

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Fiscal Year 2019-2020 Annual Plan for Awarding Grants under the Pennsylvania Agricultural Fair Act

This notice presents the Fiscal Year (FY) 2019-2020 Annual Plan (Annual Plan) of the Department of Agriculture (Department) for the administration of the grant program authorized under the Pennsylvania Agricultural Fair Act (act) (3 P.S. §§ 1501—1508.1). It prescribes how the available funds appropriated by the General Assembly shall be distributed. This Annual Plan is authorized by section 8(a) of the act (3 P.S. § 1508(a)), has been prepared with the assistance and advice of the Agricultural Fair Advisory Committee (Committee), and was approved by that Committee at its January 24, 2020, meeting.

The act authorizes the Department to make grants to organizations conducting eligible agricultural fairs, Statewide agricultural organizations which contribute to the development of agriculture and agribusiness, and to eligible agricultural youth groups for support of their programs.

Funds appropriated by the General Assembly to fund the act in FY 2019-2020 shall be dispersed by the Department as follows, on a funds-available basis, in the following order of priority:

1. First priority shall be given to grants to finance a portion of a fair's operating costs. These costs include, but are not limited to, the cost of exhibiting agribusiness products, materials and equipment, conducting agricultural or agribusiness educational activities and demonstrations, and awarding premiums to contest and exhibit winners at the agricultural fair. For these grants, the maximum payment shall be as allowed for each Class Fair under section 5(1)(i)(A) of the act (3 P.S. § 1505(1)(i)(A)). These maximum payments range from \$2,500 to \$14,000, depending on the Class Fair involved.

2. Second priority shall be given to grants to finance a portion of the agricultural premiums identified in section 5(1)(i)(B) of the act. For these grants, the maximum payment shall not exceed \$15,000.

3. Third priority shall be given to grants to reimburse a county agricultural society, or an independent agricultural society, that conducts harness horse racing at its annual agricultural fair, other than races for colts and fillies 2 and 3 years of age, in an amount equal to that used during the annual agricultural fair as purse money for harness horse racing, track and stable maintenance, starting gate rental and the cost of harness horse racing officials during the annual fair. For these grants, the maximum amount of reimbursement shall be as allowed under section 5(1)(iii) of the act. This maximum amount is \$13,000, at least \$4,000 of which must be used to reimburse purse money.

4. Fourth priority shall be given to grants to reimburse a county agricultural society, or an independent agricultural society, that conducts harness horse racing for

2-year-old and 3-year-old colts and fillies at its annual agricultural fair. For these grants, the maximum amount of reimbursement shall be as allowed under section 5(1)(iv) of the act. This maximum amount is \$7,600.

5. Fifth priority shall be given to grants to reimburse a Statewide agricultural organization that conducts an agricultural fair and is otherwise eligible for grants under section 5(2) of the act, for up to \$2,000 of its fair's operating expenses (including premium payments) on a dollar-for-dollar basis, and for 50% of all additional premium costs that are not included in that initial dollar-for-dollar reimbursement, up to a maximum amount of \$10,000. The total maximum payment shall not exceed \$12,000.

6. Sixth priority shall be given to grants to countywide or Statewide 4-H and FFA or combined FFA and FHA units of boys and girls under 21 years of age that are eligible for grants under section 5(3) of the act. Grants shall be awarded in accordance with the requirements of that provision of the act.

a. The purpose of the act is to make funds available to encourage the further development and improvement of this Commonwealth's agricultural fairs, and to continue the contribution of agricultural fairs to agriculture and agribusiness by encouraging related careers, fostering agricultural production and agricultural product improvements, and promoting increased investments in agriculture. This Commonwealth's agricultural fairs also enrich the life of the community by showcasing agricultural and agribusiness achievements, offering recreational opportunities and promoting tourism. For these reasons, the Department encourages those agricultural youth groups that are eligible for grants under section 5(3) of the act to engage in projects and activities that are conducted at agricultural fairs or that are of direct benefit to agricultural fairs.

b. The Department will award grants to the agricultural youth groups previously described as follows:

i. For actual expenses incurred for activities which contribute to the advancement of agriculture or agribusiness by a 4-H Youth group, a payment which will be calculated according to the following formula, under section 5(3) of the act:

*Tier 1:* \$2,000 for total enrollment of up to 1,000 members plus \$1.50 for each traditional member and \$1 for each school enrichment/special interest member.

