade of the Pre-heat & Curing Oven for Line 1 (Source 101) in Erie City, **Erie County**. This is a State Only facility.

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.

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104.*

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

OP19-000001: Building Bok LP (1901 S 9th Street, Philadelphia, PA 19148) for the operation of a non-residential building in the City of Philadelphia, **Philadelphia County**. The facility’s air emission sources are

three (3) boilers each rated 8.2 MMBtu/hr firing natural gas as primary fuel and No. 2 fuel oil during periods of natural gas curtailment, and one (1) emergency generator rated 180 kW firing diesel fuel.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

46-00118: Ursinus College, (601 E. Main Street, Collegeville, PA 19426) submitted a renewal for a Non-Title V Facility, State-Only, Synthetic Minor Permit in Collegeville Borough, **Montgomery County**. Ursinus College is a College of higher education. The sources of emissions include: boilers and emergency generators. The facility voluntarily took a total NO_x emission limit of 24.9 tons per year calculated on a 12-month rolling sum. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

46-00147: Chemalloy Co. LLC (1301 Conshohocken Road, Conshohocken, PA 19428) for the renewal of the state-only operating permit to grind, crush, mill and screen various metal alloys and minerals into fine powders that are then sold for various industrial uses. This facility is in Plymouth Township, **Montgomery County**. The facility's potential to emit criteria pollutants is less than major thresholds; therefore, the facility is a Natural Minor. There are no applicable Federal New Source Performance Standards (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAP) for this facility. The permit will include monitoring, 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.

06-03063: East Penn Manufacturing Co., Inc. (191 Willow Street, Kutztown, PA 19530) to issue a State Only Operating Permit renewal for the automotive wiring and battery accessories plant located in Kutztown Borough,

Berks County. The actual emissions from the facility in 2017 were estimated at 7.5 tons of VOC and less than a ton of other pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart JJJJ, 25 Pa. Code §§ 129.63 and 129.77.

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

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

17-00030: Clearfield Machine Company (P.O. Box 992A, Clearfield, PA 16830) for their iron foundry facility located in Clearfield Borough, **Clearfield County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (Department) has received an application and intends to issue an Air Quality Operating Permit for this facility. The facility is currently operating under State Only Permit No. 17-00030 issued on June 5, 2014. There have not been any physical changes nor changes in method of operation since the previous permit was issued. The subject facility has potential emissions for nitrogen oxides (NO_x, expressed as NO₂), carbon monoxide (CO), volatile organic compounds (VOCs), sulfur oxides (SO_x), particulate matter (PM) and PM₁₀, and hazardous air pollutants (HAPs) are, as follows: NO_x—29.4 tons per year (tpy); CO—15.9 tpy; VOCs—14.3 tpy; SO_x—53.4 tpy; PM/PM₁₀—53.2 tpy; HAP—3.4 tpy; and Lead—0.7 tpy. The major production operations at this facility are raw material handling and preparation, metal melting, mold and core production, and casting and finishing. The facility operates two reverberatory-type furnaces for metal melt production at the facility. The material charged in these furnaces is subject to the pollution prevention management practices in the National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources as codified in 40 CFR Part 63 Subpart ZZZZZ. The applicable pollution prevention management practices are cited in 40 CFR 63.10885. In addition, the facility is required to only use a binder formulation for mold and core production that is free of methanol in the catalyst portion of the binder system, pursuant to the applicable Subpart ZZZZZ management practices as codified in 40 CFR 63.10886. The other applicable requirements in the renewal permit conditions were derived from 25 Pa. Code Article III, Chapters 121—145. All applicable air quality regulatory requirements pertaining to the air contaminant sources located at this facility have been incorporated into the renewal permit, including testing, monitoring, recordkeeping, reporting and work practice conditions to verify compliance with the applicable requirements. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

04-00083: Beaver Valley Alloy Foundry Co. (4165 Brodhead Road, Monaca, PA 15061) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of

Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Beaver Valley Alloy to authorize the continued operation of their foundry operation located in Monaca Borough, **Beaver County**.

Beaver Valley Alloy's primary business is for steel industry and also makes casting for mining industry and parts for locomotives. Facility's processes include mold making, sand reclamation, molten metal pouring, heat treating and finishing. Facility consists of a mold making area, four induction furnaces, core oven, ladle heater, heat-treating activities, shot blasting operations, thermal sand reclamation and four dust collectors to control particulate emissions. Estimated emission from this facility is 3.4 tons per year of particulate matter (PM), 3.3 tons per year of PM₁₀, 9.4 tons per year of NO_x and insignificant amount of other pollutants.

The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145, and 40 CFR Part 63 Subpart ZZZZZ.

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 (04-00083) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Beaver Valley Alloy 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 Beaver Valley Alloy 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.

63-00886: All Clad Metalcrafters, LLC (424 Morganza Road, Canonsburg, PA 15317) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to All Clad to authorize the continued operation of their clad metal sheet stock and cookware manufacturing plant located in Canonsburg, **Washington County**.

The facility consists of furnaces, presses, punches, lathe machines, polish and grind units and some small dip tank. It has several baghouses to control emissions of particulate matter (PM). This facility has the potential to emit 5.88 tons per year of PM₁₀, 1.6 ton per year of NO_x and less than a ton per year of VOCs.

The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

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 (63-00886) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

All Clad Metalcrafters 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 All Clad Metalcrafters 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.

32-00197: Purchase Line School District (16559 Route 286, Highway East, Commodore, PA 15729-8309) The Department intends to issue a renewal synthetic minor State Only Operating Permit for the operation of an institution of secondary education known as Purchase Line Jr/Sr High School located in Green Township, **Indiana County**. The facility contains air contamination sources consisting of two coal-fired boilers equipped with fly ash separators and a diesel-fired emergency generator engine. Potential emissions from this facility are estimated at 18.0 tons of SO₂ per year, 1.5 ton of NO_x per year, 1.2 ton of CO per year, 0.5 ton of PM per year, 0.2 ton of PM₁₀ per year, and 0.1 ton of VOC per year. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed operating permit includes emission limitations, and operational, monitoring, work practice, reporting, and recordkeeping requirements for the facility.

Purchase Line School District's State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal 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 State Only Operating Permit for this project, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Depart-

ment within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 32-00197) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

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.

Comments, protests and requests for a public hearing should be directed to Nick Waryanka, PE, Air Quality Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 (nwaryanka@pa.gov, fax 412-442-4194).

11-00325: Maple Coal Company (254 Interpower Drive, Colver, PA 15927), In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that they intend to issue a renewed, facility-wide, State Only Operating Permit for the continued operation of a coal preparation plant, known as the Colver Coal Refuse Processing Plant, located in Barr and Blacklick Townships, **Cambria County**.

Colver Coal Refuse Processing Plant contains air contamination sources consisting of screens, conveyers, stockpiles, and truck unloading and loading operations. Air pollution prevention equipment at the facility includes enclosures, minimization of drop height, and a water truck and a road sweeper for the plant roads.

Annual potential emissions are 19 tons of PM₁₀ and 10 tons of PM_{2.5}. Sources at the Colver Coal Refuse Processing Plant are subject to 40 CFR Part 60, Subparts A and Y, and 25 Pa. Code Chapters 121–145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

The application, the DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, PE, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit SOOP-11-00325) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

10-00021: Indspec Chemical Corporation (P.O. Box 307, 133 Main Street, Petrolia, PA 16050). The Department intends to issue a modification of the State only operating permit for the facility located in Petrolia Borough, **Butler County**. The modification includes the ERCs approved for the shutdown sources and removes two engines no longer in use (180 emergency generators and 180D air compressor). In addition, the facility requested removal of Source 169—Sodium Sulfate Product Loading at the Copeland; Source 238—Tank Number T-3069; Source 270—V-8 X-Factor; and Source 280—V-9 X-Factor. These sources are no longer required, have been emptied, cleaned and rendered unusable.

20-00264: Salt Painting, Inc. (17918 State Highway 198, Saegertown, PA 16433), the Department intends to issue the renewal of the State-Only Operating Permit of a facility located in Hayfield Township, **Crawford County** that provides painting, cleaning, coating and sandblasting services to industrial plants and facilities. Air pollutant-emitting activities covered by this permit are those performed and located at the facility, namely abrasive blasting, surface coating, curing oven, and diesel compressor. With PTEs below major source thresholds, the facility has been permitted as Natural Minor. In this renewal, major change is the incorporation of 25 Pa. Code § 129.52d, which may potentially replace 25 Pa. Code § 129.52, for the facility's surface coating operation.

62-00150: Superior Tire & Rubber Corp. (1818 Pennsylvania Ave. West, Warren, PA 16365), the Department intends to issue the renewal of the State-Only Operating Permit of a facility located in Warren City, **Warren County** that manufactures polyurethane and rubber industrial components that include tires, wheels, caster, track pads, and bearings. Permitted sources at the facility are three (3) boilers, three (3) spray booths for adhesive spray and finish coating operations, two (2) burn off ovens, natural gas-fired ovens for preheating and curing of molding parts, natural gas-fired heaters, an emergency generator, and a degreaser. Subject to facility-wide restrictions of 49.5 TPY VOC, 9.9 TPY single HAP, and 24.9 TPY multiple HAPs on 12-month rolling basis, the facility is Synthetic Minor for permitting purposes and an area HAP source for MACT purposes. In this renewal, 25 Pa. Code § 129.52d that may potentially apply to the facility is incorporated into the operating permit. Previously authorized through a RFD issued in 2014, a boiler is added as a permitted source. All boilers are subject to a new fuel restriction to ensure exemption from a potentially applicable Federal rule. Incorporated as one permitted source, total heat input rating and

natural gas usage for ovens and heaters are updated to account for units installed as authorized through RFDs issued during the last permit term.

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

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

48-00114A: UGI Bethlehem LNG LLC (One Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610) for their facility located in City of Bethlehem, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to UGI Bethlehem LNG LLC (One Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610) for their facility located in City of Bethlehem, Northampton County. This Plan Approval No. 48-00114A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00114A is for the installation and operation of a Liquefied Natural Gas (LNG) which will consist of two natural gas fired boilers, two Vaporizers, and a LNG storage tank. The company shall be subject to and comply with NSPS Subpart IIII and 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00114A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

32131303 Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Crooked Creek Mine in Washington Township and Creekside Borough, **Indiana County**. No additional discharges. The application was considered administratively complete on April 17, 2019. Application received: February 27, 2019.

30960701 and NPDES No. PA0215201. Emerald Contura, LLC, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To renew the permit for the Emerald Mine No. 1—Coal Refuse Disposal Area No. 2 in Franklin Township, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on April 17, 2019. Application received: March 28, 2019.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 56070111. Mountaineer Mining Corp., 1010 Garrett Shortcut Road, Berlin, PA 15530, permit renewal for reclamation only of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 115 acres. Receiving streams: unnamed tributaries to Swamp Creek and unnamed tributaries to Buffalo Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 12, 2019.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

17130106 and NPDES PA0269620. Black Cat Coal, LLC (446 WM Cemetery Road, Curwensville, PA 16833). Permit renewal for continued operation and restoration of a bituminous surface coal, topsoil, shale, and sandstone mine also transfer from Horton Coal Company, LLC located in Bloom Township, **Clearfield County** affecting 16.0 acres. Receiving stream(s): Unnamed Tributaries to Anderson Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 8, 2019.

17831601 and NPDES PA0215317. River Hill Coal Company, Inc. (P.O. Box 141, Kylertown, PA 16847). To renew the permit for the Belford Siding Preparation Plant located in Karthaus Township, **Clearfield County** and related NPDES permit. Receiving stream(s): West Branch of Susquehanna River classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: February 21, 2019.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

03080104 and NPDES Permit No. PA0251496. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Renewal application for reclamation only to an existing bituminous surface mine, located in East Franklin and North Buffalo Townships, **Armstrong County**, affecting 114.8 acres. Receiving streams: unnamed tribu-

taries to Glade Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: April 12, 2019.

03803044 and NPDES Permit No. PA0126375. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Renewal application for reclamation only to an existing bituminous surface mine, located in East Franklin Township, **Armstrong County**, affecting 97.9 acres. Receiving streams: unnamed tributaries to Limestone Run, classified for the following use: WWF. PA American Water Company and Cadogen Water District are potable water supply intakes within 10 miles downstream from the point of discharge. Renewal application received: April 15, 2019.

03830116 and NPDES Permit No. PA0599727. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Revision application for land use change from forestland to unmanaged natural habitat to an existing bituminous surface mine, located in Kinnard Township, **Armstrong County**, affecting 830 acres. Receiving streams: unnamed tributaries to Mill Run, classified for the following use: WWF. Kittanning Suburban Joint Water Authority is the potable water supply intake within 10 miles downstream from the point of discharge. Application received: April 16, 2019.

02860201 and NPDES Permit No. PA0588407. IP Harmar Holdings, LLC (2929 Allen Parkway, Suite 3275, Houston, TX 77019). Revision application slurry pond abandonment to an existing bituminous surface mine, located in Harmar Township, **Allegheny County**, affecting 168.3 acres. Receiving streams: Guy's Run, classified for the following use: WWF. Wilkinsburg Penn Joint Water Authority and Pittsburgh Water and Sewer Authority are potable water supply intakes within 10 miles downstream from the point of discharge. Application received: April 19, 2019.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 54830206R7. Meadowbrook Coal Co., Inc., (P.O. Box 1, Wiconisco, PA 17097), renewal of an anthracite coal refuse reprocessing operation for reclamation activities only in Tremont Township, **Schuylkill County** affecting 11.1 acres, receiving stream: Stumps Run, classified for the following use: cold water fishes. Application received: February 8, 2019.

Noncoal Applications Received

Effluent Limits—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

37990302. Cemex Construction Materials Atlantic, LLC (2001 Portland Park, Wampum, PA 16157). Revision to an existing large industrial minerals surface and underground mine to add 593 underground acres in Shenango and Wayne Townships, **Lawrence County** affecting a total of 1,459.5 acres. Receiving streams: Unnamed tributaries to Beaver River, Snake Run, and McKee Run, all classified for the following: WWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 4, 2019.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 8274SM6C6 and NPDES Permit No. PA0595349. Pennsy Supply, Inc., (1001 Paxton Street, Harrisburg, PA 17105), correction to an existing quarry operation and NPDES Permit for discharge of treated mine drainage to increase the permitted acreage from 241.0 acres to 248.22 acres and increase the discharge rate for the NPDES Permit in East Hempfield Township, **Lancaster County**, receiving stream: unnamed tributary to Little Conestoga Creek, classified for the following use: trout stocked fisheries. Application received: March 15, 2019.

Permit No. 7973SM6A1C11. Eureka Stone Quarry, Inc., (P.O. Box 249, Chalfont, PA 18914), correction to an existing quarry operation to include the importation of clean fill material for reclamation in Wrightstown Township, **Bucks County** affecting 35.68 acres, receiving stream: unnamed tributary to Mill Creek, classified for the following uses: warm water and migratory fishes. Application received: April 10, 2019.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in

writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E51-293: Pennsylvania Department of Transportation Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, Philadelphia, ACOE Philadelphia District.

PennDOT District 6-0 is proposing to remove two (2) existing 111-foot long, two span bridge structures over the former Conrail corridor and in its place, construct and maintain a roadway on fill consisting of a 64-foot cartway with sidewalks resulting in the impact of three (3) wetlands with a total of 13,425 square feet (0.308 acre) of permanent direct impact and 2,640 square feet (0.061 acre) of temporary direct impact. Three (3) 36-inch reinforced concrete pipes will provide hydrologic connection through the roadway fill. This project is located on Erie Avenue between N. Lawrence St. and N. 3rd St. in Philadelphia (USGS PA Germantown Quadrangle—Latitude: 40.007173, Longitude: 75.134961 W).

E51-291: Philadelphia Water Department, 1101 Market Street, Fourth Floor, Philadelphia, PA 19107, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To remove an old existing section of the sewer line from the streambed of Cresheim Creek and to relocate, construct and maintain 199 linear feet of 24-inch concrete encased (VCP) pipe along with 20 linear feet of 42-inch (RCP) storm water conduit in and along the 100-year floodway of Cresheim Creek impacting 0.005 acre of wetland, 0.08 acre of stream channel, 0.39 acre of the existing floodway. This work will include 173 linear feet of stream channel and bank restoration BMPs, which include rock cross vane, boulder toe revetments, and rock flumes.

The site is located near the intersection of Roumfort Road and Devon Street, near Chestnut Hill East SEPTA line culvert (Germantown, PA USGS map; Lat: 40.069324; Long: -75.192087) in the City and the County of Philadelphia.

E23-550: Central Delaware County Authority (CDCA), 212 B Unity Terrace, Rutledge, PA 19070, Ridley Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a wastewater pumping station and control building in the 100-year flood plain of

Crum Creek (WWF, MF). The proposed work will impact 0.05 acre, consisting of temporary and permeant fill in the existing floodplain.

The site is located along Angelo Drive between Chester Pike (SR 0013) and Interstate I-95 Overpass (Bridgeport, PA USGS map Lat: 39.867425; -75.341000) in Ridely Township, Delaware County.

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E3902219-001. Depot Properties, LLC, 2310 South Redwood Ave, Independence, MO 64057-2664, in Lower Macungie Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstruction and encroachments as part of the development of a truck staging and logistics facility:

1. A road crossing of Swabia Creek (HQ-CWF, MF) consisting of a dual 41-foot long pre-cast open-bottom arch culvert with concrete wingwalls with each culvert having a span of 54 feet and an underclearance of 12 feet.

2. A road crossing of UNT to Swabia Creek (HQ-CWF, MF) consisting of twin 54-foot long, 48" diameter corrugated metal pipes for emergency crossing access.

3. A 8-foot wide riprap lined, trapezoidal stormwater outfall channel within the floodway of Swabia Creek (HQ-CWF, MF).

4. a 10-foot wide riprap lined, trapezoidal stormwater outfall channel within the floodway of Swabia Creek (HQ-CWF, MF).

5. A utility line stream crossing of Swabia Creek (HQ-CWF, MF) consisting of a 6-inch diameter HDPE water line installed via directional bore.

6. A utility line stream crossing of Swabia Creek (HQ-CWF, MF) consisting of a 6-inch diameter ductile iron water line installed via directional bore.

7. A utility line stream crossing of Swabia Creek (HQ-CWF, MF) consisting of a 6-inch diameter PVC sewer line installed via directional bore.

The project is located approximately 650 feet south of the intersection of Alburtis Road and Orchard Road (Allentown West, PA Quadrangle, Latitude: 40° 30' 55.1"; Longitude: -75° 34' 47.2") in Lower Macungie Township, Lehigh County. Subbasin 2C.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E05-398: PennDOT Engineering District 9-0, 1620 N. Juniata Street in East Saint Clair Township, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structures and to install and maintain (1) 79.2 linear foot 6.9 foot x 2.9 foot box culvert (2) a 38 linear foot 3.5 foot and 2-foot diameter culvert, (3) a 52.9 linear foot 3.5 foot and 2-foot diameter culvert, (4) a 20.3 linear foot 2 foot diameter culvert, (5) a 46.3 linear foot 3.5 foot and 2 foot diameter culvert, (6) a 93.3 linear foot 8.2 foot x 3.2 foot elliptical culvert all in in UNT Adams Run (WWF, MF), (7) to construct 7 outfall rand from 1.5 foot diameter to 2.5 foot diameter, (8) to relocate 968 linear feet of UNT Adams Run (WWF, MF). The project proposes to permanently impact 1,407 feet of stream channel and temporarily impact 85 linear feet. There is 0.3 acre of permeant and .02 acre of temporary

wetland impact. This is all for the purpose of improving transportation safety and roadway standards. The project is located in East Saint Clair Township, Bedford County (40.127°, -78.5807°).

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E08-506. Bradford County Real Estate Partners, LLC, 111 West 19th Street, 8th Floor, New York, NY 10011. Natural Gas Processing Plant, in Wyalusing Township, **Bradford County**. ACOE Baltimore District (Laceyville, PA Quadrangle; Latitude: 41° 39' 17.32"; Latitude 76° 14' 11.73").

To construct and operate a natural gas processing facility that will receive local natural gas via pipeline; process this gas to remove impurities and cool it to liquid form, making it distributable to commercial markets; and load the liquified natural gas for distribution. The project will result in:

1. 36 ft of permanent stream impact to an unnamed tributary to the Susquehanna River (CWF) (41.655902°N, 76.230836°W),

2. 167 ft of permanent stream impact to an unnamed tributary to the Susquehanna River (CWF) (41.659087°N, 76.228233°W) for construction of the mitigation site,

3. 2,292 ft² (0.05ac) of permanent impact to the floodway of an unnamed tributary to the Susquehanna River (CWF) (41.655902°N, 76.230836°W),

4. 2,708 ft² (0.06ac) of permanent impact to the floodway of an unnamed tributary to the Susquehanna River (CWF) (41.661100°N, 76.224800°W),

5. 13,449 ft² (0.31ac) of permanent impact to the floodway of an unnamed tributary to the Susquehanna River (CWF) (41.659087°N, 76.228233°W),

6. 1,003 ft² (0.02ac) of permanent impact to a palustrine emergent (PEM) wetland (41.654228°N, 76.236253°W),

7. 1,818 ft² (0.04ac) of permanent impact to a palustrine scrub-shrub (PSS) wetland (41.655265°N, 76.234796°W),

8. 8,480 ft² (0.19ac) of permanent impact to a PEM wetland (41.654490°N, 76.231976°W),

9. 297 ft² (0.01ac) of permanent impact to a PSS wetland (41.654333°N, 76.230956°W),

10. 12,158 ft² (0.28ac) of permanent impact to a PSS wetland (41.653782°N, 76.231937°W),

11. 457 ft² (0.01ac) of permanent impact to a PEM (41.653529°N, 76.230602°W),

12. 1,239 ft² (0.03ac) of permanent impact to a PEM wetland (41.654000°N, 76.230032°W),

13. 3,163 ft² (0.07ac) of permanent impact to a PEM wetland (41.654167°N, 76.230137°W),

14. 975 ft² (0.02ac) of temporary impact to a PEM wetland (41.658782°N, 76.227965°W) for construction of the mitigation site, and

15. 1,452 ft² (0.03ac) of temporary impact to a PEM wetland (41.659323°N, 76.228608°W) for construction of the mitigation site.

The project will result in 203 linear feet of permanent stream impacts, 18,449 ft² (0.42ac) of permanent floodway impact, 2,427 ft² square feet (0.06ac) of temporary wet-

land impacts, and 28,615 ft² (0.66ac) of permanent wetland impact. The project also proposes 3.15 ac of wetland mitigation.

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

E2006219-003, Vernon Township Sanitary Authority, 16678 McMath Avenue, Meadville, PA 16335. Roche Park Pumpstation # 2 Replacement, in Vernon Township, **Crawford County**, ACOE Pittsburgh District (Geneva, PA Quadrangle N: 41° 36' 32.7"; W: 80° 11' 19.5").

To remove the existing facility including backfilling the tanks and capping the existing subsurface structures and to construct and maintain a new sanitary sewer pump station directly adjacent to the current facility with a 60-feet by 35-feet gravel pad permanently impacting the 0.048 acre of wetland and within 50 feet of an Unnamed Tributary to French Creek at the East end of Patricia Drive.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E03-08-001, Snyder Brothers Inc., 90 Glade Drive, P.O. Box 1022, Kittanning, PA 16201. Limestone Run Well Pad, in East Franklin Township, **Armstrong County**, ACOE Pittsburgh District, East Brady, PA Quadrangle N: 40° 52' 42.23"; W: 79° 30' 54.11."

The project involves the construction of an 1,831 foot permanent access road to a natural gas well pad. The proposed project impacts in Armstrong County include a total of 61.5 linear feet of permanent impacts, and 21.6 linear feet of temporary impacts to a UNT of Limestone Run WWF. The project also has 0.03 acre of permanent impact and 0.009 acre of temporary impacts to Palustrine

Emergent (PEM) wetland(s). One floodway will be impacted having 0.1 acre of permanent impacts and 0.09 acre of temporary impacts.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.

E4129-126, Seneca Resources Company, LLC, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237. Lycoming Creek Waterline in Lewis Township, **Lycoming County**, ACOE Baltimore District (Bodines, PA Quadrangles N: 41° 26' 12"; W: -76° 59' 34").

Seneca Resources Company has applied for an Individual—Joint Permit to construct, operate and maintain one (1) new permanent stream crossing over Lycoming Creek in Lewis Township, Lycoming County. The proposed project is for the installation of an 8-inch waterline under Lycoming Creek to connect the Huff Freshwater Facility (an Alta facility) on the eastern side of the creek to the Keystone Clearwater Withdrawal Facility (a Seneca facility) on the western side. The installation would be done via an open trench excavation across the stream.

A total of one (1) permanent and one (1) temporary stream impacts are proposed to Lycoming Creek (CWF; EV). Project watercourse impacts shall include and be limited to a total of 1 LF (134 SF) of permanent stream impacts and 123 LF (13,140 SF) of temporary stream impacts.

A total of one (1) permanent and two (2) temporary floodway impacts are proposed to Lycoming Creek and UNT Lycoming Creek (CWF; EV). Project watercourse impacts shall include and be limited to a total of 5,833 SF (0.1339 ac) of permanent floodway impacts and 47,918 SF (1.1000 ac) of permanent floodway impacts.

No wetland impacts are proposed.

STREAM IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Lycoming Creek	Lewis	8-inch Waterline Open Cut	CWF; EV	Stocked & Wild	13,140	123	134	1	41.436786 76.993033
TOTAL					13,140	123	134	1	

FLOODWAY IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Lycoming Creek	Lewis	8-inch Waterline Open Cut	CWF; EV	Stocked & Wild	45,281	481	5,833	624	41.436786 76.993033
UNT to Lycoming Creek	Lewis	Erosion Control Blanket	CWF; EV	Stocked & Wild	2,637	137			41.438050 76.992633
TOTAL					47,918	618	5,833	624	

E5929-071 Revision: Seneca Resources Corporation, 5800 Corporate Drive, Suite 300, Pittsburgh, PA 15237, Delmar Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) Two 8 inch diameter freshwater pipelines impacting 4,127 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Asaph, PA Quadrangle 41° 47' 45"N, 77° 19' 30"W);

2) A temporary access road using timber maters and two 8 inch diameter freshwater pipelines via aerial crossing impacting 50 linear feet of an unnamed tributary to Marsh Creek (CWF) (Asaph, PA Quadrangle 41° 47' 49"N, 77° 19' 34"W).

The project will result in 50 linear feet of temporary stream impacts and 4,127 square feet (0.09 acre) of temporary wetland impacts all for the purpose of installing a fresh water pipeline for Utica well development in Delmar Township, Tioga County. These impacts are in addition to the impacts authorized under DEP Permit Number E5929-071, final action was published in *Pennsylvania Bulletin* on 1/27/2018 and 8/11/2018.

E5829-139 Modification: Forest Lake Township, Williams Field Services Company, LLC; 400 IST Center, Suite 404, Horseheads, NY, 14845; Forest Lake Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 49 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 51' 02", Longitude: -75° 59' 37"),

2) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 971 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 51' 08", Longitude: -75° 59' 20"),

3) a temporary timber mat bridge crossing impacting 40 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 51' 08", Longitude: -75° 59' 21"),

4) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,580 square feet (0.06 acre) of a palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 51' 08", Longitude: -75° 59' 18"),

5) a temporary timber mat bridge crossing impacting 75 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 51' 08", Longitude: -75° 59' 18"),

6) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,029 square feet (0.14 acre) of a palustrine emergent wetland (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 51' 12", Longitude: -75° 59' 16"),

7) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 55 lineal feet of a tributary to Middle Branch Wyalusing Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 51' 12", Longitude: -75° 59' 16").

The natural gas gathering pipeline project consists of constructing approximately 1.1 mile of 16-inch steel natural gas pipeline located in Forest Lake Township, Susquehanna County. The project will result in 150 lineal feet of stream impacts and 9,580 square feet (0.22 acre) of palustrine emergent wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

DAM SAFETY

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

D63-030. Borough of Cokeburg, 95 Washington Street, P.O. Box 474, Cokeburg, PA 15324. To modify, operate, and maintain the Cokeburg Dam across a Tributary to South Branch Pigeon Creek, TSF impacting 0 acre of wetlands and 0 feet of stream for the purpose of increasing the dam's stability and spillway capacity to comply with Department regulations. (Ellsworth, PA Quadrangle N: 40° 05' 49"; W: 80° 04' 11") in Borough of Cokeburg, **Washington County**.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains

notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

I. NPDES Renewal Permit Actions.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed)</i>	<i>EPA Waived Y/N?</i>
PA024490 (Sewage)	Reilly SRSTP 171 Creamery Road Coatesville, PA 19320-1716	Chester County West Caln Township	Unnamed Tributary to West Branch Brandywine Creek (HQ-CWF, MF) 3-H	Y
PA032301 (Sewage)	Concord Ind Park STP 744 Harleysville Pike Harleysville, PA 19438-2804	Delaware County Concord Township	West Branch Chester Creek (TSF, MF) 3-G	Y
PA031747 (Sewage)	Glen Mills School STP P.O. Box 5001 Concordville, PA 19331-5001	Delaware County Thornbury Township	Chester Creek 3-G	Y
PA0244279 (Industrial)	Telford Borough Authority Water System 122 Penn Avenue Telford, PA 18969-1912	Bucks County West Rockhill Township	Unnamed Tributary of East Branch Perkiomen Creek (TSF, MF) 3-E	Y
PA0023949 (Sewage)	Brookhaven Borough STP & Sewer System 2 Cambridge Road Brookhaven, PA 19015-1708	Delaware County Brookhaven Borough	Chester Creek (WWF MF) 3-G	Y
PA0244511 (Sewage)	Richardson SRSTP 177 Creamery Road Coatesville, PA 19320-1716	Chester County West Caln Township	Unnamed Tributary to West Branch Brandywine Creek (HQ-CWF, MF) 3-H	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS202205 (Storm Water)	Fabricated Components Manufacturing P.O. Box 431 2044 West Main Street Stroudsburg, PA 18360-0431	Monroe County Stroud Township	Pocono Creek and Little Pocono Creek (1-E)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032328 (Sewage)	Hickory Hills WWTP 121 Hickory Hills Drive Bath, PA 18014	Northampton County Moore Township	Tributary 03408 to East Branch Monocacy Creek (HQ-CWF, MF) (2-C)	Yes
PA0032131 (Sewage)	Locust Lake State Park WWTP Locust Lake Road Barnesville, PA 18214	Schuylkill County Ryan Township	Locust Creek (CWF) (3-A)	Yes
PA0013650 (Industrial)	General Dynamics OTS Inc. 156 Cedar Avenue Scranton, PA 18505-1138	Lackawanna County Scranton City	Roaring Brook (CWF, MF) (5-A)	Yes
PA0061913 (Sewage)	Elk Mountain Ski Resort, Inc. Wastewater Treatment Plant Vauter Road Herrick, PA 18470	Susquehanna County Herrick Township	East Branch Tunkhannock Creek (HQ-CWF (existing use)) (4-F)	Yes
PA0062880 (Sewage)	KidsPeace Orchard Hills Campus 5300 Kidspeace Drive Orefield, PA 18069	Lehigh County North Whitehall Township	Jordan Creek (TSE, MF) (2-C)	Yes
PA0029483 (Sewage)	Buck Hill Falls Wastewater Treatment Plant 4231 Valley View Road Buck Hill Falls, PA 18323-0426	Monroe County Barrett Township	Buck Hill Creek (HQ-CWF, MF) (1-E)	Yes

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080608 (SEW)	Fellowship of Bible Church Inc. 10670 Fort Loudon Road Mercersburg, PA 17236-9505	Franklin County Montgomery Township	UNT to Licking Creek (TSE, MF) in Watershed(s) 13-C	Y
PA0080861 (SEW)	Walmar MHC LLC 524 Meadow Avenue Loop Banner Elk, NC 28604-9443	York County Franklin Township	North Branch Bermudian Creek in Watershed(s) 7-F	Y
PA0248193 (SEW)	Melissa K Adams 101 Shatto Drive Carlisle, PA 17013-2120	North Middleton Township Cumberland County	Conodoguinet Creek (WWF, MF) in Watershed(s) 7-B	Y

Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0219207 (Sewage)	Sipesville Quecreek STP P.O. Box 162 Sipesville, PA 15561	Somerset County Lincoln Township	Quemahoning Creek (18-E)	Yes
PA0217743 (Sewage)	Days Inn Donegal 3620 State Route 31 Donegal, PA 15628	Westmoreland County Donegal Township	UNT of Minnow Run (19-E)	Yes
PA0216950 (Industrial)	Creswell Heights Joint Authority 3961 Jordan Street P.O. Box 301 South Heights, PA 15081-1026	Beaver County South Heights Borough	Ohio River (WWF) (20-G)	Yes
PA0036609 (Sewage)	Conway Borough 1208 3rd Avenue Conway, PA 15027	Beaver County Conway Borough	Ohio River (20-G)	No

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

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

NPDES Permit No. PA0058602, Storm Water, **Delaware Valley Concrete Co. Inc.**, 248 E. County Line Road, Hatboro, PA 19040-2116.

This existing facility is located in Hatboro Borough, **Montgomery County**.

Description of Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Storm Water.

NPDES Permit No. PA0244228, Storm Water, **Rahns Construction Material Company**, 430 Bridge Road, Collegeville, PA 19426.

This existing facility is located Skippack Township, **Montgomery County**.

Description of Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Storm Water.

NPDES Permit No. PA0052272, Industrial, **Henry Company**, P.O. Box 368, Kimberton, PA 19442.

This existing facility is located in East Pikeland Township, **Chester County**.

Description of Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial.

NPDES Permit No. PA0245101, Sewage, **Jeffrey P. Price**, 709 Forest Grove Road, Wycombe, PA 18980-0003.

This existing facility is located in Buckingham Township, **Bucks County**.

Description of Action/Activity. Issuance of NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0244406, Storm Water, **Nyce Crete Company, Inc.**, 711 North County Line Road, Souderton, PA 18964.

This existing facility is located in Lansdale Borough, **Montgomery County**.

Description of Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Storm Water.

Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

NPDES Permit No. PA0061590, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This existing facility is located in North Union Township, **Schuylkill County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

PA0272612, Pesticides, SIC Code 4959, **US DOI Fish & Wildlife Service**, 3090 Wright Street, Marquette, MI 49855-9649.

Description of Existing Action/Activity: Issuance of a renewal of an NPDES permit to treat tributary streams to Lake Erie in **Erie and Crawford Counties** using TFM, a lampricide, for the control of Sea Lamprey (*Petromyzon marinus*), an invasive species associated with significant damage to the Great Lakes fishery.

NPDES Permit No. PA0023931 A-1, Sewage, SIC Code 4952, **Cambridge Area Joint Authority**, 161 Carringer Street, Cambridge Springs, PA 16403-1005.

This existing facility is located in Cambridge Springs Borough, **Crawford County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated Sewage.

III. WQM Industrial Waste and Sewerage Actions Under the Clean Streams Law (35 P.S. §§ 691.1—691.1001).

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. 1590416, Sewage, Renewal, **Upper Uwchlan Township Municipal Authority**, 140 Pottstown Pike, Chester Springs, PA 19425-9516.

This proposed facility is located in Upper Uwchlan Township, **Chester County**.

Description of Action/Activity: Permit Renewal.

WQM Permit No. 0999403, Sewage, Renewal, **Council Rock School District**, The Chancellor Center, 30 N Chancellor Street, Newtown, PA 18940.

This proposed facility is located in Wrightstown Township **Bucks County**.

Description of Action/Activity: Permit Renewal.

WQM Permit No. 4618414, Sewage, **Hatfield Township Municipal Authority**, 3200 Advance Lane, Colmar, PA 18915.

This proposed facility is located in Hatfield Township, **Montgomery County**.

Description of Action/Activity: Replacement & upgrade of approximately 1,800 linear ft. of existing sanitary sewer interceptor & associated manholes & laterals.

WQM Permit No. 0919401, Sewage, **Jeffrey P. Price**, 709 Forest Grove Road, Wycombe, PA 18980-0003.

This proposed facility is located in Buckingham Township, **Bucks County**.

Description of Action/Activity. Issuance of NPDES Permit for a new discharge of treated sewage.

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

WQM Permit No. 3519401, Sewage, SIC Code 4952, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033.

This proposed facility is located in Scranton City, **Lackawanna County**.

Description of Proposed Action/Activity: A permit application for the construction of a 710,000-gallon equalization tank to control the sewer authorities rain event overflows at their existing Combined Sewer Overflow (CSO # 22). It will be located within Norfolk Southern's right away adjacent to South Seventh Avenue and McHale Court.

WQM Permit No. 4819201, Industrial, SIC Code 4953, **Grand Central Sanitary Landfill, Inc.**, 1963 Pen Argyl Road, Pen Argyl, PA 18072.

This existing facility is located in Plainfield Township, **Northampton County**.

Description of Proposed Action/Activity: The project is for the installation of a pH adjustment and phosphoric acid supplementation system for a 1.3 million gallon influent equalization tank. A chemical storage building will also be installed to house storage tanks and metering pumps.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

WQM Permit No. WQG02211901, Sewerage, **Silver Spring Township Authority**, 5 Willow Mill Park Rd, Suite 3, Mechanicsburg, PA 17050-8238.

This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: This General Permit approves construction and operation of a pump station.

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

WQM Permit No. 6570406 A-1, Sewage, **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672.

This existing facility is located in Avonmore Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Avonmore STP upgrade.

WQM Permit No. 5684404 A-4, Sewage, SIC Code 4952, **Somerset Borough Municipal Authority Somerset County**, P.O. Box 71, Somerset, PA 15501-0071.

This existing facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Replacement of existing influent sewage pumps in the pump station within the plant.

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484-250-5970.

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI130518	East Vincent Township 262 Ridge Road Spring City, PA 19475	East Vincent Township Chester County	Pigeon Creek Unnamed Tributary to Schuylkill River, Schuylkill River, Stony Run, & French Creek HQ-TSF & MF	N	Y
PAI130021	Marple Township 227 S Sproul Road Broomall, PA 19008-2309	Marple Township Delaware County	Hotland Run (EV existing use), Whetstone Run (WWF, MF), Trout Run (WWF, MF), Darby Creek (TSF, MF), Langford Run (WWF, MF), Unnamed Tributary to Crum Creek (WWF, MF), and Crum Creek (WWF, MS)/TSF, WWF and MF	Y	N

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI130049	Upper Gwynedd Township P.O. Box 1 West Point, PA 19486	Upper Gwynedd Township Montgomery County	Unnamed Tributary to Towamencin Creek (TSF, MF), Wissahickon Creek (TSF, MF), Unnamed Tributary to Zacharias Creek (TSF, MF) and Zacharias Creek (TSF, MF)/TSF and MF	N	Y

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI132226	Emmaus Borough 24 S 4th Street Emmaus, PA 18049-3802	Emmaus Borough, Lehigh	Unnamed Tributary to Leibert Creek (HQ-CWF, MF), Unnamed Tributary to Little Lehigh Creek (HQ-CWF, MF), Little Lehigh Creek (HW-CWF, MF), and Leibert Creek (HQ-CWF, MF)	N	Y

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions.