*Tier 2:* \$2,500 for total enrollment of 1,001 to 2,000 members plus \$1.50 for each traditional member and \$1 for each school enrichment/special interest member.

*Tier 3:* \$3,000 for total enrollment of 2,001 to 3,000 members plus \$1.50 for each traditional member and \$1 for each school enrichment/special interest member.

*Tier 4:* \$3,500 for total enrollment of 3,001+ members plus \$1.50 for each traditional member and \$1 for each school enrichment/special interest member, a maximum reimbursement of \$9,000.

ii. For actual expenses incurred for activities which contribute to the advancement of agriculture or agribusiness by Future Farmers of America (FFA) Youth groups, a payment which will be calculated using the following formula, under section 5(3) of the act:

*Tier I:* County FFA organizations with 100 members or less will receive base funding of \$1,000 with an additional \$4 per member.

*Tier II:* County FFA organizations with 101 to 210 members inclusive will receive a \$2,000 base funding with an additional \$2 per member.

*Tier III:* County FFA organizations with 211 members or more will receive funding of \$2,000 with an additional \$4 per member for every member over 210.

7. Any funds remaining after the previous grants have been awarded shall be utilized for capital improvement as provided in section 5(1)(ii) of the act.

The Department will endeavor to disburse the previous payments at the earliest date practicable.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 20-251. Filed for public inspection February 21, 2020, 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 February 11, 2020.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
02-07-2020	Citizens Financial Services, Inc. Mansfield Tioga County  Application for approval to acquire 100% of MidCoast Community Bancorp, Inc., Wilmington, DE, and thereby indirectly acquire 100% of MidCoast Community Bank, Wilmington, DE.	Approved

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
02-06-2020	William Penn Bank Levittown Bucks County  Application for approval to merge Washington Savings Bank, Philadelphia, with and into William Penn Bank, Levittown.	Filed
02-06-2020	William Penn Bank Levittown Bucks County  Application for approval to merge Fidelity Savings and Loan Association of Bucks County, Bristol, with and into William Penn Bank, Levittown.	Filed
02-07-2020	First Citizens Community Bank Mansfield Tioga County  Application for approval to merge MidCoast Community Bank, Wilmington, DE, with and into First Citizens Community Bank.	Approved

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
02-06-2020	Peoples Security Bank and Trust Company Scranton Lackawanna County	325 South Main Street Doylestown Bucks County	Approved

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
02-06-2020	Huntingdon Valley Bank Huntingdon Valley Montgomery County	2444 South Broad Street Philadelphia Philadelphia County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-31-2020	Orrstown Bank Shippensburg Cumberland County	403 North Market Street Duncannon Perry County	Closed
01-31-2020	Orrstown Bank Shippensburg Cumberland County	101 South Carlisle Street New Bloomfield Perry County	Closed
01-31-2020	Orrstown Bank Shippensburg Cumberland County	18 Newport Plaza Newport Perry County	Closed
01-31-2020	Orrstown Bank Shippensburg Cumberland County	454 Loudon Road Mercersburg Franklin County	Closed
01-31-2020	Orrstown Bank Shippensburg Cumberland County	92 Path Valley Road Fort Loudon Franklin County	Closed

**CREDIT UNIONS****Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-27-2020	TruMark Financial Credit Union Fort Washington Montgomery County	301 Horsham Road Horsham Montgomery County	Opened

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 20-252. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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 18711-0790, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0052426 (Sewage)	Schnecksville North STP Schneck Rd. & Spruce St. Schnecksville, PA 18078	Lehigh County North Whitehall Township	Tributary 3649 to Coplay Creek (CWF/MF) (2-C)	Yes
PA0275697 (Storm Water)	Dent Design Hardware Ltd 298 Keystone Drive Bethlehem, PA 18020-9464	Northampton County Lower Nazareth Township	Monocacy Creek (HQ-CWF) (2-C)	Yes
PA0063924 (Sewage)	Delaware Canal State Park— Teddy Roosevelt Comfort Station 11 Lodi Hill Road Upper Black Eddy, PA 18972	Northampton County Williams Township	Delaware River (WWF, MF) (2-D)	Yes
PA0011185 (Industrial)	Air Products & Chemicals, Inc. 7201 Hamilton Boulevard Allentown, PA 18195-1501	Lehigh County Upper Macungie Township	Iron Run (HQ-CWF) (2-C)	Yes

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0239186 (Sewage)	Stallion Oilfield Service Evans City 950 Corbindale Road Suite 400 Houston, TX 77024	Butler County Forward Township	Unnamed Tributary to Connoquenessing Creek (WWF) (20-C)	Yes
PA0104141 (Sewage)	Jay Township Weedville STP 1766 Redwood Avenue Weedville, PA 15868	Elk County Jay Township	Bennett Branch Sinnemahoning Creek (8-A)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222984 (Sewage)	Spartansburg Borough STP P.O. Box 222 Spartansburg, PA 16434-0222	Crawford County Spartansburg Borough	East Branch Oil Creek (16-E)	Yes

## II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications.

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.*

**PA0031097**, Sewage, SIC Code 7991, **Radley Run Sewer Association, Inc.**, 1100 Country Club Road, West Chester, PA 19382. Facility Name: Radley Run Country Club STP. This existing facility is located in Birmingham Township, **Chester County**.

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

The receiving stream(s) Radley Run (WWF, MF), is located in State Water Plan watershed 3-H and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .017 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>Average Weekly Daily Max</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	3.5	XXX	XXX	25	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	2.8	XXX	XXX	20	XXX	40
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	7.0	XXX	XXX	50	XXX	100
Ammonia-Nitrogen	1.4	XXX	XXX	10	XXX	20
Total Phosphorus						
Nov 1 - Mar 31	0.28	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	0.21	XXX	XXX	1.5	XXX	3

Sludge use and disposal description and location(s): Glen Mills School PA0031747 (for reseeding) DELCORA PA0027103 (Other Treatment Facility).

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

- A. No Stormwater to Sewer
- B. Necessary Property Rights
- C. Proper Sludge Disposal
- D. Abandon STP when Public Sewer Become Available
- E. Chlorine Minimization
- F. Notification of Designation of Responsible Operator
- G. Remedial Measures if Public Nuisance
- H. Twice per Month Sampling

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

**PA0244457**, Storm Water, SIC Code 5171, **Petro Heat & Power Co. Inc.**, 2187 Atlantic Street, Stamford, CT 06902-3734. Facility Name: Southampton Bulk Petroleum Storage Plant. This existing facility is located in Upper Southampton Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Southampton Creek (TSF, MF), is located in State Water Plan watershed 3-J and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, Outfall 002, and Outfall 003 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
Flow (GPD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	100
Oil and Grease	XXX	XXX	XXX	15.0	30.0	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15.0	30.0	30

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

- Requirements for Stormwater Outfalls
- Petroleum Marketing Terminals requirements
- Hydrostatic Test Water requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES\_SCRO@pa.gov.*

**PA0267040**, Sewage, SIC Code 7011, **Dale L. Huie**, 2142 South Galen Hall Road, Reinholds, PA 17569. Facility Name: Gray Fox Inn. This proposed facility is located in South Heidelberg Township, **Berks County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SFTF sewage.

The receiving stream(s), Unnamed Tributary to Little Cocalico Creek (TSF, MF), is located in State Water Plan watershed 7-J and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.001140 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

Sludge Handling: Disposed off-site at an approved facility.

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

- An Annual Maintenance Form must be submitted by June 30 of each year;
- Septic tanks must be pumped out once every 3 years.

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.

**PA0029572**, Sewage, SIC Code 8059, 8361, **Paramount Senior Living At Fayetteville, LLC**, 6375 Chambersburg Road, Fayetteville, PA 17222. Facility Name: Paramount Senior Living At Fayetteville Facility. This existing facility is located in Franklin Township, **Adams 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), Clear Run (HQ-CWF), is located in State Water Plan watershed 13-C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 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>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.14	XXX	0.46
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
Total Nitrogen	XXX	Report Total	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0070190**, Sewage, SIC Code 8661, **Allegheny East Conference**, P.O. Box 266, Pine Forge, PA 19548-0266. Facility Name: Allegheny East Conference. This existing facility is located in Douglass Township, **Berks County**.