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

Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD350010	Moscow DPP, LLC c/o Jason Horowitz 9010 Overlook Boulevard Brentwood, TN 37027	Lackawanna County	Moscow Borough	Langan Creek (HQ-CWF, MF) Van Brunt Creek (HQ-CWF, MF)

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390101	Wedgewood Land, LP 201 King of Prussia Rd. Ste. 370 Randor, PA 19087	Lehigh	Upper Saucon Township	UNT to Saucon Creek—CWF, MF, EV Wetlands
PAD390100	RGC Development, LP 6866 Chrisphalt Dr. Bath, PA 18014	Lehigh	Lynn Township	School Creek, CWF, MF, EV Wetlands
PAD390115	Upper Macungie Group 104 Old Mill Road Sellersville, PA 18960	Lehigh	Upper Macungie Township	Cedar Creek, HQ-CWF, MF

Pike County Conservation District, 556 Route 402, Suite 1, Hawley, PA 18428.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD520013	Charles E. Peters Estate 1660 Valley Center Parkway Suite 100 Bethlehem, PA 18017	Pike	Lehman Township	UNT to Little Bush Kill Creek (EV, MF)

Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540008	RGC Development, LP 6866 Chrisphalt Drive Bath, PA 18014	Schuylkill County	Tamaqua Borough	Owl Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Phillips, Section Chief, Telephone 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210030 Issued	The Young Men's Christian Association of Carlisle PA 311 South West Street Carlisle, PA 17013	Cumberland	Carlisle Borough	UNT Letort Spring Run (HQ-CWF, MF)
PAD210028 Issued	US Army Carlisle Barracks Garrison 330 Engineering Avenue Carlisle, PA 17013-5006	Cumberland	North Middleton Township Middlesex Township	Letort Spring Run (HQ-CWF, MF)
PAD500004 Issued	Mr. Wesley Nolt 239 Kretzing Road New Bloomfield, PA 17068	Perry	Centre Township	UNT Little Buffalo Creek (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140034	The Pennsylvania State University 139J Physical Plant Bldg. University Park, PA 16802	Centre	State College Boro	Thompson Run HQ-CWF, MF UNT to Thompson Run None
PAD140038	Morningside Partners at Grays Woods, LLC P.O. Box 952 State College, PA 16804	Centre	Patton Twp	UNT-Buffer Run HQ-CWF
PAD140047 Renewal Previously PAI041408014R Phased	Glenn O. Hawbaker, Inc. 1952 Waddle Road State College, PA 16803	Centre	Patton Twp	UNTs to Spring Creek CWF

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

Jefferson County Conservation District: 1514 Route 28, Brookville, PA 15825, 814-849-7463.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD330006	Cresco Yeltrah LLC 646 Service Center Road Brookville, PA 15825	Jefferson	Pine Creek Township	UNT North Fork Redbank Creek HQ-CWF, UNT Mill Creek CWF

VII. Approvals to Use NPDES and/or Other General Permits.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems

PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC350064	Pennsylvania American Water Co 852 Wesley Dr Mechanicsburg, PA 17055	Lackawanna	Newton Twp	Falls Creek (CWF, MF)
PAC350060	Lace Building Affiliates LP 1380 Mt Cobb Rd Lake Ariel, PA 18436	Lackawanna	City of Scranton	Lackawanna River (CWF, MF)

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC400110	1852 Capital Management LLC Brendan Johnson 30 Stephanie Ln Darien, CT 06820	Luzerne	Wilkes-Barre City	Susquehanna River (WWF, MF)
PAC400105	TFP Limited Robert Tamburro 1140 PA 315 Ste 201 Wilkes-Barre, PA 18702	Luzerne	Wilkes-Barre Twp	UNT to Laurel Run (CWF, MF)

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Straban Township Adams County Issued	PAC010094	Steve M. Shelley 1675 Hunterstown Hampton Road New Oxford, PA 17350	UNT Swift Run (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Logan Township Blair County Issued	PAC070047	T. Scott Lawhead 229 Queens Way Altoona, PA 16601	Homer Gap Run (WWF-MF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Waynesboro Boro Franklin County Issued	PAC280147	Walnut Knolls Ron Martin 1400 East Main Street Waynesboro, PA 17268	UNT West Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Franklin County Issued	PAC280145	FCI P.O. Box 610 Fayetteville, PA 17222	UNT Conococheague Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Franklin County Issued	PAC280146	East End Development Ron Martin 1400 East Main Street Waynesboro, PA 17268	East Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Montgomery Franklin County Issued	PAC280135	Mercer Vu Farms 12275 Mount Pleasant Road Mercersburg, PA 17236	UNT Licking Creek (TSF) West Branch Conococheague Creek (TSF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Franklin County Issued	PAC280092	White Rock 3720 Clubhouse Drive Fayetteville, PA 17222	UNT West Branch Antietam (CWF, MF) UNT Conococheague Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Franklin County Issued	PAC290124	A Duie Pyle P.O. Box 564 West Chester, PA 19381	UNT Conococheague Creek (TSF) UNT West Branch Conococheague (TSF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Peters Franklin County Issued	PAC280133	Brinton Byers 13050 Mount Pleasant Road Mercersburg, PA 17236	Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Franklin County Issued	PAC280144	Guilford Water Authority 115 Spring Valley Road Chambersburg, PA 17202	UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Conoy Township Lancaster County Issued	PAC360397	Perdue Grain & Oilseed, LLC P.O. Box 1537 Salisbury, MD 21802	Susquehanna River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360392	Wetherburn North Partnership 616 Paxton Place Suite 100 Lititz, PA 17543	Little Conestoga Creek (TSF) Bachman Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Leacock Township Lancaster County Issued	PAC360355	Hooper, Inc. 3452 Old Philadelphia Pike P.O. Box 518 Intercourse, PA 17534	Watson Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Earl Township Lancaster County Issued	PAC360332	Family LTD 4121 Oregon Pike Ephrata, PA 17522	Conestoga River (WWF-MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Penn Township Lancaster County Issued	PAC360396	Charles Investments, LP P.O. Box 277 Landisville, PA 17538	Chiques Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Paradise Township York County Issued	PAC670282	Stone Ridge Development Corporation 1500 Baltimore Street Hanover, PA 17331	UNT Beaver Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Hopewell Township York County Issued	PAC670287	Tri Corner Bridgeview LLC 3405 North 6th Street Suite 204 Harrisburg, PA 17110	Ebaughs Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
College Twp, Centre Cnty	PAC140056 Major Modification	Columbia Gas of Pennsylvania, Inc. 1600 Colony Road York, PA 17408	UNT to Spring Creek CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
City of Lock Haven, Clinton Cnty	PAC180009	VASAS, Inc. P.O. Box 596 McElhattan, PA 17748	Bald Eagle Creek WWF	Clinton County Conservation District 45 Cooperation Ln Mill Hall, PA 17751 (570) 726-3798

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Town of Bloomsburg, Columbia Cnty	PAC190028	Bloomsburg Area School District 728 East Fifth St Bloomsburg, PA 17815	Susquehanna River	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Point Twp, Northumberland Cnty	PAC490037	New Enterprise Batch Plant New Enterprise Stone & Lime, Inc. Attn: Jeff Kennedy 3912 Brumbaugh Road New Enterprise, PA 16664	UNT West Branch Susquehanna River WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Clarion Borough, Clarion County	PAC160016	Miles Brothers LLC 49 S Sheridan Road Clarion, PA 16214	Trout Run CWF	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
City of Erie, Erie County	PAC250043 (Major Modification)	Allegheny Health Network St. Vincent Hospital 232 West 25th Street Erie, PA 16544	Mill Creek WWF-MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Borough of Waterford, Erie County	PAC250059	Fort LeBoeuf School District 34 East 9th Street Waterford, PA 16441	UNT LeBoeuf Creek TSF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lilly Borough and Washington Township, Cambria County	PAC680019	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Bear Rock Run (CWF) and Burgoon Run (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Richland Township Bucks County	PAG030091	Simmons Feed Ingredients 601 North Hico Street Siloam Springs, AR 72761-2410	Unnamed Tributary of Tohickon Creek (TSF, MF) 2-D	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Merion Township Montgomery County	PAG030068 A-1	Amazon.com Services, Inc. Att: Amazon.com, NA Env. Dept. P.O. Box 80842 Seattle, WA 98108-0842	Unnamed Tributary of Trout Creek (WWF, MF) 3-F	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Upper Merion Township Montgomery County	PAG030073 A-1	Amazon.com Services, Inc. Att: Amazon.com, NA Env. Dept. P.O. Box 80842 Seattle, WA 98108-0842	Unnamed Tributary to Queen Anne Creek (WWF, MF) 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Kittanning Township Armstrong County	PAR606208	Greco Recycling Svcs Inc. 593 Tarrtown Road Kittanning, PA 16201	Allegheny River (WWF)— 17-E	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222 412.442.4000
McKees Rocks Borough Allegheny County	PAG036246	Pittsburgh & Ohio Central Railroad, Inc. 208 Island Avenue McKees Rocks, PA 15136-3307	Chartiers Creek (WWF)— 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-8**Facility Location &
County/Municipality*

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Freedom Twp Wastewater Treatment Plant 60 Standish Lane Duncansville, PA 16635 Freedom Twp/ Blair County	PAG083589	Freedom Twp Water & Sewer Authority 131 Municipal Street East Freedom, PA 16637	Same as Facility	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-9**Facility Location &
County/Municipality*

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Lake's Portable Toilets, LLC 22640 Tannery Rd Shade Gap, PA 17255 Dublin Twp/ Huntingdon County	PAG093557	Same as Facility	Same as Facility	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-12**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Manor Township, Lancaster County	PAG123882	Rohrer Dairy Farm LLC 124 Charleston Road Washington, PA 17582	in Watershed(s) 7-G	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800

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General Permit Type—PAG-13

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Chester City Delaware County	PAG130090	Chester City 1 Fourth Street Chester, PA 19013-4400	Stoney Creek (WWF, MF) Unnamed Stream (WWF, MF), Ridley Creek, and Chester Creek (WWF, MF) 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Springfield Township Delaware County	PAG130130	Springfield Township 50 Powell Road Springfield, PA 19064	Unnamed Tributary to Stony Creek (WWF, MF) Lewis Run (WWF, MF), Darby Creek (TSE, MF) Whiskey Run (WWF, MF), Stony Creek (WWF, MF), Crum Creek (WWF, MF), Little Crum Creek (WWF, MF) 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Haverford Township Delaware County	PAG130077	Haverford Township 1014 Darby Road Havertown, PA 19083	Darby Creek (TSE, MF) Cobbs Creek (WWF, MF) and Naylor's Run (WWF, MF) 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Wrightstown Township Bucks County	PAG130043	Wrightstown Township 2203 Second Street Pike Wrightstown, PA 18940	Curls Run (WWF, MF), Unnamed Tributary of Jericho Creek (WWF, MF), Unnamed Tributary of Neshaminy Creek (WWF, MF), and Unnamed Tributary to Mill Creek (WWF, MF) 2-F and 2-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Foster Township Luzerne County	PAG132258	Foster Township 1000 Wyoming Avenue Freeland, PA 18224	Unnamed Tributary to Black Creek (CWF, MF)—5-D	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Gettysburg Borough, Adams County	PAG133733	Gettysburg Borough Adams County 59 East High Street Gettysburg, PA 17325	Stevens Run (WWF, MF), Unnamed Tributary to Rock Creek (WWF, MF), and Rock Creek (WWF, MF) in Watershed(s) 13-D	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800

**STATE CONSERVATION COMMISSION
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES
PERMITS FOR CAFOs**

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Eric Newswanger 107 Awol Road Jonestown, PA 17038	Lebanon	36.0	600.53	Beef Broiler	NA	A

PUBLIC WATER SUPPLY PERMITS

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

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

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

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

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit No. 3390073-E1, PWS.

Applicant	Lehigh County Authority P.O. Box 3348 Allentown, PA 18106-3348
[Township or Borough]	Upper Milford Township Lehigh County
Responsible Official	Liesel M. Gross Lehigh County Authority 1053 Spruce Street P.O. Box 3348 Allentown, PA 18106-3348
Type of Facility	Public Water Supply
Consulting Engineer	Edward Hoyle, P.E. Lehigh County Authority 1053 Spruce Street Allentown, PA 18106
Operation Permit Issued	04/11/2019

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 5019501, Public Water Supply.
 Applicant **The Love Shack**
 Municipality Carroll Township
 County **Perry**
 Responsible Official Rick Fetrow, Owner
 4900 Spring Road
 Shermansdale, PA 17090
 Type of Facility Installation of iron and manganese removal treatment, and sodium hypochlorite addition.
 Consulting Engineer Sean Sweeney, P.E.
 Barton & Loguidice
 3901 Hartzdale Drive
 Camp Hill, PA 17011
 Permit to Construct Issued 4/22/2019

Operation Permit No. 0718504 MA issued to: **Sinking Valley Country Club (PWS ID No. 4070359)**, Tyrone Township, **Blair County** on 4/16/2019 for facilities approved under Construction Permit No. 0718504 MA.

Transferred Comprehensive Operation Permit No. 3060026 issued to: **Park Road Estates, LLC (PWS ID No. 3060026)**, Richmond Township, **Berks County** on 4/16/2019. Action is for a Change in Ownership for the operation of facilities previously issued to Park Road Place.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5260036**) New Stanton Borough and Hempfield Township, **Westmoreland County** on April 16, 2019 for the operation of facilities approved under Construction Permit # 2619506MA.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (**PWSID #5320109**) Armstrong Township, **Indiana County** on April 19, 2019 for the operation of facilities approved under Construction Permit # 3218505.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, (**PWSID # 5320109**) Green Township, **Indiana County** on April 19, 2019 for the operation of facilities approved under Construction Permit # 3216510-A1.

Permit No. 5617501MA-2, Minor Amendment. Public Water Supply.

Applicant **Windber Area Authority**
 1700 Stockholm Avenue
 Windber, PA 15963
 [Borough or Township] **Paint Township**
 County **Somerset**
 Type of Facility Horn Road Waterline
 Consulting Engineer The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501

Permit to Operate Issued April 19, 2019

Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 4283501-MA5, Public Water Supply.
 Applicant **Bradford City Water Authority**
 Township or Borough Bradford City
 County **McKean**
 Type of Facility Public Water Supply
 Consulting Engineer Randy Krause, P.E.
 Bankson Engineering, Inc.
 267 Blue Run Road
 Ste 200
 Cheswick, PA 15024

Permit to Construct Issued April 17, 2019

Operation Permit issued to **Brookville Municipal Authority, PWSID No. 6330004**, Brookville Borough, **Jefferson County**. Permit Number 3309501-MA1 issued April 19, 2019 for the operation of blended polyorthophosphate for general corrosion control and sequestration. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on April 8, 2019.

Operation Permit issued to **Aqua PA Shenango Valley, PWSID No. 6430054**, City of Farrell, **Mercer County**. Permit Number 4300503-T1-MA11 issued April 23, 2019 for the operation of the Pulsed Hydraulics variable speed mixing system in the Carnegie Tank. This permit is issued in response to receipt of the construction Completion Certification on March 13, 2019.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Middle Smithfield Township	147 Municipal Drive East Stroudsburg, PA 18301	Monroe

Plan Description: Approval is granted for a revision to the official plan of Middle Smithfield Township, Monroe County. The project is known as "Special Study Area Report for Act 537 Municipal Sewage Facilities Planning." The proposal is located in Middle Smithfield Township, Monroe County and consists of eliminating the Connection Determination Plan established by Middle Smithfield Township in 2007 and including the C-2 Commercial District in the sewer service area. The Middle Smithfield Township Municipal Authority has acquired a total of 310,800 gallons per day of sewage capacity previously allocated to the Fernwood Resort properties (134,000 GPD) and Big Ridge Developers (176,800 GPD). Any future development of Fernwood Resort or Big Ridge Developers properties must complete sewage facilities planning including antidegradation requirements.

The Department's review of the sewage facilities update revision has not identified any significant environmental

impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401.

PECO Wyncote MGP, Glenside Avenue and Webster Avenue, Cheltenham Township, **Montgomery County**. Matthias Ohr, AECOM, 625 West Ridge Pike, E-100, Conshohocken, PA 19428 on behalf of Peter Farrand, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19101 submitted a Final Report concerning remediation of site groundwater contaminated with benzene naphthalene and PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Dauphin House, 1412-1426 Dauphin Street/2258-2260 North Carlisle Street, City of Philadelphia, **Philadelphia**

County. Bridget Shadler, August Mack Environmental, Inc., 941 Wheatland Avenue, Suite 202, Lancaster, PA 17603 on behalf of Herbert Reid, 1400 Dauphin Associates, LLC, 1910 Spring Garden Street, Suite 1, Philadelphia, PA 19132 submitted a Final Report concerning remediation of site soil and groundwater contaminated with PAHs, metals and VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Lidl Grocery Store, Ridge Pike & Tropper Road, Lower Providence Township, **Montgomery County**. Jeffrey T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Chalfont, PA 18914 on behalf of Stephen Damico, Lidl US Operations, LLC, 2005 Market Street, Suite 1010, Philadelphia, PA 19103 submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Digney Residence, 6 Rolling Hills Drive, Northampton Township, **Bucks County**. Mack Bedle, B&B Diversified Enterprises, Inc., P.O. Box 70, 19 Fenstermacher Lane, Barto, PA 19504 on behalf of Mr. and Mrs. Robert Digney, 5936 Honey Hollow Road, Doylestown, PA 18902 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Clover Store No. 4, Intersection of Old Lincoln Highway (Route 1) and West Trenton Avenue, Falls Township, **Bucks County**. John C. Lydzinski, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Stuart W. Cox, Kimco Morrisville 648 Trust c/o Kimco Realty Corporation, 1954 Greenspring Drive, Suite 330, Timonium, MD 21903 submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Original Philly Cheesesteak Company, 4001 North American Street, City of Philadelphia, **Philadelphia County**. Michael Potts, Terraphase Engineering, Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540 on behalf of John Karamatsouskas, Original Philly Holdings, Inc., 520 East Hunting Park Avenue, Philadelphia, PA 19124 submitted a Final Report concerning remediation of site soil contaminated with PAHs, lead, PCBs, pesticides and other metals. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Sonoco Production Downingtown Paper, 300 Brandywine Avenue, Downingtown Borough/East Caln Township, **Chester County**. Carl Bones, Marathon Engineering and Environmental Services, 553 Beckett Road, S-608, Swedesboro, NJ 08085 on behalf of Neal Fischer, River Station LP, 707 Eagleview Boulevard, Exton, PA 19341 submitted a Cleanup Plan concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

National Heat Power 49th Terminal, 1633 South 49th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, Duffield Associates, Inc., 211 North 13th Street, Suite 704, Philadelphia, PA 19107 submitted a Final Report concerning remediation of site soil contaminated with other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Medical Products Laboratories, Inc., 9990 Global Road, City of Philadelphia, **Philadelphia County**. Terry Harris, Boucher & James, Inc., 1456 Ferry Road, Building 500, Doylestown, PA 18901 submitted a Risk Assessment Report/Remedial Investigation Report/Cleanup Plan concerning remediation of site groundwater contaminated with fuel oil components. The report is intended to document remediation of the site to meet the Site-Specific Standard.

American Living Concepts of Manayunk, LLC, 165-179 Carson Street/156-166 Conarroe Street, City of Philadelphia, **Philadelphia County**. Michael Christopher, O'Brien & Gere Engineers, Inc., 301 East Germantown Pike, East Norriton, PA 19401 on behalf of Jack Bienenfeld, American Living Concepts of Manayunk, LLC, 828 Red Lion Road, Suite E-1, Philadelphia, PA 19115 submitted a Cleanup Plan/Remedial Investigation Report concerning remediation of site soil contaminated with lead and PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Bridesburg Riverfront Park, 3101 Orthodox Street, City of Philadelphia, **Philadelphia County**. Spencer Finch, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with PAHs, arsenic and lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Wawa Store No. 8067, 111 Grosser Road, Douglass Township, **Montgomery County**. Geoff Kristof, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382 on behalf of Joseph Standen, Jr, Wawa Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a 90-day Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Folcroft West Business Center, 701A, 701B, 701C, Ashland Avenue and 801 Carpenters Crossing, Folcroft Borough, **Delaware County**. Michael Edelman, TRC Environmental, Inc., 1601 Market Street, Suite 2555, Philadelphia, PA 19103 on behalf of Brian Coyle, Henderson Ashland Carpenters Associates LLC (Ashland I, II and IV) and Henderson Ashland Three Associates LC (Ashland III), 112 Chesley Drive, Suite 200, Media, PA 19063 submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Background Standard.

Wawa Store No. 149, 10 Davisville Road, Warminster Township, **Bucks County**. Geoff Kristof, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382 on behalf of Joseph Standen, Jr., Wawa Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a Final Report concerning remediation of site groundwater and soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Brookhaven Shopping Center, 3304-3700 Edgmont Avenue, Brookhaven Borough, **Delaware County**. Thomas A. Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of John Segal, Brookhaven Shopping Center, 360 Street Charles Way, York, PA 17402 submitted a Risk Assessment Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Gretz Beverage Company, 700 East Main Street, Borough of Norristown, **Montgomery County**. Carl Rinkevich II, Reliance Environmental, Inc, 235 North Duke Street, Lancaster, PA 17602 on behalf of Aaron Muderick, TIPCO, LLC, 700 East Main Street, Norristown, PA 19401 submitted a Final Report concerning remediation of site soil and groundwater contaminated with MTBE. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Taco Bell/Pizza Hut, 121 North Macdade Boulevard, Glenolden Borough, **Delaware County**. Jason Pero, Resources Control Consultants (RCC), 10 Lippincott Lane, Unit 1, Mont Holly, NJ 08056 on behalf of Joseph DePascale, Glenolden Investors, LLC (AKA Winterstar Corporation; AKA Somerdale Corporation), 14 Balbigomingo Road, Conshohocken, PA 19428 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

309 Camer Drive, 309 Camer Drive, Bensalem Township, **Bucks County**. Joseph E. LaPann, Keith Valley Environmental, Inc, P.O. Box 5376, Deptford, NJ 08096 on behalf of Phil Yampolsky, 309 Camer Drive Partnership, 632 Montgomery Avenue, 3rd Floor, Narberth, PA 19072 submitted a Final Report concerning remediation of site soil and groundwater contaminated with PAHs and metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

6618 North 3rd Street, 6618 North 3rd Street, City of Philadelphia, **Philadelphia County**. James P. Cinelli, Liberty Environmental, Inc., 505 Penn Street, Reading, PA 19601 on behalf of Mr. & Mrs. Mykhaylo Kulymych, 1037 West Cheltenham Avenue, Philadelphia, PA 19126 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Withey Residence, 871 Dukes Drive, Lower Makefield Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Andrea Gluch, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169 submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Young Property, 1462 East University Avenue, Lower Saucon Township, **Northampton County**. EMS Environmental, 4550 Bath Pike, Bethlehem, PA 18017, Easton, on behalf of Arden Young, 1462 East University Avenue, Bethlehem, PA 18015, submitted a Final Report concerning remediation of soil contaminated by a release from an aboveground storage tank that contained heating oil. The report is intended to document remediation of the site to meet Statewide Health Standards.

Schroder Property, 372 Lake Minsi Drive, Upper Mount Bethel Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Kevin Schroder, 372 Lake Minsi Drive, Bangor, PA 18013, submitted a Final Report concerning remediation of soil contaminated by a release from an aboveground storage tank that contained heating oil. The report is intended to document remediation of the site to meet Statewide Health Standards.