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

The receiving stream(s), Manatawny Creek (CWF), is located in State Water Plan watershed 3-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.034 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>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen	Report	XXX	XXX	Geo Mean 20.0	XXX	40.0
Total Dissolved Solids	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0084395**, Industrial, SIC Code 9223, **PA Department of Corrections**, 2500 Lisburn Road, Camp Hill, PA 17011-8005. Facility Name: State Correctional Institution at Camp Hill. This existing facility is located in Lower Allen Township, **Cumberland County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

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

The EPA Waiver is in effect.

**PA0080004**, Sewage, SIC Code 0134, 2096, **Hartman Snack Group Inc.**, 6647 Molly Pitcher Highway, Chambersburg, PA 17202-7713. Facility Name: Gobble Foods Manufacturing Snack Plant. This existing facility is located in Antrim Township, **Franklin County**.

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

The receiving stream(s), Unnamed Tributary of Conococheague Creek (WWF, MF), is located in State Water Plan watershed 13-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

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*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**PA0255629**, Sewage, SIC Code 8800, **CM Holding Co. Inc.**, 2059 Henderson Avenue, Washington, PA 15301. Facility Name: CM Holding SRSTP. This proposed facility is located in Chartiers Township, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Georges Run (WWF), is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 400 GPD.—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>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 400 GPD.—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>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	Report Avg Mo	XXX	XXX	XXX

Sludge use and disposal description and location(s): Hauled by Septic Hauler.

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

The EPA Waiver is in effect.

**PA0217034**, Industrial, SIC Code 3312, **ArcelorMittal Monessen LLC**, 345 Donner Avenue, Monessen, PA 15062-1156. Facility Name: ArcelorMittal Monessen. This existing facility is located in Monessen City, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste and storm water runoff.

The receiving stream, the Monongahela River (WWF), 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 following notice reflects changes to the notice published on March 5, 2016.

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0.161 MGD. Limits are modified as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Suspended Solids	339	657	XXX	29.7	72.8	91.0
Oil and Grease	29.0	85.1	XXX	7.76	10.0	XXX
Ammonia-Nitrogen	46.4	156	XXX	25.0	85.0	106.0
Cyanide, Total	10.14	14.32	XXX	Report	Report	XXX
Benzo(a)Pyrene (ug/L)	0.024	0.043	XXX	12.97	23.25	29.06
Naphthalene (ug/L)	0.024	0.044	XXX	13.07	23.44	29.30
Phenolics, Total	0.092	0.185	XXX	0.050	0.100	0.125

The proposed effluent limits for Outfall 001 are based on a design flow of 0.32 MGD. Limits are modified as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.25
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following new major special conditions: 1) requirements applicable to ArcelorMittal's cooling water intake structure pursuant to Section 316(b) of the Clean Water Act; and 2) a requirement to analyze storm water from immediate process areas.

All other limits and monitoring requirements remain unchanged from the March 5, 2016 notice.

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

The EPA Waiver is not in effect.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0288039**, Sewage, SIC Code 8800, **Denise Slagle**, 149 Springfield Drive, New Castle, PA 16105-5835. Facility Name: Denise Slagle SRSTP. This proposed facility is located in Neshannock Township, **Lawrence County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Unnamed Tributary to Neshannock Creek (TSF), is located in State Water Plan watershed 20-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 .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0288063**, Sewage, SIC Code 8800, **Karrasch Daniel**, 198 Dar Valley Road, Bradford, PA 16701-2482. Facility Name: Daniel Karrasch SRSTP. This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Unnamed Tributary ("Cobb Hollow Run") to Willow Creek (HQ-CWF), is located in State Water Plan watershed 16-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0091782 A-1**, Sewage, SIC Code 4952, **West Hills Area Water Pollution Control Authority**, 257 Linde Road, Kittanning, PA 16201-4719. Facility Name: West Hills Area Water Pollution Control Authority STP. This existing facility is located in North Buffalo Township, **Armstrong County**.

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

The receiving stream(s), Allegheny River (WWF), is located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ultraviolet light dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	271	406	XXX	25.0	37.5	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report	Report	Report Wkly Avg	XXX	XXX
Total Suspended Solids	325	488	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	271	XXX	XXX	25.0	XXX	50
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Total