Dorney Park and Wildwater Kingdom, 3830 Dorney Park Road, South Whitehall Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Dorney Park and Wildwater Kingdom, 3830 Dorney Park Road, Allentown, PA 18104, submitted a remedial investigation report and cleanup plan concerning remediation of site soils contaminated by deposition of construction debris and fill material. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

David Golberg Residence, 404 Blacklatch Lane, Camp Hill, PA 17011, Lower Allen Township, **Cumberland County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Erie Insurance, 1400 North Providence Road, Media, PA 19063, and David Golberg, 404 Blacklatch Lane, Camp Hill, PA 17011-8414, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Roger and Marie Caplinger Residence, 99 Ivy Drive, Middletown, PA 17057, Londonderry Township, **Dauphin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18075, on behalf of Roger and Marie Caplinger, 99 Ivy Drive, Middletown, PA 17057 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Northcentral Region: Environmental Cleanup Program Manager; 208 West Third Street, Williamsport, PA 17701.

PGE Pine Hill Wharton Pad A, Wharton Township, **Potter County**. Penn Environmental & Remediation, 13180 Route 6, Mansfield, PA 16933 on behalf of Pennsylvania General Energy Co., 120 Market St, Warren, PA 16365 has submitted a Final Report concerning remediation of site soil contaminated with natural gas production fluid. The report is intended to document remediation of the site to meet the Background and Statewide Health standards.

Northwest Region: Environmental Cleanup & Brownfields Program Manager; 230 Chestnut Street, Meadville, PA 16335-3481.

Trinity Industries Plant 102S Railroad Cars Manufacturing, 100 York Street, Hempfield Township, **Mercer County**. Golder & Associates, Inc., 200 Century Parkway, Suite C, Mt. Laurel, NJ 08054, on behalf of Trinity Industries, Inc., 2525 Stemmons Freeway, Dallas, TX 75207, submitted a Risk Assessment Report concerning the remediation of site soil contaminated with Aroclor 1268, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Bromomethane, Ethylbenzene, Naphthalene, Toluene, Trichloroethene and site groundwater contaminated with Iron, Manganese, 4-Bromophenyl phenyl ether, and Benzene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Punxsutawney Tile & Glass, 220 Lane Avenue, Punxsutawney Borough, **Jefferson County**. Mavickar Environmental Engineering Consultants, P.O. Box 61620, Harrisburg, PA 17106-1620, on behalf of Punxsutawney Tile & Glass, Inc., 220 Lane Avenue, Punxsutawney, PA 15767, submitted a Final Report concerning the remediation

of site soil contaminated with cadmium. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southcentral Region: Environmental Cleanup and Brownfields Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Harry & Darvene Daminski Estate, 1075-1081 West Philadelphia Avenue, Boyertown, PA 19512, Colebrook

Township, **Berks County**. Liberty Environmental, 505 Penn Street, Reading, PA 19601, on behalf of O'Donnell, Weiss & Mattei, P.C., 41 East High Street, Pottstown, PA 19464 submitted a Notice of Intent to Remediate concerning remediation of site soil and groundwater contaminated with VOCs and petroleum hydrocarbons. The Notice of Intent to Remediate was administratively incomplete and was disapproved by the Department on April 17, 2019.

Frank & Cindy Geiser Property, 26 West 6th Street, Boyertown, PA 19512-1004, Boyertown Borough, **Berks County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Jerome H. Rhodes, Inc., 624 South Prince Street, Lancaster, PA 17603, and Frank & Cindy Geiser, 26 West 6th Street, Boyertown, PA 19512, submitted a 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 April 19, 2019.

Charles Kerst Property, 1411 Long Lane, Columbia, PA 17512-8726, East Donegal Township, **Lancaster County**. Liberty Environmental Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of Charles Kerst, 1411 Long Lane, Columbia, PA 17512, submitted a 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 April 19, 2019.

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Exeter 6400 Bristol, LLC, 6400 Bristol Pike, Bristol Township, **Bucks County**. Michael A. Christie, Penn Environmental & Remediation, Inc, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Jason A. Honesty, Exeter 6400 Bristol LLC, 101 West Elm Street, Suite 600, Conshohocken, PA 19428 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with SVOCs. The Report was approved by the Department on April 2, 2019.

Original Philly Cheesesteak Company, 4001 North American Street, City of Philadelphia, **Philadelphia County**. Michael Potts, Terraphase Engineering, Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540 on behalf of John Karamatsouskas, Original Philly Holdings, Inc., 520 East Hunting Park Avenue, Philadelphia, PA 19124 submitted a Final Report concerning the remediation of site soil contaminated with VOCs, PAHs, and metals. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on April 1, 2019.

PECO Energy Company, Mifflin and Linden Streets, Bristol Borough, **Bucks County**. Douglas Kier, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Peter Farrand, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19103 submitted a Final Report concerning the remediation of site groundwater and soil contaminated with PAHs. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on February 22, 2019.

33 Tomlinson Road, 33 Tomlinson Road, Lower Moreland Township, **Montgomery County**. Gregg J. Walters, MEA, Inc., 1365 Ackermanville Road, PA 18013 on behalf of Mary Kay Parsek, Indigo Investment Servicing, LLC, 5318 East 2nd Street, # 502, Long Beach, CA 90803 submitted a Cleanup Plan/Final Report concerning the remediation of site groundwater contaminated with TCE and PCE. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on March 14, 2019.

500 Turner Industrial Way, 500 Turner Industrial Way, Aston Township, **Delaware County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc, 170 East Frist Avenue, Collegeville, PA 19426 on behalf of Whitney Bachrach, PAREC Aston Plaza Associates, LP, 725 Skip-pack Pike, PA, Box 1205, Blue Bell, PA 19422 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil constituents. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 14, 2019.

Hale Products Inc. Facility, 701 Jones Street, Borough of Conshohocken, **Montgomery County**. Jon Rutledge, ARCADIS, U.S., Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940 on behalf of Brian Hanigan, Hurst Jaws of Life, Inc. (f/k/a Hale Products, Inc), 1925 West Field Court, Lake Forest, IL 60045 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with VOCs and SVOCs. The Final Report did not demonstrate attainment of the background standard and was disapproved by the Department on March 14, 2019.

Hoff Property, 1615 Hambone Lane, Bridgeton Township, **Bucks County**. Karen Polidoro, EnviroTrac Ltd, 400 Corporate Court, Suite East South, Plainfield, NJ 07080 on behalf of Alex Wozniak, Traveler's, 111 Schilling Road, Hunt Valley, MD 21031 submitted a Final Report concerning the remediation of site soil contaminated with diesel and No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on February 27, 2019.

Park Ten, Twelfth Street and North Main Street, Sellersville Borough, **Bucks County**. Richard S. Werner, Environmental Consulting, Inc, 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Robert White, Bucks County Redevelopment Authority, 216 Pond Street, Bristol, PA 19007 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs. The Report was approved by the Department on March 11, 2019.

Sunoco Station 0004-8413, 1 East Uwchlan Avenue, Uwchlan Township, **Chester County**. Marco Droese, Aquaterra Technologies, Inc, 122 South Church Street, West Chester, PA 19382 on behalf of William J. Brochu, Retail/Services Station Operation, a series of Evergreen Resources Group, LLC, 2 Right Parkway, Suite 220, Wilmington, DE 19803 submitted a Cleanup Plan/Risk Assessment Report/Final Report concerning the remediation of site soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tertbutyle butyle ether (MTBE), naphthalene, cumene, 1,2-dibromoethane-(EDB), 1,2-dichloroethene, (EDC) and dissolved lead. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on March 25, 2019.

Byberry Woods, 1282 Byberry Road, Bensalem Township, **Bucks County**. Richard Lake, GeoTechnology Associates, Inc., 14B World's Fair Drive, Somerset, NJ 08873 on behalf of Sandra DiNardo, Dauphine Building & Development, LLC, 920 Wayland Circle, Bensalem, PA 19020 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site groundwater contaminated with tetrachloroethylene. The Report was disapproved by the Department on January 3, 2019.

Wawa Store No. 8072, 3620 Street Road, Bensalem Township, **Bucks County**. Geoff Kristof, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382 on behalf Joseph Standen, Jr., Wawa, Inc, 260 West Baltimore Pike, Wawa, PA 19063 submitted a 90-day Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 26, 2019.

Asam Residence, 502 Shoemaker Road, Cheltenham Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Andrea Gluch, State Farm Insurance, PO Box 106169, Atlanta, GA 30348-6169 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil compounds. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 25, 2019.

USF Holland Philadelphia, 300 Orthodox Street, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of William Staffieri, Thompson Street, LLC, 4233 Richmond Street, Philadelphia, PA 19137 submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report did not demonstrate attainment of the background standard and was disapproved by the Department on March 25, 2019.

The Virginia House, LLC, 7 North New Street, Hatboro Borough, **Montgomery County**. John W. Storb, Jr., Storb Environmental Incorporated, 410 North Easton Road, Willow Grove, PA 19090 on behalf of Lisa L. Becker, The Virginia House, LLC, 420 Exton Road, Hatboro, PA 19040 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil compounds. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 11, 2019.

Schenkel Residence, 45 Ruby Lane, Bristol Township, **Bucks County**. Lora Werner, 436 South Oliver Street, Media, PA 19063 on behalf of Steven Schenkel, 434 South Olive Street, Media, PA 19063 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil compounds. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 14, 2019.

Schumaker Residence, 1128 McKean Road, Horsham Township, **Montgomery County**. Richard D. Trimpi, Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Marisol Marques, State Farm Insurance, P.O. Box 106110, Atlanta, GA 30348-6110 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil parameters. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 15, 2019.

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

13-17 East Green Street, 13-17 East Green Street, Hazleton City, **Luzerne County**. Barry Isett & Associates, 100 West Broad Street, Hazleton, PA 18201, on behalf of City of Hazleton Redevelopment Authority, 40 North Church Street, Hazleton, PA 18201, submitted a Cleanup Plan addendum concerning remediation of soil contaminated as the result historic automotive maintenance and waste oil disposal. The report was acceptable to meet the Site-Specific Standard and was approved by the Department on April 17, 2019.

Skidmore Property, 537 Rue De John, Middle Smithfield Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of James Skidmore, 537 Rue De John, East Stroudsburg, PA 18302, submitted a final report concerning remediation of site soil contaminated with heating oil/kerosene from an aboveground storage tank. The report documented remediation of the site to meet residential Statewide Health Standards and was approved by DEP on April 19, 2019.

Dingmans Best Fuel Station, 1596 Dingmans Turnpike, Delaware Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Dingmans Fuel Transfer Corporation, P.O. Box 686, Dingmans Ferry, PA 18328, submitted a Final Report concerning remediation of a release of diesel to soil. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on April 18, 2019.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Giant Eagle Southside, 2021 Wharton Street, **Allegheny County**. American Geosciences, Inc.; 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 on behalf of Twenty First Street Associates, 535 Smithfield Street, Pittsburgh, PA 15222 has submitted a Cleanup Plan and Final Report where elevated concentrations of 1,2-dichloroethane, arsenic and cadmium were found in site groundwater, and arsenic, lead and benzo(a)pyrene in soil. The Reports were approved by the Department on April 22, 2019.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Lionetti Oil Recovery, Inc. Dba Lorco, 450 S Front St, Elizabeth, NJ 07202. License No. PA-AH 0567. Effective Apr 22, 2019.

Bethlehem Apparatus Company, Inc., P.O. Box Y, Hellertown, PA 18055. License No. PA-AH 0681. Effective Apr 16, 2019.

Dupre Logistics, LLC, 201 Energy Parkway, Lafayette, LA 70508. License No. PA-AH 0764. Effective Apr 18, 2019.

Transport Sylvester & Forget Inc., 320 Route 201, Saint-Stanislas De Kostka, QC J0S 1W0. License No. PA-AH 0791. Effective Apr 22, 2019.

Old Colony Group, LLC, 24 Cokesbury Rd., Lebanon, NJ 08833. License No. PA-AH 0857. Effective Apr 18, 2019.

Hittman Transport Services, Inc., 1560 Bear Creek Rd, Oak Ridge, TN 37830. License No. PA-AH S239. Effective Apr 17, 2019.

Transporter Licenses Reissued

Lionetti Oil Recovery, Inc. Db a Lorco, 450 S Front St, Elizabeth, NJ 07202. License No. PA-AH 0567. Effective Apr 22, 2019.

Bethlehem Apparatus Company, Inc., P.O. Box Y, Hellertown, PA 18055. License No. PA-AH 0681. Effective Apr 16, 2019.

Dupre Logistics, LLC, 201 Energy Parkway, Lafayette, LA 70508. License No. PA-AH 0764. Effective Apr 09, 2019.

Transport Sylvester & Forget Inc., 320 Route 201, Saint-Stanislas De Kostka, QC J0S 1W0. License No. PA-AH 0791. Effective Apr 22, 2019.

Old Colony Group, LLC, 24 Cokesbury Rd., Lebanon, NJ 08833. License No. PA-AH 0857. Effective Apr 18, 2019.

Hittman Transport Services, Inc., 1560 Bear Creek Rd, Oak Ridge, TN 37830. License No. PA-AH S239. Effective Apr 17, 2019.

RENEWAL OF RESIDUAL WASTE GENERAL PERMITS

Renewal of General Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 (relating to authorization for general permit)).

Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGR029SC002. Safety-Kleen Systems, Inc., New Kingstown Service Center, 10 Eleanor Drive, New Kingstown, PA 17072, located in Silver Springs Township, **Cumberland County**. The Department of Environmental Protection has issued a renewal of General Permit No. WMGR029SC002 to Safety-Kleen Systems, Inc. for the operation of a transfer facility for the processing of waste oil, spent antifreeze, used oil filters, waste oil/water mixtures and commercial fuel products prior to beneficial use. The approved processing is limited to collection, bulking, storage, and passive oil/water separation. This renewal was issued on April 23, 2019.

REGISTRATION FOR RESIDUAL WASTE GENERAL PERMIT

Registration Issued Under the Solid Waste Management Act; (35 P.S. §§ 6018.101—6018.1003); the Residual Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

General Permit Registration No. WMGR123NC036. Rockdale Marcellus, LLC, 957 Bogar Run Road, Roaring Branch, PA 17765. Registration to operate the Harer Beneficial Reuse Unit under General Permit No. WMGR123NC036 for the processing prior to beneficial use of oil and gas waste for use as a water supply to develop or hydraulically fracture an oil or gas well. The registration was issued by Northcentral Regional Office on April 16, 2019.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

General Permit Application No. WMGR123SW032. EQT Production Company, 2400 Ansys Drive, Suite 200, Canonsburg, PA 15317. A request for registration for coverage under General Permit WMGR123 to construct and operated the Haywood Tank Pad for storage and reuse of oil and gas liquid waste at a facility located in Carroll Township, **Washington County**. The registration was granted by the Regional Office on April 18, 2019.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 (relating to authorization for general permit)).

Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGR028SC011A. Wilson Paving, Inc., 480 West Old York Road, Carlisle, PA 17013-7503 in South Middleton Township, **Cumberland County**. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR028 to Wilson Paving, Inc. for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on April 17, 2019.

Persons interested in reviewing the general permits may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit issued under the Solid Waste Management Act of July 7, 1980, P.L. 380 (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate a Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

Permit ID No. 100281. Greenridge Reclamation, LLC, 294 Landfill Road, Scottdale, PA 15683. Renewal of a permit authorizing operation of a municipal waste landfill permit located in East Huntingdon Township, **Westmoreland County** was issued by the Regional Office on April 19, 2019.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP1-01-03028D: Plainville Brands, LLC (4870 York Road, New Oxford, PA 17350) on April 16, 2019, for two existing natural gas-fired boilers, 16.8 MMBtu/hr boiler and 14.3 MMBtu/hr respectively, under GP1, at the poultry processing facility in New Oxford Township, **Adams County**. The general permit authorization was reauthorized to reflect a change of ownership.

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

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

AG5-59-00005A: Mainesburg, GS, LP (5613 DTC Parkway, Suite 200, Greenwood Village, CO 80111) on April 16, 2019, authorize the continued operation of three (3) 1,340 bhp Caterpillar model 3516LE compressor engines, two (2) 30 million standard cubic foot per day TEG Dehydrators with a 0.5 million Btu per hour, four (4) storage tanks and pigging operations pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Wells Compressor Station located in Sullivan Township, **Tioga County**.

GP3-59-253: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 28, 2019, for an authorization to relocate and operate one (1) 2008 KPI model FT4240 crusher, one (1) 2011 McCloskey model C44 crusher, one (1) 2012 McCloskey model R155 screener, one (1) 2007 Extac S5 screener, and one (1) 2018 McCloskey J45 crusher pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Min-

eral Processing Plants (BAQ-PGPA/GP-3) at the Glenn O. Hawbaker Amtrim Quarry located in Duncan Township, **Tioga County**.

GP11-59-253: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 28, 2019, for an authorization to relocate and operate one (1) 2007 model 345 bhp Cummins QSL9-G3 diesel-fired engine, one (1) 2011 model 440 bhp Caterpillar C-13 diesel-fired engine, one (1) 2010 model 129.4 bhp Caterpillar C4.4 diesel-fired engine, one (1) 2007 model 100.4 bhp Deutz BF4M2010 diesel-fired engine, and one (1) 2016 model 374 bhp Caterpillar C-9 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at the Glenn O. Hawbaker Amtrim Quarry located in Duncan Township, **Tioga County**.

AG5-59-00003A: UGI Texas Creek, LLC (1 Meridian Blvd., Suite 2C01, Wyomissing, PA 19610) on April 12, 2019, to transfer of ownership of the sources at the facility from SWEPI, LP pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP5) at the Lick Run 803 Compressor Station located in Gaines Township, **Tioga County**.

AG5-59-00004A: UGI Texas Creek, LLC (1 Meridian Blvd., Suite 2C01, Wyomissing, PA 19610) on April 12, 2019, to transfer of ownership of the sources at the facility from SWEPI, LP pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP5) at the Thomas 808 Compressor Station located in Gaines Township, **Tioga County**.

AG5-53-00001A: UGI Texas Creek, LLC (1 Meridian Blvd., Suite 2C01, Wyomissing, PA 19610) on April 12, 2019, to transfer of ownership of the sources at the facility from SWEPI, LP pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP5) at the Button 901 Compressor Station located in West Branch Township, **Potter County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

GP5A-63-01021/AG5A-63-00008A: HG Energy II Appalachia, LLC (5260 Dupont Road, Parkersburg, WV 26101) on April 19, 2019, for authorization under GP-5A to construct and/or operate an unconventional natural gas well site consisting of ten (10) natural gas wells; six (6) produced water storage tanks; one (1) drip tank; one (1) methanol storage tank; one (1) 1,380 bhp Caterpillar compressor engine; truck load out operations; fugitive emission components; and two (2) low-bleed pneumatic controllers at its NV 58 Well Pad facility located in Morris Township, **Washington County**.

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

23-0225: Adelpia Pipeline Company, LLC (1111 West Ridge Road, Linwood, PA 19061) On April 19, 2019, for the construction and operation of a new natural gas compressor station (with a design throughput of 250 million cubic feet per day) at its Marcus Hook facility, which is located in Lower Chichester Township, **Delaware County**.

09-0242: Adelpia Pipeline Company, LLC (Rich Hill Road, Quakertown, PA 18951) On April 19, 2019, for the construction and operation of a new natural gas compressor station (with a design throughput of 250 million cubic feet per day) and metering station, and the operation of an existing metering station, at its Quakertown facility, which is located in West Rockhill Township, **Bucks County**.

46-0020L: Superior Tube Company (3900 Germantown Pike, Collegeville, PA 19426) On April 19, 2019, for the establishment of a facility wide VOC Plantwide Applicability Limitation (PAL). The facility is located in Collegeville, **Montgomery County**.

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.

06-03177A: Fleetwood Industries, Inc. (100 Logistics Drive, Hamburg, PA 19555) on April 16, 2019, for the installation of two (2) paints booths with dry exhaust filters and woodworking equipment controlled by a baghouse at the Fleetwood Industries Logistics Drive facility located in Perry Township, **Berks County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

PA-04-00712A: WATCO Transloading, LLC (2701 Midland Beaver Road, Industry, PA 15052-1709) on April 17, 2019, the Department issued a Plan Approval PA-04-00712A to authorize the installation and operation of a new cartridge dust collector for their LOT 3 Ferroalloy Crushing/Screening Plant at their Industry LOT 3 facility located in Industry Borough, **Beaver County**.

30-00170B: Laurel Mountain Midstream Operating, LLC (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) On April 16, 2019, to Laurel Mountain Midstream Operating, LLC for the like-kind replacement of two (2) 1,380 bhp compressor engines at the Brown Compressor Station located in Greene Township, **Greene County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

24-131T: SGL Carbon LLC (900 Theresia St., P.O. Box 1030, St. Mary's, PA 15857), on April 18, 2019 issued a Plan Approval for the construction and initial operation of one (1) additional Vacuum Outgas Furnace and one (1) additional Chemical Vapor Deposition Process in St. Mary's City, **Elk County**. This is a State Only facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

18-00021B: Avery Dennison Performance Polymers (171 Draketown Road, Mill Hall, PA 17751) on April 17, 2019, for the construction and operation of the R-100 emulsion reactor system at their facility located in Bald Eagle Township, **Clinton County**. The plan approval has been extended to October 25, 2019.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

63-00968A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 1, Suite 1600, Denver, CO 80202-2137) Extension effective April 28, 2019, to extend the period of temporary operation of eight new rich burn natural gas-fired compressor engines rated at 1,980 bhp each and controlled by three-way catalysts authorized under PA-63-00968A until October 28, 2019, at the Smith Compressor Station located in Smith Township, **Washington County**.

PA-63-00549B: Arden Landfill, Inc. (200 Rangos Lane, Washington, PA 15301) on April 17, 2019, to extend the temporary operation period for the landfill expansion at Arden Landfill located in Chartiers Township, **Washington County**. The new expiration date is October 28, 2019.

30-00170A: Laurel Mountain Midstream Operating, LLC (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on April 17, 2019, to extend the period of temporary operation of one Caterpillar G3612 lean burn natural gas-fired compressor engine rated at 3,550 bhp at the existing Brown Compressor Station located in Greene Township, **Greene County**. The new expiration date is October 28, 2019.

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

46-00299: Merion Innovation I LLC & Merion Innovation III LLC (formerly GlaxoSmith Kline LLC, GSK—West) (707 Swedeland Road, King of Prussia, PA 19406) on April 16, 2019, for a Title V Operating Permit for the operation of boilers and emergency generators at the facility located in Upper Merion Township, **Montgomery County**. This facility was previously permitted under Title V Operating Permit No. 46-00035 and is being split into three (3) separate Title V facilities due to a change in ownership with portions of the existing plant.

46-00300: GlaxoSmithKline, LLC—BIOPHARM (709 Swedeland Road, King of Prussia, PA 19406) on April 17, 2019, for a Title V Operating Permit for the operation of boilers and generators at the Pharmaceutical Preparation and Manufacturing Plant located in Upper Merion Township, **Montgomery County**. This facility was previously permitted under Title V Operating Permit No. 46-00035 and is being split into three (3) separate Title V facilities due to a change in ownership with portions of the existing plant.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

48-00004: Lehigh Cement Co, LLC, Nazareth Plant (Route 248 & Easton Road, Nazareth, PA 18064). On April 17, 2019, the Department issued a renewal Title V Operating Permit for the operation of the Portland Cement manufacturing facility in Lower Nazareth Township, **Northampton County**. The facility is considered a major stationary source subject to Title V Operating Permit requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources at this facility consist of a Kiln System, Clinker Cooler, and Finishing Mills. The sources are controlled by baghouses. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds.

On April 23, 2016, the Pennsylvania Department of Environmental Protection (PADEP) published 25 Pa. Code §§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO_x and VOC, also known as Reasonably Available Control Technology (RACT) 2. Lehigh Cement Company qualifies as a major source of NO_x emissions because facility-wide potential NO_x emissions are above the RACT 2 major source threshold (i.e., 100 tons per year). As a result, the NO_x-emitting operations at the facility will be subject to the provisions of the RACT 2 rule. The NO_x emitting sources at the facility are Source ID # 142-1—Kiln System, the Hauck Heater, Teri Boiler, and an Emergency Generator. The Presumptive RACT 2 requirements are included in the TV operating permit.

The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

04-00702: United States Gypsum Company (1 Woodlawn Rd., Aliquippa, PA 15001) In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it has issued a renewal Title V Operating Permit (TV-04-00702) to United States Gypsum Company (USG) for the operation of the Aliquippa Plant located in Aliquippa, **Beaver County**.

The facility's major sources of emissions include a board kiln/end seals, two kettles, two dryer mills, two ball mills, numerous miscellaneous material handling processes including screw conveyors, bins, and hoppers controlled by dust collectors, an end saw system, a hot water heater, and fugitive emissions from paved and unpaved roads. All combustion sources are natural gas-fired.

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 61, 64, and 70, and 25 Pa. Code Article III, Chapters 121—145. The renewal Title V Operating Permit was issued final on April 17, 2019.

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.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

46-00024: Johnson & Johnson Consumer, Inc. (7050 Camp Hill Road, Fort Washington, PA 19034) On April 17, 2019, the State-only Operating permit for operation of a pharmaceutical preparation plant located in Whitemarsh Township, **Montgomery County**.

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

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

14-00010: Snow Shoe Refractories LLC (895 Clarence Road, Clarence, PA 16829-8111) was issued on April 15, 2019, a State Only operating permit (renewal) for their Clarence Plant facility located in the Snow Shoe Township, **Centre County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the permit.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Tom Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

63-01004: TechMet, Inc. (79 East 8th Street, Donora, PA 15033-3318) Natural Minor State-Only Operating Permit on April 17, 2019, the Department of Environmental Protection (DEP) authorized an initial natural minor State-only operating permit for a facility that offers chemical milling and etching services and is located in Donora Borough, **Washington County**. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

26-00121: Crown Cork & Seal Co., Inc. (1840 Baldridge Street, Connellsville, PA 15425) Synthetic Minor Operating Permit on April 17, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor State-only operating permit for a facility that manufactures metal and plastic jar and bottle closures for the food and beverage industry and is located in South Connellsville Borough, **Fayette County**. The permit includes emission limits, operating requirements, monitoring requirements, and recordkeeping requirements for the site.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

25-00053: Urick Foundry Company, (1501 Cherry Street, Erie, PA 16502-1732), the Department on April 17, 2019 issued the renewal of a Synthetic Minor State-Only Operating Permit to a facility which manufactures ductile iron cast products for the many applications. This facility located in the City of Erie, **Erie County**. The primary sources at the facility are miscellaneous natural gas heaters, pre-heat torches, electric induction furnaces, raw material storage, material charging, holding furnaces, pouring and Inoculation, mold cooling, shakeout, sand

handling, sand receiving, shell core machines, core coating, shot blast machines, finishing/grinding, emergency generators, degreasers and a core making system. The facility has taken a site limit of 43.0 tons per year (tpy) for volatile organic compound (VOC) emissions and 95.0 tpy for carbon monoxide (CO) emissions. Actual emissions for other criteria pollutants are estimated as follows: NO_x, 5.0 tpy, PM₁₀, 24.0 tpy; and SO_x, 7.0 tpy. The permit contains emission restrictions, along with testing, monitoring, recordkeeping, reporting, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

23-00016: PQ Corporation (1201 West Front Street, Chester, PA 19013; Attn: Mr. Edward Hines), is a Title V facility located in the City of Chester, **Delaware County**. On April 19, 2019, the Title V Operating Permit No. 23-00016 was amended to incorporate the requirements of Plan Approval No. 23-0016E and a Minor Modification (Auth. ID: 1253394). Plan Approval No. 23-0016E was issued for a change to the averaging period for the carbon monoxide (CO) pound per hour (lb/hr) emission limit applicable to the # 4 Sodium Silicate Furnace (Source ID 102). The initial averaging period for the lb/hr CO limit was based on a 4-hour average, rolling by 1 hour. Per the Plan Approval, the lb/hr CO limit is now based on a 24-hour average, rolling by 1 hour. The change to the averaging period was effective as of July 1, 2018. In addition to incorporating Plan Approval No. 23-0016E, the Title V Operating Permit is being amended to incorporate a minor modification to reflect the replacement of the fuel oil supply skid for the # 4 Sodium Silicate Furnace and an hourly fuel usage limit of 317 gallons/hour. The Title V Operating Permit continues to contain requirements to keep the facility operating within all applicable air quality regulations and requirements.

46-00262: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) On April 19, 2019, for the facility

located in Hatfield Township, **Montgomery County**. The State-only Operating permit was modified. The modification addresses a reconfiguration of four (4) existing extruders and two (2) existing dust collectors at the plant. The reconfiguration results in a post-control de minimis increase in particulate matter emissions at the exhaust of Dust Collector C115; however, there is no overall increase in emissions because the existing sources are being relocated. The Minor Modification of State Only Operating Permit is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462. The modified permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

63-00901: Allegheny Millwork/Lawrence Plant (104 Commerce Blvd., Lawrence, PA 15055) on April 17, 2019, the Department amended the facility's State-Only Operating Permit for a change in Responsible Official. The company operates an architectural millwork cabinet shop located in Cecil Township, **Washington County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.

20-00145: Vitro Flat Glass LLC (5123 Victory Boulevard, Cochranon, PA 16413) for its facility located in the Greenwood Township, **Crawford County**. The De minimis emission increase is for the proposed installation of two dust collectors for Sources 108 & 109. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Operating Permit issuance on September 3, 2014.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
9-29-15	Line 1 W System				0.004	
4-15-19	Source 108 Baghouse	0.19				
4-15-19	Source 109 Baghouse	0.19				
Total Reported Increases		0.38			0.004	
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

09-00041: Dan Schantz Farms (6071 Durham Rd, Pipersville, PA 18947) On April 19, 2019, for the operation of a greenhouse facility in Plumstead Township, **Bucks County**. This operating permit was revoked due to the agriculture exemption found in the Air Pollution Control Act, which specifically exempts Horticultural Specialties, including the growing of nursery stock and flowers. The three (3) boilers and emergency generator at this site are used solely to supply heat and emergency electrical power in support of the greenhouse operations.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

11051301 and NPDES No. PA0235652. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Cresson Mine in Cresson, Allegheny, Washington, and Munster Townships and Cresson and Sankertown Boroughs, **Cambria County**. No additional discharges. The application was considered administratively complete on January 17, 2017. Application received: June 13, 2016. Permit issued: April 12, 2019.

11040701 and NPDES No. PA0235717. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Refuse Area No. 1 in Portage Township, **Cambria County**. No additional discharges. The application was considered administratively complete on November 22, 2017. Application received: October 16, 2017. Permit issued: April 12, 2019.

32841321 and NPDES No. PA0006874. Consol Mining Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the NPDES permit for the O'Donnell No. 3 Mine in Washington Township, **Indiana County** and Plumcreek Township, **Armstrong County**. No additional discharges. The application was

considered administratively complete on June 9, 2016. Application received: January 26, 2016. Permit issued: April 16, 2019.

30960701 and NPDES No. PA0215201. Emerald Contura, LLC, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To renew the NPDES permit for the Emerald Mine No. 1—Coal Refuse Disposal Area No. 2 in Franklin Township, **Greene County**. No additional discharges. The application was considered administratively complete on September 8, 2009. Application received: March 27, 2009. Permit issued: April 18, 2019.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

65-18-01 and NPDES Permit No. PA0278319. David L. Patterson Jr., 12 Short Cut Road, Smithfield, PA 15478. Government Financed Construction Contract issued for reclamation of approximately 82.7 acres of abandoned mine lands located in Loyalhanna Township, **Westmoreland County**. Receiving streams: unnamed tributaries to Kiskiminetas River. Application received: September 5, 2018. Contract issued: April 19, 2019.

Noncoal Permits Issued

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

37162802. Hillsville Limestone Company, Inc. (192 Gennaro Drive, Hillsville, PA 16132). Revision to an existing noncoal surface mine to add reclamation fill to the permit in Mahoning Township, **Lawrence County**, affecting 11.3 acres. Receiving streams: Unnamed tributary to Mahoning River. Application received: February 12, 2019. Permit issued: April 11, 2019.

PAM613015. Three Rivers Aggregates, LLC (1807 Shenango Road) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37080303 in Scott & Plain Grove Townships, **Lawrence County**. Receiving streams: Unnamed tributaries to Taylor Run and Taylor Run. Application received: March 7, 2019. Permit Issued: April 19, 2019.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

14194103. Wampum Hardware Company (636 Paden Road, New Galilee, PA 16141). Blasting for Glenn O. Hawbaker road construction project on SR 322 located in Potter Township, **Centre County** with an expiration date of December 31, 2020. Permit issued: April 15, 2019.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 36194114. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Sycamore Springs West in Earl Township and New Holland Borough, **Lancaster County** with an expiration date of December 30, 2019. Permit issued: April 15, 2019.

Permit No. 36194116. J Roy's, Inc., (P.O. Box 125, Bowmansville, PA 17507), construction blasting for a warehouse at 515 North Reading Road in Ephrata Township, **Lancaster County** with an expiration date of April 10, 2020. Permit issued: April 15, 2019.

Permit No. 35194102. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Valley View Business Park in Jessup and Archbald Boroughs, **Lackawanna County** with an expiration date of April 7, 2020. Permit issued: April 19, 2019.

Permit No. 35194103. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for a development in Archbald Borough, **Lackawanna County** with an expiration date of April 15, 2020. Permit issued: April 19, 2019.

Permit No. 38194106. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Mark Pulisic Barn in North Cornwall Township, **Lebanon County** with an expiration date of June 30, 2019. Permit issued: April 19, 2019.

Permit No. 48194105. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Willow Brook Farms in Allen Township, Northampton and North Catasauqua Boroughs, **Northampton County** with an expiration date of April 4, 2020. Permit issued: April 19, 2019.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484.250.5160.

E46-1179. Richard and Christine Root, 225 Gypsy Lane, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**, ACOE Philadelphia District. To relocate, restore, and maintain approximately 80 LF of the stream bank of Gulph Creek to its original location and to construct and maintain approximately 80 LF of 36-inch retaining wall at the top of the bank to protect the existing dwelling.

The site is located at 225 Gypsy Lane (Norristown, PA, USGS Map Latitude: 40.069629; Longitude: -75.34896).

E46-1174. Worcester Township, 1721 Valley Forge Road, P.O. Box 767, Worcester, PA 19490, Worcester Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain 60 feet long by 8 feet wide by 6.8 feet high pedestrian bridge in and along the 100-year floodway of Zacharias Creek (TSF) associated with the construction of new proposed Multi-Use Trail in Defford Road Park.

The site is located near the intersection of Defford Road and Valley Forge Road (Lansdale, PA, USGS Map; Latitude: 40.199909; Longitude: -75.346080).

E15-893. Borough of Downingtown, Municipal Government Center, 4-10 West Lancaster Avenue, Downingtown, PA 19335, Downingtown Borough, **Chester County**, ACOE Philadelphia District.

To relocate, construct, and maintain approximately 2,530 LF of an existing 15-inch sanitary sewer line associated with 12-watertight manholes, impacting temporary approximately 0.31 acre of wetland and 0.10 acre of the 100-year floodplain of Parke Run (WWF, MF).

The site is located on Bishop Shanahan High School property near the intersection of U.S.-30 Business and Woodbine Road (Downingtown, PA, USGS Map Latitude: 40.010831; Longitude: -75.68849).

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

F40-039. Conyngham Township, 10 Pond Hill Road, Mocanaqua, PA 18655, in Conyngham Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Conyngham Township, Luzerne County.

1. 144 Lincoln Street (Shickshinny, PA Quadrangle Latitude: 41.14075°; Longitude: -76.142381°)

2. 92-94 Italy Street (Shickshinny, PA Quadrangle Latitude: 41.139303°; Longitude: -76.140686°)

F40-040. Hunlock Township, P.O. Box 164, Hunlock Creek, PA 18621, in Hunlock Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following site in the floodplain of the Susquehanna River. Site will be restored to open space. Site is located in Hunlock Township, Luzerne County, 40 Garden Drive (Nanticoke, PA Quadrangle Latitude: 41.212533°; Longitude: -76.043681°).

F40-041. City of Pittston, 35 Broad Street, Pittston, PA 18640, in City of Pittston, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in the City of Pittston, Luzerne County.

1. 101 Towpath Court (Pittston, PA Quadrangle Latitude: 41.334947°; Longitude: -75.787464°)

2. 103-105 Towpath Court (Pittston, PA Quadrangle Latitude: 41.335167°; Longitude: -75.787578°)

3. 111 Towpath Court (Pittston, PA Quadrangle Latitude: 41.335444°; Longitude: -75.787722°)

4. 119 Towpath Court (Pittston, PA Quadrangle Latitude: 41.335633°; Longitude: -75.787789°)

F40-042. Shickshinny Borough, 35 West Union Street, Shickshinny, PA 18655, in Shickshinny Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Shickshinny Borough, Luzerne County.

1. 158 North Susquehanna Avenue (Shickshinny, PA Quadrangle Latitude: 41.157596°; Longitude: -76.145634°)

2. 24 West Union Street (Shickshinny, PA Quadrangle Latitude: 41.153572°; Longitude: -76.151056°)

3. 35 South Main Street (Shickshinny, PA Quadrangle Latitude: 41.151911°; Longitude: -76.150897°)

4. 20 East Union Street (Shickshinny, PA Quadrangle Latitude: 41.152972°; Longitude: -76.149336°)

F40-043. West Pittston Borough, 555 Exeter Avenue, West Pittston, PA 18643, in West Pittston Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in West Pittston Borough, Luzerne County.

1. 1118 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.323217°; Longitude: -75.799028°)

2. 1200 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.323072°; Longitude: -75.799622°)

3. 1202 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.322978°; Longitude: -75.799844°)

4. 1322 Susquehanna Avenue (Pittston, PA Quadrangle Latitude: 41.321669°; Longitude: -75.803261°)

5. 8 Philadelphia Avenue (Pittston, PA Quadrangle Latitude: 41.323483°; Longitude: -75.799408°)

6. 10-12 Philadelphia Avenue (Pittston, PA Quadrangle Latitude: 41.3236°; Longitude: -75.799517°)

7. 14 Philadelphia Avenue (Pittston, PA Quadrangle Latitude: 41.323725°; Longitude: -75.799647°)

8. 20 Atlantic Avenue (Pittston, PA Quadrangle Latitude: 41.323469°; Longitude: -75.800644°)

F54-005. Upper Mahantongo Township, 6 Municipal Road, Klingerstown, PA 17941, in Upper Mahantongo Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of Pine Creek. Sites will be restored to open space. Sites are located in Upper Mahantongo Township, Schuylkill County.

1. 134 Main Street (Klingerstown, PA Quadrangle Latitude: 40.661944°; Longitude: -76.691389°)

2. 81 Main Street (Klingerstown, PA Quadrangle Latitude: 40.659722°; Longitude: -76.689167°)

E54-370. Schuylkill County Conservation District, 1206 Ag Drive, Pottsville, PA 17901. Tremont Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To authorize the following water obstruction and encroachments associated with the Lorberry AMD System Project:

1. To relocate a section of Lorberry Creek (CWF, MF) with the construction and maintenance of a 120-foot long riprap lined channel having a 6-foot bottom width, 2-foot depth, and 3:1 side slopes.

2. To abandon approximately 270 feet of Lorberry Creek as part of a stream relocation for the construction of an aeration pond.

3. To construct and maintain a 1-acre aeration pond of which 0.55 acre is located within the floodway of Lorberry Creek,

4. To modify and maintain an intake structure in the Rowe Tunnel discharge channel.

5. To construct and maintain 103-feet of 12-inch PVC pipe discharging to the proposed aeration pond, located in the floodway of and crossing the relocated section of Lorberry Creek.

6. To construct and maintain a riprap emergency spillway in the aeration pond, located within the floodway of Lorberry Creek.

7. To construct and maintain 720-feet of 12-inch PVC pipe located in the floodway of and crossing Lorberry Creek.

8. To construct and maintain a 0.17 acre treatment cell within the floodway of Lorberry Creek attached to the existing treatment cell complex at the southern section of the project.

9. To construct and maintain a riprap outfall from the treatment cells to Lorberry Creek.

10. Removal of an existing PVC pipe from the floodway of Lorberry Creek.

11. To modify and maintain an existing access roadway impacting a de minimus area of PEM wetlands equal to approximately 0.01 acre.

The project is located at the intersection of Loves Road and Molleystown Road (Pine Grove, PA Quadrangle Latitude: 40° 35' 36.989"; Longitude: -76° 26' 24.11").

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

EA 14-013. USDA—Natural Resources Conservation Service, 359 East Park Drive, Suite 2, Harrisburg, PA 17111. Agricultural Conservation Easement Program—Wetland Reserve Easement in Walker Township, **Centre County**, ACOE Baltimore District. (Mingoville, PA Quadrangle Latitude: 40.922630; Longitude: -77.657697).

To enhance 20,472 square feet of wetland and create 187,288 square feet of wetland through building a series of embankments (4), potholes (7), a shallow dugout, a log cross vane, and a ditch plug throughout a 32.04 acre easement area. This project is proposed in an existing degraded wetland complex along an unnamed tributary to Little Fishing Creek, a High Quality—Cold Water Fishes and Migratory Fishes stream as designated in Chapter 93 of the Department's Water Quality Standards. Construction activities will permanently impact 21,584 square feet of wetland. Mitigation for environmental impacts is to be achieved through the 207,760 square feet of wetland creation and enhancement associated with this project. This approval under Chapter 105, Section 105.12(a)(16) includes 401 Water Quality Certification.

E18-510: Mary A. Spangler and David B. Sanders, Woodward Township, **Clinton County**, U.S. Army Corps of Engineers Baltimore District (Lock Haven Quadrangle; Latitude 41° 09' 19"N; 77° 28' 05"W).

The applicant proposes to construct and maintain a 20 ft. x 30 ft. at-grade concrete pad and a 20 ft. x 24 ft. pavilion along the left-bank 100-year floodway of the W. Br. Susquehanna River. The project will disturb 0.025 ac. of floodway. No work will occur below the OHWM. This permit was issued under Section 105.13(e) "Small Projects."

F41-101 Muncy Borough, County of Lycoming, 443 Mill Road, Allenwood, PA 17810. Floodplain encroachment demolition (1) in Muncy Borough, Lycoming County, PA, US ACOE Baltimore District. Authorization is to demolish the existing floodplain encroachment and to re-grade the floodplain at the following location: 118 W. Water Street, Muncy, PA 17756 (Muncy Quadrangle, Lat.: 41° 12' 20"N, Long.: 76° 47' 21"W).

F19-101 Orange Township Supervisors, County of Columbia, 2028 State Route 487, Bloomsburg, PA 17859. Floodplain encroachment demolition (2) in Orange Township, **Columbia County**, US ACOE Baltimore District. Orange Township is seeking authorization to demolish the existing floodplain encroachments (flood damaged structures) and to re-grade the floodplain at the following locations.

463 Mt. Pleasant Road, Orangeville, PA 17859-Bloomsburg Quadrangle, Lat.: 41° 04' 40"N, Long.: 76° 25' 48"W

1791 State Route 487, Orangeville, PA 17859-Bloomsburg Quadrangle, Lat.: 41° 03' 49"N, Long.: 76° 25' 54"W

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

E10-507, The Buncher Company, Penn Liberty Plaza I, 1300 Penn Avenue, Suite 300, Pittsburgh, PA 15222. Jackson's Pointe Phases 3 & 4, in Jackson Township,

Butler County, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40° 45' 28.85"W: 80° 07' 03.26").

Construct, operate, and maintain Phases 3 and 4 of the Jackson's Pointe commercial development permanently impacting 4 wetlands totaling 0.12 acre and 12 streams having contributory drainage less than 100 acres totaling 4,200 linear feet on two parcels located between SR19 and 79 at the intersection of Lindsay Road (Evans City, PA Quadrangle N: 40° 45' 28.85"; W: 80° 07' 03.26") in Jackson Township, Butler County. This permit authorizes mitigation for wetland impacts by purchasing credits at the Enlow Fork Bank operated by First Pennsylvania Resource and to mitigate for stream impacts by providing funding to the Connoquenessing Watershed Alliance for stream habitat and stabilization projects totaling at least 5,456 linear feet.

Final State Water Quality Certification Required by Section 401 of the Clean Water Act for the Plug and Abandon Hunters Cave 3675 Storage Well Project

Southwest Region: Oil and Gas Operations, 400 Waterfront Drive, Pittsburgh, PA 15222, Brian Bailey, (570) 974-2604.

EA—WQ-30-07-001, Equitrans, LP (Applicant), 2200 Energy Drive, Canonsburg, PA 15317. Plug and Abandon Hunters Cave, 3675 Storage Well Project (Project), in **Greene County**, Center Township, Pittsburgh District ACOE. The proposed project starts at Applicant's existing pipeline in Center Township (Rogersville, PA Quadrangle N: 39° 55' 47.77"; W: 80° 17' 44.93") and ends at the Hunters Cave 3675 Storage Well (Rogersville, PA Quadrangle N: 39° 55' 54.26"; W: 80° 17' 50.00").

On December 10, 2018, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. [CP19-24-000]). The FERC Environmental Assessment for the Project, which was issued on February 15, 2019, may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; Docket No. CP19-24-000).

On December 18, 2018, Applicant requested a water quality certification, a GP-8 (GP083007218-512) application, and a GP-11 (GP113007218-504) from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The Project, as proposed, includes the plug and abandonment of one natural gas storage well and the abandonment in place of approximately 800 feet of six-inch diameter natural gas pipeline that is part of Equitrans' existing Hunters Cave Storage Field. The Project, as proposed, will require approximately 0.22 acre of earth disturbance, and temporary impacts to 0.024 acre(s) of palustrine emergent wetland.

PADEP published notice of its proposed State water quality certification in the *Pennsylvania Bulletin* on March 16, 2019 (49 Pa.B. 1221) and received no comments from the public.

PADEP certifies to Applicant that the construction, operation and maintenance of the Project will not violate

applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Applicant complies with the permitting programs, criteria and conditions established pursuant to State law:

1. *Erosion and Sediment Control Plan*—Applicant shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

2. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

3. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

4. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

5. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the PADEP during such inspections of the Project.

6. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

7. *Correspondence*—All correspondence with and submittals to PADEP concerning this State Water Quality Certification shall be addressed to: Department of Environmental Protection, Oil and Gas Program, Southwest District Office, Samantha Sullivan, 400 Waterfront Drive, Pittsburgh, PA 15222.

8. *Reservation of Rights*—PADEP may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

9. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

10. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-3 # ESG18-125-0026
 Applicant Name EQM Gathering OPCO, LLC
 Contact Person Ralph Deer
 Address 220 Energy Drive
 City, State, Zip Canonsburg, PA 15317
 County Washington County
 Township(s) West Bethlehem and Amwell Townships,
 Marianna Borough
 Receiving Stream(s) and Classification(s) Patterson Run
 (TSF), Little Ten Mile Creek (TSF), Ten Mile Creek
 (TSF)
 Secondary Receiving Water—Mongahela River (WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-3 # ESG294119001-00
 Applicant Name SWN Production Co, LLC
 Contact Person Nicki Atkinson
 Address 917 State Route 92 North
 City, State, Zip Tunkhannock, PA 18657
 County Lycoming & Tioga
 Township(s) Pine & Jackson Twps (Lycoming) & Liberty Twp (Tioga)
 Receiving Stream(s) and Classification(s) Primary: UNT to Blacks Creek (EV)
 Secondary: Blockhouse Creek (EV)

ESCGP-3 # ESG295818004-00
 Applicant Name Williams Field Services Company, LLC
 Contact Person Matt Anderson
 Address 310 SR 29 North
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Brooklyn Twp.
 Receiving Stream(s) and Classification(s) Primary: UNT # 59111 to Hop Bottom Creek (CWF-MF)
 Secondary: Hope Bottom Creek # 4923 (CWF-MF)

ESCGP-3 # ESG295819003-00
 Applicant Name Williams Field Services Company, LLC
 Contact Person Matt Anderson
 Address 310 SR 29 North
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Harford Twp.
 Receiving Stream(s) and Classification(s) Primary: UNT to Partners Creek # 59634 (CWF-MF)
 Secondary: Partners Creek # 6318 (CWF-MF)

ESCGP-3 # ESG295919002-00
 Applicant Name HEP Tioga Gathering, LLC
 Contact Person James A. Townsley, III
 Address 22024 Route 14
 City, State, Zip Troy, PA 16947
 County Tioga
 Township(s) Liberty Twp.
 Receiving Stream(s) and Classification(s) Primary: Blacks Creek & UNTs (CWF, MF), Blockhouse Creek & UNTs (CWF, MF), Brion Creek (HQ-CWF, MF/EV, MF) & UNT to Salt Spring Run (HQ-CWF, MF/EV, MF)
 Secondary: Blockhouse Creek (CWF, MF/EV, MF), Roaring Branch (HQ-CWF, MF/EV, MF), Roaring Branch (HQ-CWF, MF/EV, MF) & Roaring Branch (HQ-CWF, MF/EV, MF)

ESCGP-3 # ESG295319002-00
 Applicant Name Dominion Energy Transmission, Inc.
 Contact Person Karl R. Kratzer
 Address 5000 Dominion Blvd
 City, State, Zip Glen Allen, VA 23060
 County Potter
 Township(s) Allegany, Bingham & Genesee Twps.
 Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) Rose Lake Run (HQ-CWF), (2) UNTs to Turner Creek (CWF), (3) UNTs to Rose Lake Run (HQ-CWF), (4) UNT to Ellisburg Creek (HQ-CWF), (5) UNTs to Middle Branch Genesee River (HQ-CWF), (6) UNT to West Branch Genesee River (HQ-CWF), (7) UNT to Genesee River (CWF), and (8) Turner Creek (CWF)
 Secondary Watershed(s): (1) West Branch Genesee River (HQ-CWF), (2) Turner Creek (CWF), (3) Rose Lake Run (HQ-CWF), (4) Ellisburg Creek (HQ-CWF), (5) Middle Branch Genesee River (HQ-CWF), (6) West

Branch Genesee River (HQ-CWF), (7) Genesee River (CWF), and (8) Genesee River (CWF)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401.

7 Eleven 40129, 51-46470, 7634 Ogontz Avenue, **City of Philadelphia**. Environmental Alliance, Inc., 5341 Limestone Road, Wilmington, DE 19808, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site specific standards.

Goldstein Funeral Directors, 51-44529, 6410 N. Broad Street, **City of Philadelphia**. Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426, on behalf of Goldstein Funeral Directors, 6410 N. Broad Street, Philadelphia, PA 19126 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

Wawa Food Mkt 8021, 09-39631, 1960 John Fries Highway, Milford Township, **Bucks County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Wawa, Inc., 260 W. Baltimore Pike, Wawa, PA 19063, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

Exxon RS 2 5092, 09-06930, 300 S. West End Blvd., Quakertown Borough, **Bucks County**. Arcadis U.S., Inc., 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of ExxonMobil Environmental Services, 1900 East Linden Avenue, Building 28a, Linden, NJ 19380 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site specific standards.

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

Jordan Sunoco (former Kresge Texaco), Storage Tank ID # 39-24262, 1209 MacArthur Road, Whitehall Township, **Lehigh County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972 on behalf of Jordan Star Inc., P.O. Box 159, Macungie, PA 18062, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standards.

4260 West Tilghman Realty, Storage Tank ID # 39-41532, 4260 West Tilghman Street, South Whitehall Township, **Lehigh County**. Center Point Tank Services, 586 East Benjamin Franklin Highway, Douglassville, PA 19518, on behalf of 4260 West Tilghman Realty LLC, 4260 West Tilghman Street, Allentown, PA 18104, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

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

Rutter's Farm Store No. 18, Storage Tank Primary Facility ID # 67-26956, 725 Arsenal Road, York, PA 17402, Springettsbury Township, **York County**, United Environmental Services, Inc., 1143 Long Run Road, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, York, PA 17404 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard and the Site-Specific Standard.

Growth Investors Group, Storage Tank Primary Facility ID # 22-07410, 770 Eisenhower Boulevard, Harrisburg, PA 17111, Swatara Township, **Dauphin County**, Comstock Environmental Services, LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Growth Investors Group, LP, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard and the Site-Specific Standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401.

Frank Reese Prop, 23-55368, 756—760 Ashland Ave, Eddystone Borough, **Delaware County**. Marshall Geoscience, Inc, 170 East First Avenue, Collegeville, PA 19426, on behalf of Frank Reese, 10758 Piney Island Drive, Bishopville, MD 21813, submitted a Site Characterization Report 310(b) concerning remediation of soils contaminated with leaded and unleaded petroleum. The Site Characterization Report 310(b) demonstrated attainment of the residential Statewide Health Standards and was approved by the Department on April 23, 2019.

Castor Fuels 67249, 51-23880, 6301 Castor Ave, **City of Philadelphia**. Antea Group, Inc, 1055 Westlakes Drive, Suite 300, Berwyn, PA 19312, on behalf of Getty Properties Corp., Two Jericho Plaza, Suite 110, Jericho, NY 11753 submitted a Site Characterization report 310(b) concerning remediation of soil contaminated with petroleum products. The Remedial Action Completion Report

demonstrated attainment of nonresidential Statewide health standards and was approved by the DEP on April 16, 2019.

Turkey Hill 176, 15-40728, 3026 Horseshoe Pike, Honey Brook Township, **Chester County**. Reliance Environmental, Inc., 235 N. Duke St., Lancaster, PA 17602, on behalf of EG America LLC, 302 W. Third Street FI 3, Cincinnati, OH 45202 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of residential Statewide health standards and was approved by the DEP on April 11, 2019.

Bob & Weezies Gas Sta, 51-43435 Lancaster Ave., **City of Philadelphia**. Bison Environmental, LLC, 89 Jennifer Lane, Burlington, NJ 08016, on behalf of 3842 Partners LP, 3000 Chestnut Street, Unit 42613, Philadelphia, PA 19101 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of site specific standards and was approved by the DEP on April 19, 2019.

Phila Bulk Mail Ctr, 51-43295, 1900 Byberry Rd, **City of Philadelphia**. Louis Berger U.S., Inc., 350 Eagleview Boulevard, Suite 250, Exton, PA 19341-1178, on behalf of the United States Postal Service—Philadelphia Network Delivery Center, 1900 Byberry Road, Philadelphia, PA 19116 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of residential Statewide health standards and was approved by the DEP on April 22, 2019.

Sunoco 0013 0351, 23-40311, 560 Chester Pike, Norwood Borough, **Delaware County**. Mulry Cresswell Environmental, Inc., 1679 Horseshoe Pike, Glenmoore, PA 19343 on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of nonresidential Statewide health standards and site specific standards and was approved by the Department on April 17, 2019.

New Hope Auto Sales, 09-34413, 6528 Lower York Rd, Solebury Township, **Bucks County**. Boucher & James, Inc., 1546 Ferry Road Building, Doylestown, PA 18901, on behalf of Estate of Claire Hovespian, c/o Howland, Hess, Guinan, Torpey, Cassidy, & O'Connell, LLP, 2444 Huntingdon Pike, Huntingdon Valley, PA 19006 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of residential Statewide health standards and was approved by the Department on April 17, 2019.

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

One Stop Fuel (RK Food Mart), Storage Tank ID # 54-28002, 704 Claremont Avenue, Rush Township, **Schuylkill County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Ranchod Krupa Food Mart LLC, 704 Claremont Avenue, Tamaqua, PA 18252, has submitted a Remedial Action Completion Report concern-

ing remediation of soil contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of the residential Statewide Health Standards for soil and was approved by DEP on April 17, 2019.

Pump-n-Pantry 001, Storage Tank ID # 58-13092, 99 Grow Avenue, Bridgewater Township, **Susquehanna County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pump-n-Pantry Inc., 100 Grow Avenue, Montrose, PA 18801 has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Plan was acceptable to meet the Statewide Health Standards and was approved by DEP on April 18, 2019.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Kwik Fill Station # S28, Storage Tank Primary Facility ID # 04-23778, 1692 Route 65 South, Ellwood City, PA 16117, Ellwood City Borough, **Beaver County**. Groundwater Environmental Services, Inc., 301 Commerce Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Ave., Warren, PA 16365, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the statewide health standard for soil and groundwater and was approved by the Department on March 12, 2019.

Former BP Site No. 01390, Storage Tank Primary Facility ID # 02-29658, 901 Fifth Street, West Elizabeth, PA 15088, West Elizabeth Borough, **Allegheny County**. Antea Group, 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of BP Products North America Inc., 201 Helios Way, Sixth Floor, Houston, TX 77079, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the site-specific standard for soil and groundwater for benzene, toluene, ethylbenzene, xylenes, MTBE, cumene, and naphthalene and was approved by the Department on March 26, 2019.

Tower Vue Service, Storage Tank Primary Facility ID # 02-07068, 2890 Custer Avenue, Pittsburgh, PA 15227, **Allegheny County**. Flynn Environmental, Inc., 5640 Whipple Avenue NW, Suite 1, North Canton, OH 44720, on behalf of Dan Olah, 2890 Custer Avenue, Pittsburgh, PA 15227, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet the Statewide health standard for soil and groundwater and was approved by the Department on April 2, 2019.

Interstate 79 BP, Storage Tank Primary Facility ID # 63-09721, 2229 Houston Hill Church Road, Canonsburg, PA 15317, Houston Borough, **Washington County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15317 submitted a Remedial Action Plan Modification concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet the Statewide health standard for soil, soil vapor, and groundwater and was approved by the Department on April 2, 2019.

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

Hess Service Center, Storage Tank Primary Facility ID # 67-27128, 801 Route 15 North, Dillsburg, PA 17019, Carroll Township, **York County**, Geological Services, Inc., P.O. Box 578, Rock Hall, MD 21661, on behalf of Hess Service Center, 801 Route 15 North, Dillsburg, PA 17019, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard. The Remedial Action Completion Report did not demonstrate attainment of the Site-Specific Standard and was disapproved by the Department on April 17, 2019.

LH Gross Manorette, Storage Tank Facility ID # 67-12009, 783 Front Street, Lewisberry, PA 17339, Fairview Township, **York County**, United Environmental Services, Inc., 1143 Long Run Road, Schuylkill Haven, PA 17972, on behalf of LH Gross Manorette, 783 Front Street, Lewisberry, PA 17339 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard. The Remedial Action Plan was acceptable to meet the Site-Specific Standard and was approved with modification by the Department on April 17, 2019.

Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Derrick 3, Storage Tank Primary Facility ID # 37-18421, 2785 West State Street, Union Township, **Lawrence County**, R.A.R. Engineering Group, Inc., 1135 Butler Avenue, New Castle, PA 16101, on behalf of Frenz Petroleum Corporation, 29 Orchard Way, New Castle, PA 16105 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, naphthalene, cumene, total xylenes, 1,2,4-trimethylbenzene, 1,3,4-trimethylbenzene, and methyl tert-butyl ether. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 12, 2019.

Country Fair 101 (Fmr. Pennzoil Quaker-State No. 3095), Storage Tank Primary Facility ID # 25-20069, 3116 W. 26th Street, Millcreek Township, **Erie County**, Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Shell Oil Products US, 20945 S. Wilmington Avenue, Carson, CA 90810 submitted a combined Remedial Action Plan/Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, cumene, methyl tertiary butyl ether (MTBE), naphthalene, toluene and xylenes. The Remedial Action Plan and Remedial Action Completion Report demonstrated attainment of the Site-Specific Standard for soil and Statewide Health Standard for groundwater and was approved by the Department on April 15, 2019.

D. Gresko Holdings, Storage Tank Primary Facility ID # 32-15586, 19859 State Route 286 West, Conemaugh Township, **Indiana County**, Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of D. Gresko Holdings, LLC, 1204 Rose Road, Saltsburg, PA 15681 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, cumene, methyl tert-butyl ether (MTBE),

naphthalene, toluene, 1,2,4-trimethyl benzene, 1,3,5-trimethyl benzene, and xylenes. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by the Department on April 17, 2019.

[Pa.B. Doc. No. 19-664. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Draft TGD: Substantive Revision

DEP ID: 562-4180-306. **Title:** Civil Penalty Assessments for Coal Mining Operations. **Description:** This guidance explains how the Bureau of District Mining Operations calculates civil penalties for violations cited on coal mining and National Pollutant Discharge Elimination System permits and clarifies terminology and procedures for assessing civil penalties. The civil penalty assessment procedures for water effluent violations are now in a separate section and were expanded to incorporate the factors considered under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and 25 Pa. Code Chapter 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance).

Written Comments: Interested persons may submit written comments on this draft TGD through Monday, June 3, 2019. All comments, including comments submitted by e-mail must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can also be submitted to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Eric Oliver at eoliver@pa.gov or (814) 342-8200.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-665. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 63(1639)101.1, Abandoned Mine Reclamation Project, Van Voorhis, Fallowfield Township, Washington County. The principal items of work and approximate quantities include: backfill mine shaft—water diversion, 1 lump sum; backfill mine shaft—concrete, 200 cubic yards; and backfill mine shaft—flowable backfill, 170 cubic yards.

This bid issues on May 17, 2019, and bids will be opened on June 13, 2019, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-666. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 65(0207)102.1, Mine Subsidence Control Project, Bradenville, Derry Township, Westmoreland County. The principal items of work and approximate quantities include: overburden drilling and casing, steel or PVC, 9,724 linear feet; 4" air rotary drilling, 32,900 linear feet; furnishing and installing 4" nominal steel or PVC injection casing, 31,686 linear feet; supplying, mixing and injecting grout, approximately 45,000 cubic yards; and injection site preparation and site restoration, 673 injection holes.

This bid issues on May 3, 2019, and bids will be opened on May 30, 2019, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by

the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-667. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Small Water Systems Technical Assistance Center Board Meeting Cancellation

The May 14, 2019, meeting of the Small Water Systems Technical Assistance Center Board has been cancelled. The next regular meeting is scheduled for Thursday, August 8, 2019, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the August 8, 2019, meeting should be directed to Dawn Hissner, Bureau of Safe Drinking Water, at dhissner@pa.gov or (717) 772-2189. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Small Water Systems Technical Assistance Center (TAC) Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Dawn Hissner at (717) 772-2189, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-668. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(h) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Cedar Haven Healthcare Center
590 South 5th Avenue
Lebanon, PA 17042
FAC ID # 290702

This request is 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 AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-669. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Public Comment on Proposed Amendment to Close All Categories to the Order of Selection of the Vocational Rehabilitation Services Portion of the Commonwealth's Workforce Innovation and Opportunity Act Combined State Plan

The Department of Labor and Industry (Department), Office of Vocational Rehabilitation (OVR), announces a period of public comment on the proposed amendment to close all categories of the Order of Selection in description (m) of the Vocational Rehabilitation (VR) Services Portion of the Commonwealth's Workforce Innovation and Opportunity Act (WIOA) Combined State Plan (Plan). This proposed amendment to the Order of Selection will be posted for a 30-day public comment period from May 4, 2019, to June 4, 2019. Additionally, the OVR will conduct public meetings throughout the State in each OVR district office on Wednesday, May 22, 2019, from 3 p.m. to 4:30 p.m. and then again from 5 p.m. to 6:30 p.m. The VR Services Portion is the blueprint for the provision of VR services to persons with disabilities living in this Commonwealth. This notice is provided under the Rehabilitation Act of 1973, as amended by the WIOA of 2014.

The OVR is required to develop and implement its VR Services Portion as part of the 4-year Plan. The Plan from July 1, 2016, to June 30, 2020, is currently in effect, along with the approved 2-year modification, and is a compliance document on file with the Commissioner, Rehabilitation Services Administration, of the United States Department of Education and the United States Department of Labor.

The VR Services Portion of the Plan must assure that prior to the adoption of any substantive changes to the policies or procedures governing the provision of VR services under the Plan, such as the adoption or amendment of policies instituting an order of selection, the OVR must obtain public input under 34 CFR 361.20 (relating to public participation requirements). As referenced in

§ 361.20(a), which requires public meetings to be held throughout the State, "public meeting" means a gathering of people in a physical or virtual (as in the case of videoconferences or teleconferences) location to gather valuable input from individuals with disabilities, community rehabilitation programs and other stakeholders.

This comment period provides individuals, advocates and other interested parties or organizations, or both, opportunities to present their views and recommendations regarding VR services for persons with disabilities. In this Commonwealth, these services are provided by the OVR through a network of 21 district offices and the Hiram G. Andrews Center.

Comments are being solicited regarding the VR Services Portion of the Plan, description (m) Order of Selection:

Italicized text denotes amendment

Describe:

1. WHETHER THE DESIGNATED STATE UNIT WILL IMPLEMENT AND ORDER OF SELECTION. IF SO, DESCRIBE:

A. THE ORDER TO BE FOLLOWED IN SELECTING ELIGIBLE INDIVIDUALS TO BE PROVIDED VR SERVICES.

PRIORITY OF CATEGORIES TO RECEIVE VR SERVICES UNDER THE ORDER First Priority: Most Significantly Disabled (MSD) Second Priority: Significantly Disabled (SD) Third Priority: Non-Significantly Disabled (NSD)

DESCRIPTION OF PRIORITY CATEGORIES

First Priority: Most Significantly Disabled (MSD)

- The physical, mental, or sensory impairment(s) must seriously limit three or more of the individual's functional capacities; and
- The individual must be expected to require two or more vocational rehabilitation services that are expected to last six months from the date of the Individualized Plan for Employment (IPE) or be needed on an ongoing basis to reduce an impediment to employment.

Second Priority: Significantly Disabled (SD)

- The physical, mental, or sensory impairment(s) must seriously limit one or more of the individual's functional capacities; and
- The individual must be expected to require multiple vocational rehabilitation services that are expected to last six months from the date of the Individualized Plan for Employment (IPE) or be needed on an ongoing basis to reduce an impediment to employment.

Third Priority: Non-Significantly Disabled (NSD)

- The individual has a physical, mental, or sensory impairment that does not meet the definition for MSD or SD.

**The Order of Selection shall not be based on any other factors, including:*

- Any duration of residency requirement, provided the individual is present in the State;

- Type of disability;

- Age, gender, race, color or national origin;

- Source of referral;

- Type of expected employment outcome;

- *The need for specific services or anticipated cost of services required by an individual; or*
- *The income level of an individual or an individual's family*

Pre-Employment Transition Services and OOS:

The Rehabilitation Act, as amended, does not exempt students with disabilities receiving pre-employment transition services (PETS) prior to the determination of eligibility from a State's OOS.

Students with disabilities can continue to receive ongoing PETS while placed on an order of selection wait list (closed order of selection priority category), as long as they have participated in a PETS before being determined eligible for VR services and assigned to a closed order of selection priority category.

Federal regulations allow for the continuation of PETS only for those students who received such services prior to an eligibility determination and the assignment to a closed order of selection priority category (34 CFR 361.36(e)(3)(i)).

Therefore, students, families, advocates, and educators are advised to carefully consider the need to begin PETS as early as possible in the transition process, and prior to eligibility determination. Potentially eligible students with disabilities (i.e. students who may or may not have applied for VR services (non-applicants and applicants), and only receive PETS) will not be affected by the order of selection, and will continue to receive PETS.

Any individual, including a student, in need of an individualized VR service (34 CFR 361.48(b)) will need to apply and be determined eligible for VR services, in order to receive such services under an approved individualized plan for employment (IPE).*

B. THE JUSTIFICATION FOR THE ORDER.

The Rehabilitation Act, as amended, requires that an Order of Selection for Services be instituted any time that limited resources impede the agency from providing services to all eligible individuals

Because OVR does not believe it will be able to serve all eligible individuals with the available resources, it has adopted an Order of Selection.

The Order of Selection in Pennsylvania gives priority first to individuals with the Most Significant Disabilities (MSD); secondly, to individuals with Significant Disabilities (SD); and third to individuals with Non-Significant Disabilities (NSD).

**PA OVR has operated under an Order of Selection since March 1, 1994. OVR has provided vocational rehabilitation services only to customers who have a Most Significant Disability (MSD). With the use of ARRA funds, beginning on October 18, 2010, OVR expanded the Order of Selection to include individuals who have a Significant Disability (SD). Consistent with OVR's policy on the Order of Selection, OVR evaluated its ability to meet the second priority category and, from a fiscal and programmatic standpoint, OVR determined that it was unable to do so and on Monday, April 23, 2012, the SD and Non-Significant Disability (NSD) categories were closed to all new customers. OVR has been serving only MSD customers since 2012.*

The WIOA amendments require a minimum of 15 percent of a state's federal allocation for vocational rehabilitation (which averages approximately \$20 million annually for OVR) to be set aside for Pre-Employment Transition Services (PETS) for students with disabilities

between the ages of 14 and 21 eligible for transition services in Pennsylvania. This reserve has resulted in decreased funding for other existing programs. This 15% represents the minimum amount that must be utilized for these services. OVR anticipates exceeding the 15% reserve in the current FFY based on current obligations and spending patterns. There are also currently 105,000 commonwealth students with disabilities who might be eligible to enroll in PETS. While OVR regularly evaluates availability of funds and administers fiscal forecasting, the inability to accurately predict the number of potentially eligible students will make budgeting for the PETS and VR programs challenging.

WIOA prohibits restricting the provision of PETS, which resulted in Pennsylvania's program enrollment nearly doubling from 13,946 in fiscal year 2016 to 25,601 in fiscal year 2017—with the cost to provide these services far exceeding the 15 percent set-aside. To date, OVR has had to invest approximately \$89 million in the PETS program.

Due to a budgetary shortfall in FFY 2019, OVR reevaluated its Order of Selection and determined that OVR's available and projected resources will not be adequate to ensure the provision of the full range of vocational rehabilitation services to all eligible individuals. OVR consulted with the Pennsylvania Rehabilitation Council (PaRC) at their March 6, 2019 Full Council meeting and consulted with director of the Client Assistance Program (CAP), on budgetary concerns, analysis and the need to seek approval from Rehabilitation Services Administration (RSA) to close the Order of Selection which will result in the establishment of a waiting list for the VR program. At the March 7, 2019, OVR State Board meeting, the Board voted unanimously to allow OVR to proceed with taking necessary steps to close the Order of Selection.

Upon approval by the RSA, OVR will close Priority Categories MSD, SD, NSD on July 1, 2019. All categories will be closed. OVR shared this information with RSA, PaRC, OVR State Board & the CAP at public meetings to inform consumers & stakeholders.

New individuals determined eligible will be placed on a waiting list until OVR has the available resources to provide the full range of services to eligible customers. However, services will continue for all customers with approved individualized plans for employment (IPEs) with an effective date prior to July 1, 2019. This wait list will be statewide and based upon customers' assigned priority categories and application dates. OVR will continue to provide PETS to potentially eligible (PE) students. OVR will continue to provide PETS to eligible students who began receiving them prior to eligibility determination and placement in a closed order of selection priority category.

• Individuals applying for services after the date the Order of Selection is closed on July 1, 2019 will be interviewed and their eligibility and order of selection determination will be made. Eligible customers will be placed on a waiting list per category. When financial resources are available, first priority will be given to customers with a most significant disability, second priority to customers with a significant disability, and third priority to customers with a non-significant disability. This ensures that services are prioritized for individuals with the most significant disabilities. Customers in the MSD category who have been placed on a wait list will be released based on the date they applied, with the oldest application dates being released first. Rationale for placement will appear in the customers case file.

• Each customer placed on a waiting list will be notified in writing of the priority categories, his or her

assignment to a particular priority category classification and be informed to alert OVR regarding possible reclassifications due to a change in the individual's circumstances or due to any misclassifications. The individual will also be informed of his or her right to appeal the category assignment through informal or formal review and of the availability of assistance from the Client Assistance Program.

- Customers who do not meet the Order of Selection criteria for receiving VR services will be provided:

a. Information and referral services will remain available to eligible individuals who are not in an open priority group. These individuals will be given information and referrals to other appropriate Federal and State programs, including programs carried out by other components of the Statewide Workforce Development System, best suited to address the specific employment needs of the individual.

b. No IPE will be written to provide such services to these individuals.

Procedure for processing applications:

1. Upon receipt of referral, counselor meets with applicant to complete application and inform them about Order of Selection and resources that can assist them while on the waitlist.

2. Counselor will input data and application date; scan and upload documents in OVR's CWDS database systems and determine eligibility within 60 days from the date of application.

3. After eligibility determinations are made, customers will be assigned to an order of selection priority category based on their functional limitations and need for multiple VR services over an extended period of time (currently defined as 6 months).

4. CWDS will add the case to a waiting list in the system, not allowing services to proceed. Notice of such (as outlined above) will be sent to the customer.

Procedure for putting customers on the waiting list:

1. For each priority category, customers will be put on the waiting list based upon application date.

2. OVR Central Office will maintain this list through the CWDS.

Procedure for taking customers off the deferred list:

1. OVR will determine when to open each category based upon financial availability. One priority category will be opened at a time to clear the waiting list for that priority category before opening the next priority category.

2. If OVR is unable to serve everyone in a specific category, customers will be taken off the list by month of application, starting with the customers who have been waiting the longest to receive services.

3. A monthly list will be generated by CWDS. Each quarter, based on financial availability, OVR will determine how many customers will be taken off the deferred list for the recently opened priority category.

4. Notice will be provided to district offices that they can begin developing plans for customers in a certain range of dates, based on the application date.

5. The District Administrator will ensure customers are assigned to counselors.

6. Counselors will complete an IPE within 90 days from the date the client was taken off the waiting list. *

The OVR will be utilizing Skype-for-Business webinar broadcast capabilities to conduct public meetings throughout the State in each of the district office locations

simultaneously to ensure consistency with delivery of the information. The OVR will conduct public meetings throughout the State in each OVR district office on Wednesday, May 22, 2019, from 3 p.m. to 4:30 p.m. and then again from 5 p.m. to 6:30 p.m. to provide the public, including individuals with disabilities, an opportunity to comment on the proposed amendment to close all categories of the Order of Selection outlined in description (m) of the VR Services Portion of the Commonwealth's WIOA Plan. It is not necessary to attend both sessions because the same information will be provided at these times to enable more people to participate and allow time for local comment.

All meeting sites are accessible and interpreters for people who are deaf or hard of hearing will be present at each public meeting. For additional information, reasonable accommodation requests or alternative format requests, individuals should call the OVR District Office conducting the public meeting the individual wishes to attend. Written comments may be submitted by mail to the appropriate District Office serving the area in which the individual/organization member resides.

In addition, individuals who are not able to attend in person but would like to participate by phone should call the following:

First Conference Call:
Date of Call: 05/22/19
Start Time: 03:00P (TZ: Eastern) 90 Mins.
Number: (800) 260-0712
Participant Access Code: 465374

Second Conference Call:
Date of Call: 05/22/19
Start Time: 05:00P (TZ: Eastern) 90 Mins.
Number: (800) 260-0702
Participant Access Code: 465848

Prior to this notice, the OVR consulted with the State Board of VR, the Pennsylvania Rehabilitation Council and the Client Assistance Program on the proposed amendment to the Order of Selection to close all categories. A copy of the proposed substantive changes to the Order of Selection, description (m) within the VR Services Portion of the WIOA Plan will be available on the OVR's web site at www.dli.pa.gov/ovr, by clicking on *Publications* listed under *Resources*.

This proposed amendment to the Order of Selection will be posted for a 30-day public comment period from May 4, 2019, to June 4, 2019. Interested persons are invited to submit written comments regarding this notice to Cindy Mundis, 1521 North 6th Street, Harrisburg, PA 17102 or by e-mail to OVRFeedback@pa.gov. It is requested that commenters include "OOS Closing all Categories" in the subject line to facilitate e-mail tracking of the comments.

All written comments must be received no later than 5 p.m. Tuesday, June 4, 2019.

**OFFICE OF VOCATIONAL REHABILITATION
DISTRICT OFFICE**

PUBLIC MEETING INFORMATION

The OVR public meetings will be held Statewide in each OVR district office on Wednesday, May 22, 2019, from 3 p.m. to 4:30 p.m. and then again on May 22, 2019, from 5 p.m. to 6:30 p.m.

It is not necessary to attend both sessions because the same information will be provided at these times to enable more people to participate and allow time for local comment.

Allentown BVRs District Office

(Carbon, Lehigh, Monroe and Northampton Counties)
45 North Fourth Street
Allentown, PA 18102
(800) 922-9536 (Voice), (888) 377-9207 (TTY)
Contact Person: Susan Storm (610) 821-6441

Altoona BBVS District Office

(Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset and Union Counties)
1130 12th Avenue, Suite 300
Altoona, PA 16601
(866) 695-7673 (Voice), (844) 242-1060 (TTY)
Contact Person: Anne Strollo (814) 949-7950

Altoona BVRs District Office

(Bedford, Blair, Centre, Fulton and Huntingdon Counties)
1130 12th Avenue, Suite 500
Altoona, PA 16601
(800) 442-6343 (Voice), (814) 414-4707 (Video Phone)
Contact Person: Colleen Woodring (814) 946-7252

DuBois BVRs District Office

(Cameron, Clearfield, Elk, Jefferson and McKean Counties)
199 Beaver Drive
DuBois, PA 15801
(800) 922-4017 (Voice), (814) 371-7505 (TTY)
Contact Person: Christina Palmer (814) 371-7340

Erie BBVS District Office

(Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties)
4200 Lovell Place
Erie, PA 16503
(866) 521-5073 (Voice), (888) 884-5513 (TTY)
Contact Person: Dawn Sokol (814) 871-4401

Erie BVRs District Office

(Clarion, Crawford, Erie, Forest, Mercer, Venango and Warren Counties)
3200 Lovell Place
Erie, PA 16503
(800) 541-0721 (Voice), (888) 217-1710 (TTY), (814) 240-2477 (Video Phone)
Contact Person: Jack Hewitt (814) 651-9607

Harrisburg BBVS District Office

(Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties)
Forum Place
555 Walnut Street, 8th Floor
Harrisburg, PA 17101
(866) 375-8264 (Voice), (888) 575-9420 (TTY)
Contact Person: Nicole Wade (717) 787-6022

Harrisburg BVRs District Office

(Cumberland, Dauphin, Juniata, Lebanon, Mifflin and Perry Counties)
Forum Place
555 Walnut Street, 8th Floor
Harrisburg, PA 17101
(800) 442-6352 (Voice), (877) 497-6545 (TTY)
Contact Person: Tracie Maille (717) 787-7834, Ext. 122

Johnstown BVRs District Office

(Cambria, Indiana, Somerset and Westmoreland Counties)
Hiram G. Andrews Center, Seminar Theater
727 Goucher Street
Johnstown, PA 15905
(800) 762-4223 (Voice), (814) 255-5510 (TTY)
Contact Person: Margie Duranko (814) 255-6771

New Castle BVRs District Office

(Armstrong, Beaver, Butler and Lawrence Counties)
100 Margaret Street
New Castle, PA 16101
(800) 442-6379 (Voice), (888) 870-4476 (TTY), (724) 510-0522 (Video Phone)
Contact Person: Gail Steck (724) 656-3070

Norristown BVRs District Office

(Bucks, Chester, Delaware and Montgomery Counties)
1875 New Hope Street
Norristown, PA 19401
(800) 221-1042 (Voice), (888) 616-0470 (TTY)
Contact Person: Stephanie Perry (484) 250-4340, Ext. 142

Philadelphia BBVS District Office

(Bucks, Chester, Delaware, Montgomery and Philadelphia Counties)
801 Market Street, Suite 6034
Philadelphia, PA 19107
(866) 631-3892 (Voice)
Contact Person: Lynn Heitz (215) 560-5704

Philadelphia BVRs District Office

(Philadelphia County)
801 Market Street, Suite 6034
Philadelphia, PA 19107
(800) 442-6381 (Voice)
Contact Person: Shari Brightful (215) 560-1972

Pittsburgh BBVS District Office

(Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland Counties)
531 Penn Avenue
Pittsburgh, PA 15222
(866) 412-4072 (Voice), (888) 870-4474 (TTY)
Contact Person: Shannon Austin (412) 565-5520

Pittsburgh BVRs District Office

(Allegheny County)
531 Penn Avenue
Pittsburgh, PA 15222
(800) 442-6371 (Voice), (888) 870-4474 (TTY)
Contact Person: Marci Katona (412) 392-4952

Reading BVRs District Office

(Berks and Schuylkill Counties)
3602 Kutztown Road, Suite 200
Reading, PA 19605
(800) 442-0949 (Voice), (484) 334-4494 (Video Phone)
Contact Person: Carole Homolash (610) 621-5800, Ext. 103

Washington BVRs District Office

(Fayette, Greene and Washington Counties)
201 West Wheeling Street
Washington, PA 15301
(800) 442-6367 (Voice), (866) 752-6163 (TTY)
Contact Person: Darla Openbrier (724) 223-4430, Ext. 251

Wilkes-Barre BBVS District Office

(Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties)
8 West Market Street, Suite 200
Wilkes-Barre, PA 18701
(866) 227-4163 (Voice), (570) 820-4848 (TTY)
Contact Person: Maureen Taylor (570) 826-2361, Ext. 211

Wilkes-Barre BVRs District Office

(Bradford, Columbia, Lackawanna, Luzerne, Pike, Sullivan, Susquehanna, Wayne and Wyoming Counties)
8 West Market Street, Suite 200
Wilkes-Barre, PA 18701
(800) 634-2060 (Voice), (570) 820-4848 (TTY)
Contact Person: Heather Nelson (570) 826-2011, Ext. 109

Williamsport BVR District Office
 (Clinton, Lycoming, Montour, Northumberland, Potter,
 Snyder, Tioga and Union Counties)
 The Grit Building, Suite 102
 208 West Third Street
 Williamsport, PA 17701
 (800) 442-6359 (Voice), (800) 654-5984 (TTY)
 Contact Person: Susan Swartz (570) 505-7234

York BVR District Office
 (Adams, Franklin, Lancaster and York Counties)
 2550 Kingston Road, Suite 101
 York, PA 17402
 (800) 762-6306 (Voice), (717) 666-7301 (Video Phone)
 Contact Person: Susan Richeson (717) 771-4407, Ext. 204
 W. GERARD OLEKSIAK,
 Secretary

[Pa.B. Doc. No. 19-670. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Buckets of Cash Fast Play Game 5058

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Buckets of Cash (hereinafter “Buckets of Cash”). The game number is PA-5058.

2. *Definitions*:

(a) *Authorized Retailer or Retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *BUCKET*: A specific, pre-defined area of a game ticket located in the play area that contains play symbols and a prize symbol that, when played according to the instructions, determine whether a player wins a prize. Each BUCKET is played separately, but winning combinations in more than one BUCKET can be combined to win larger prizes as described in section 6 (relating to prizes available to be won and determination of prize winners).

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any “BUCKET,” determine whether a player wins a prize.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Buckets of Cash ticket is \$2.

4. *Description of the Buckets of Cash lottery game*:

(a) The Buckets of Cash lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Buckets of Cash tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Buckets of Cash is played by matching any two play symbols in the “WINNING SYMBOLS” area to the play symbols located in any “BUCKET.” A player matching two play symbols in this manner will win the prize shown for that “BUCKET.” A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Buckets of Cash game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Buckets of Cash game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Buckets of Cash game ticket and select the Buckets of Cash option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Buckets of Cash ticket characteristics*:

(a) A Buckets of Cash ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of six “BUCKET” areas and each “BUCKET” is played separately.

(b) *Play Symbols*: Each Buckets of Cash ticket play area will contain a “WINNING NUMBERS” area and six “BUCKET” areas. The play symbols and their captions located in the “WINNING NUMBERS” area and the six “BUCKET” areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4

(FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), and 30 (THIRT).

(c) *Prize Symbols:* The prize symbols and their captions located in each of the six "BUCKET" areas are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTEEN), \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$200, \$500, and \$10,000. A player can win up to 6 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 1,200,000 tickets will be available for sale for the Buckets of Cash lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Buckets of Cash prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that "BUCKET," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play

symbols in the same "BUCKET," and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$15.⁰⁰ (TWENTY) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which any two of the "WINNING SYMBOLS" play symbols match the two play symbols in the same "BUCKET," and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the "Prize" area in that "BUCKET," on a single ticket, shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>Match Any Two WINNING NUMBERS In The Same BUCKET, Win Prize Shown In That BUCKET. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets</i>
\$2	\$2	9.09	132,000
\$2 × 2	\$4	33.33	36,000
\$4	\$4	32.26	37,200
\$5	\$5	25	48,000
\$5 × 2	\$10	500	2,400
(\$2 × 3) + \$4	\$10	111.11	10,800
(\$4 × 2) + \$2	\$10	111.11	10,800

<i>Match Any Two WINNING NUMBERS In The Same BUCKET, Win Prize Shown In That BUCKET. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets</i>
\$10	\$10	500	2,400
\$5 × 3	\$15	714.29	1,680
(\$2 × 3) + \$5 + \$4	\$15	500	2,400
(\$4 × 2) + \$5 + \$2	\$15	500	2,400
\$10 + \$5	\$15	1,000	1,200
\$15	\$15	1,000	1,200
\$10 × 2	\$20	1,000	1,200
(\$4 × 4) + (\$2 × 2)	\$20	666.67	1,800
(\$5 × 2) + (\$4 × 2) + \$2	\$20	666.67	1,800
(\$5 × 2) + \$10	\$20	666.67	1,800
\$20	\$20	1,000	1,200
\$10 × 3	\$30	10,000	120
\$15 × 2	\$30	10,000	120
(\$5 × 4) + \$10	\$30	2,500	480
(\$10 × 2) + (\$2 × 3) + \$4	\$30	2,500	480
\$20 + \$10	\$30	10,000	120
\$30	\$30	5,000	240
(\$10 × 2) + \$30	\$50	12,000	100
(\$10 × 2) + (\$4 × 2) + \$20 + \$2	\$50	6,000	200
(\$20 × 2) + \$10	\$50	6,000	200
\$30 + \$20	\$50	6,000	200
\$50	\$50	12,000	100
\$50 × 2	\$100	24,000	50
(\$20 × 3) + (\$5 × 2) + \$30	\$100	24,000	50
(\$30 × 2) + (\$20 × 2)	\$100	24,000	50
\$50 + \$30 + \$20	\$100	24,000	50
\$100	\$100	24,000	50
\$100 × 2	\$200	120,000	10
(\$30 × 2) + (\$10 × 2) + \$100 + \$20	\$200	120,000	10
(\$50 × 3) + (\$20 × 2) + \$10	\$200	120,000	10
\$200	\$200	120,000	10
(\$100 × 3) + \$200	\$500	120,000	10
(\$200 × 2) + \$100	\$500	120,000	10
\$500	\$500	120,000	10
\$10,000	\$10,000	120,000	10

Each BUCKET is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto

for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Buckets of Cash lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Buckets of Cash lottery game tickets.

17. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Buckets of Cash or through normal communications methods.

19. *Applicability*: This notice applies only to the Buckets of Cash lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Chili Pepper Payout Fast Play Game 5057

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Chili Pepper Payout (hereinafter “Chili Pepper Payout”). The game number is PA-5057.

2. *Definitions*:

(a) *Authorized Retailer or Retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *Progressive Top Prize*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(k) *SPICY BONUS*: The area at the bottom of a Chili Pepper Payout ticket containing four play symbols that, when matched according to the instructions, determine whether the player wins a “SPICY BONUS” prize. The “SPICY BONUS” is played separately. The “SPICY BONUS” does not award a Progressive Top Prize.

(l) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(m) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Chili Pepper Payout ticket is \$5.

4. *Description of the Chili Pepper Payout lottery game*:

(a) The Chili Pepper Payout lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Chili Pepper Payout tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Chili Pepper Payout is played by matching the play symbols in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Chili Pepper Payout is also played by matching any two of the four symbols in the “SPICY BONUS” area. Players matching play symbols in this manner will win the prize shown in the “SPICY BONUS” area. The “SPICY BONUS” is played separately and does not award a Progressive Top Prize.

(d) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) A Chili Pepper Payout game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Chili Pepper Payout game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Chili Pepper Payout game ticket and select the Chili Pepper Payout option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Chili Pepper Payout ticket characteristics:*

(a) A Chili Pepper Payout ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols:* Each Chili Pepper Payout ticket play area will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, and a "SPICY BONUS" area. The play symbols located in the "WINNING NUMBERS" and the "YOUR NUMBERS" areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), and 30 (THIRT). The play symbols located in the "SPICY BONUS" area are: "Pepper" (PEPPER 1) symbol, "Pepper" (PEPPER 2) symbol, "Pepper" (PEPPER 3) symbol, "Pepper" (PEPPER 4) symbol, and a "Pepper" (PEPPER 5) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the play area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and PROGRESSIVE (TOP PRIZE). The prize symbols and their captions located in the "SPICY BONUS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY) and \$100 (ONE HUN).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$250, \$500, \$1,000, and the Progressive Top Prize. The Progressive Top Prize amount starts at \$50,000 and increases by \$1⁰⁰ every time a Chili Pepper Payout ticket is purchased. When a Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$50,000. The prizes that can be won in the "SPICY BONUS" are: \$5, \$10, \$15, \$20, \$50 and \$100. A player can win up to 12 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 3,600,000 tickets will be available for sale for the Chili Pepper Payout lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Chili Pepper Payout prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a Progressive Top Prize. The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$50,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(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 \$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.

(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 \$250 (TWOHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which two matching symbols are found in the "SPICY BONUS" area and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area within the "SPICY BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which two matching symbols are found in the "SPICY BONUS" area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area within the "SPICY BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(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 \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which two matching symbols are found in the "SPICY BONUS" area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area within the "SPICY BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which two matching symbols are found in the "SPICY BONUS" area and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "PRIZE" area within the "SPICY BONUS" area, on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which two matching symbols are found in the "SPICY BONUS" area and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "PRIZE" area within the "SPICY BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(r) Holders of tickets upon which two matching symbols are found in the "SPICY BONUS" area and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "PRIZE" area within the "SPICY BONUS" area, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>SPICY BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 3,600,000 Tickets</i>
	\$5	\$5	12.5	288,000
\$5		\$5	14.29	252,000
\$5 × 2		\$10	100	36,000
\$5	\$5	\$10	50	72,000
	\$10	\$10	49.5	72,720
\$10		\$10	100	36,000
\$5 × 3		\$15	250	14,400
\$5 × 2	\$5	\$15	66.67	54,000
	\$15	\$15	62.5	57,600
\$15		\$15	200	18,000
\$5 × 4		\$20	666.67	5,400
\$10 + \$5	\$5	\$20	666.67	5,400
\$10	\$10	\$20	1,000	3,600
\$15	\$5	\$20	1,000	3,600
	\$20	\$20	1,000	3,600
\$20		\$20	1,000	3,600
\$10 × 3		\$30	10,000	360
\$15 × 2		\$30	5,000	720
\$5 × 4	\$10	\$30	5,000	720
\$10 + \$5	\$15	\$30	5,000	720
\$20	\$10	\$30	5,000	720
\$30		\$30	5,000	720
\$10 × 5		\$50	3,000	1,200
(\$10 × 4) + (\$5 × 2)		\$50	3,000	1,200
(\$15 × 2) + (\$5 × 2)	\$10	\$50	3,000	1,200
\$20 × 2	\$10	\$50	3,000	1,200
\$30	\$20	\$50	3,000	1,200
	\$50	\$50	6,000	600
\$50		\$50	6,000	600
\$50 × 2		\$100	24,000	150
\$20 × 5		\$100	24,000	150
(\$20 × 2) + (\$10 × 4) + (\$5 × 4)		\$100	24,000	150
(\$20 × 2) + (\$15 × 2) + (\$10 × 2)	\$10	\$100	24,000	150
(\$15 × 4) + (\$10 × 3)	\$10	\$100	12,000	300
\$30 × 3	\$10	\$100	24,000	150
	\$100	\$100	24,000	150

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>SPICY BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 3,600,000 Tickets</i>
\$100		\$100	24,000	150
\$500 × 2		\$1,000	240,000	15
(\$250 × 3) + (\$50 × 4) + (\$10 × 5)		\$1,000	240,000	15
(\$250 × 2) + (\$100 × 2) + (\$50 × 4)	\$100	\$1,000	240,000	15
\$1,000		\$1,000	240,000	15
\$50,000		\$50,000	180,000	20
PROGRESSIVE TOP PRIZE		\$50,000*	180,000	20

SPICY BONUS: When you match two like symbols, win PRIZE shown in the PRIZE area! SPICY BONUS played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$50,000. The PROGRESSIVE TOP PRIZE increases by \$1⁰⁰ every time a ticket is purchased, and resets to \$50,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery

game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of \$1.⁰⁰ from the sale of each Chili Pepper Payout ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Chili Pepper Payout game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. \$1.⁰⁰ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Chili Pepper Payout lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Chili Pepper Payout lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum

payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Chili Pepper Payout or through normal communications methods.

20. *Applicability:* This notice applies only to the Chili Pepper Payout lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-672. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Purchase of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to purchase Department of Transportation (Department) excess land has been submitted to the Department by the Pennsylvania Convention Center Authority, 1101 Arch Street, Philadelphia, PA 19107 seeking to purchase highway right-of-way located at 711-35 Vine Street, Philadelphia, PA 19107, Philadelphia County, containing approximately 75,075 ± square feet/hectares, adjacent to SR 0095, Section 11A RW, for purposes of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Kenneth M. McClain, PE, District Executive, Engineering District 6.0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

Questions regarding this application or the proposed use may be directed to Barbara DiCianno, Right-of-Way Administrator, 7000 Geerdes Boulevard, King of Prussia, PA 19406, (610) 205-6504.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 19-673. Filed for public inspection May 3, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Purchase of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to purchase Department of Transportation (Department) excess land has been submitted to the Department by Royal Farms, 3611 Roland Avenue, Baltimore, MD 21211 seeking to purchase highway right-of-way located at 123 East Main Street, Collegeville, PA 19147, Montgomery County, containing approximately 17,475 ± square feet/hectares, adjacent to SR 0029, Section OL1 RW, for purposes of construction.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Kenneth M. McClain, PE, District Executive, Engineering District 6.0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

Questions regarding this application or the proposed use may be directed to Barbara DiCianno, Right-of-Way Administrator, 7000 Geerdes Boulevard, King of Prussia, PA 19406, (610) 205-6504.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 19-674. Filed for public inspection May 3, 2019, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, April 18, 2019, and announced the following:

Action Taken—Regulation Approved:

Pennsylvania Public Utility Commission # 57-315: Standards and Billing Practices for Residential Public Utility Service (amends 52 Pa. Code Chapter 56)

Approval Order

Public Meeting Held
April 18, 2019

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission
Standards and Billing Practices for Residential
Public Utility Service
Regulation No. 57-315 (# 3161)*

On February 6, 2017, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 56. The proposed regulation was published in the February 18, 2017 *Pennsylvania Bulletin* with a public comment period ending on April 18, 2017. The final-form regulation was submitted to the Commission on March 18, 2019.

This final-form regulation implements amendments made to the Public Utility Code by Act 155 of 2014.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501—504 and 1401—1418) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 19-675. Filed for public inspection May 3, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Designation as a Certified Reinsurer

Wilton Reinsurance Bermuda Limited has applied for designation as a certified reinsurer in this Commonwealth. The application was received on April 23, 2019, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-676. Filed for public inspection May 3, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

Appeal of Gerard Comerico; State Farm Mutual Automobile Insurance Company; File No. 19-116-234019; Doc. No. P19-04-018; May 29, 2019, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-677. Filed for public inspection May 3, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2019-3009337. UGI Utilities, Inc.—Gas Division. Application of UGI Utilities, Inc.—Gas Division for approval of the abandonment of natural gas service to 14 residential customers located in Tionesta Township, Forest County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 20, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: UGI Utilities, Inc.—Gas Division

Through and By Counsel: Devin T. Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601; Danielle Jouenne, Esquire, UGI Corporation, 460 North Gulph Road, King of Prussia, PA 19406

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-678. Filed for public inspection May 3, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by May 20, 2019. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2019-3008866. B. A. Groff, LLC (232 Masser Road, Allenwood, Union County, PA 17810) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2019-3008934. Randy C. Arbogast (111 Exchange Road, Muncy, Lycoming County, PA 17756) 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 Montour County to points in Pennsylvania, and return.

A-2019-3009205. Metropolis Passenger Logistics, LLC (6940 Norwich Drive, Suite 2, Philadelphia, PA 19153) persons, in limousine service, from points in the Counties of Berks, Bucks, Delaware, Lehigh and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Ronald Poliquin, 224 Meadow Drive, Dover, DE 19904.

A-2019-3009216. Metropolis Passenger Logistics, LLC (6940 Norwich Drive, Suite 2, Philadelphia, PA 19153) persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Berks, Bucks, Chester, Delaware, Lehigh and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Ronald Poliquin, 224 Meadow Drive, Dover, DE 19904.

A-2019-3009232. Safe Senior Rides, LLC (230 Maiden Lane, Erie, Erie County, PA 16504) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Erie County, to points in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-2019-3009328. Frank Martz Coach Company, Inc. (239 Old River Road, P.O. Box 1007, Wilkes-Barre, Luzerne County, PA 18702) to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Carbon, Lackawanna, Lehigh, Monroe, Northampton and Wyoming, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all rights authorized under the certificate issued at A-6418217 to Martz Luxury Services, LLC, subject to the same limitations and conditions.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2019-3009258. TMT Mission 1, LLC, t/a Two Men and a Truck (1091 Reading Road, Mason, OH 45040) household goods in use, between points in Pennsylvania.

Application of the following for the approval of the transfer of stock as described under the application.

A-2019-3009288. Select Ambulance, Inc. (115 Little Rock Road, Unit A, Reading, Berks County, PA 19605) for the approval of the transfer of 100 shares of the issued stock, from George Tsimura to Akiva T. Glatzer (20 shares), David Gamzeh (20 shares), Ephram Lahasky (20 shares) and Asher Leiser (20 shares). *Attorney:* Ryan P. Siney, 2 Lemoyne Drive, Suite 200, Lemoyne, PA 17043.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-679. Filed for public inspection May 3, 2019, 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 a common carrier 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 May 20, 2019. 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-19-02-16. Fayada Taxi, LLC (10185 Ferndale Street, Philadelphia, PA 19116): 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., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-19-04-01. Fofana WAV Trans, LLC (785 West Providence Road, B104, Lansdowne, PA 19050): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-19-04-02. Abu Trans, LLC (1742 North 6th Street, Philadelphia, PA 19122): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-19-04-03. Kazi Taxi, LLC (1914 Chandler Street, Philadelphia, PA 19111): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-19-04-04. Rabah Trans, LLC (1029 Mercy Street, Philadelphia, PA 19148): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-19-04-05. NK Trans, LLC (6800 Souder Street, Floor 2, Philadelphia, PA 19149): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-19-04-06. Road Taxi, LLC (2164 Conwell Avenue, Philadelphia, PA 19115): 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:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 19-680. Filed for public inspection May 3, 2019, 9:00 a.m.]

STATE BOARD OF MEDICINE

Automatic Suspension of the License to Practice as a Licensed Behavior Specialist held by Richard Thomas Rodgers, BH; Case No. 18-49-03456

On December 18, 2018, Richard Thomas Rodgers, BH, license No. BH000988, last known of Linesville, Crawford County, was automatically suspended based on pleading guilty to a misdemeanor under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the final order by writing to Peter D. Kovach, Board Counsel, State Board of Medicine, P.O. Box 69523, Harrisburg, PA 17106-9523.

This final order represents the final State Board of Medicine (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KEITH E. LOISELLE,
Chairperson

[Pa.B. Doc. No. 19-681. Filed for public inspection May 3, 2019, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

The Susquehanna River Basin Commission (Commission) lists the following Grandfathering (GF) Registration for projects under 18 CFR Part 806, Subpart E (relating to registration of grandfathered projects) from March 1, 2019, through March 31, 2019.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists GF Registration for projects, described as follows, under 18 CFR Part 806, Subpart E for the time period previously specified:

GF Registration Under 18 CFR Part 806, Subpart E

1. Mount Holly Springs Borough Authority; GF Certificate No. GF-201903017; South Middleton Township, Cumberland County, PA; Pine Road Heights Well; Issue Date: March 8, 2019.

2. Denver Borough; GF Certificate No. GF-201903018; Denver Borough, Lancaster County, PA; Well 1 (Smoketown); Issue Date: March 8, 2019.

3. Lebanon Country Club; GF Certificate No. GF-201903019; North Cornwall Township, Lebanon County, PA; Irrigation Well and Consumptive Use; Issue Date: March 8, 2019.

4. American Legion Country Club; GF Certificate No. GF-201903020; Wayne Township, Mifflin County, PA; Juniata River and On-Site Well; Issue Date: March 18, 2019.

5. Hampden Township—Armitage Golf Club; GF Certificate No. GF-201903021; Hampden Township, Cumberland County, PA; Conodoguinet Creek; Issue Date: March 18, 2019.

6. Carson Family Enterprises, Inc., d/b/a Canasawacta Country Club; GF Certificate No. GF-201903022; Towns of Plymouth and North Norwich, Chenango County, NY; 15 Pond, 3 Pond, 7 Pond and Consumptive Use; Issue Date: March 18, 2019.

7. Nittany Country Club; GF Certificate No. GF-201903023; Walker Township, Centre County, PA; the Reservoir on Little Fishing Creek and Consumptive Use; Issue Date: March 18, 2019.

8. Toftrees Golf Club, Inc., d/b/a Toftrees Hotel Resort and Conference Center; GF Certificate No. GF-201903024; Patton Township, Centre County, PA; Pond 9; Issue Date: March 18, 2019.

9. East Donegal Township Municipal Authority; GF Certificate No. GF-201903025; East Donegal Township, Lancaster County, PA; Glatfelter Springs; Issue Date: March 15, 2019.

10. Hanover Country Club; GF Certificate No. GF-201903026; Abbottstown Borough, Adams County and Paradise Township, York County, PA; Well 1, Well 2 and Irrigation Pond; Issue Date: March 15, 2019.

11. MARS, Incorporated—Mars Wrigley Confectionery US, LLC; GF Certificate No. GF-201903027; Elizabethtown Borough, Lancaster County, PA; Well 6; Issue Date: March 15, 2019.

12. Farmers Pride, Inc., d/b/a Bell & Evans; GF Certificate No. GF-201903028; Bethel Township, Lebanon County, PA; Main Well and Consumptive Use; Issue Date: March 27, 2019.

13. State College Borough Water Authority; GF Certificate No. GF-201903029; College and Harris Townships, Centre County, PA; Wells 7, 8, 11 and 14 (Thomas Wells) and Well 25; Issue Date: March 27, 2019.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 22, 2019

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 19-682. Filed for public inspection May 3, 2019, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from March 1, 2019, through March 31, 2019.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries

may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals by Rule Issued Under 18 CFR 806.22(f):

1. Beech Resources, LLC; Pad ID: Douglas C. Kinley Pad A, ABR-201903001; Lycoming Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 7, 2019.

2. Repsol Oil & Gas USA, LLC; Pad ID: KLINE (01 125) R, ABR-201903002; Springfield Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 11, 2019.

3. Rockdale Marcellus, LLC; Pad ID: Hickok-114, ABR-201903003; Canton Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 11, 2019.

4. Seneca Resources Company, LLC; Pad ID: Gamble Pad O, ABR-201903009; Hepburn Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 14, 2019.

5. Cabot Oil & Gas Corporation; Pad ID: AbbottM P1, ABR-201903004; Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 18, 2019.

6. Seneca Resources Company, LLC; Pad ID: DCNR Tract 007 Pad C, ABR-201903006; Delmar and Shippen Townships, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 18, 2019.

7. Repsol Oil & Gas USA, LLC; Pad ID: CHOCONUT VALLEY FARMS (07 090), ABR-201403007.R1; Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 21, 2019.

8. SWN Production Company, LLC; Pad ID: JOHN GOOD WEST LU9 PAD, ABR-201403008.R1; Cogan House and Jackson Townships, Lycoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 21, 2019.

9. Seneca Resources Company, LLC; Pad ID: Clermont Pad D, ABR-201403009.R1; Jones Township, Elk County; Shippen Township, Cameron County; and Sargeant Township, McKean County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 25, 2019.

10. Cabot Oil & Gas Corporation; Pad ID: BennerJ P1, ABR-201903005; Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 25, 2019.

11. SWN Production Company, LLC; Pad ID: WY-08 LEBER PAD, ABR-201903007; North Branch Township, Wyoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 25, 2019.

12. JKLM Energy, LLC; Pad ID: Headwaters 141, ABR-201903008; Ulysses Township, Potter County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 25, 2019.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 9, 2019

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 19-683. Filed for public inspection May 3, 2019, 9:00 a.m.]

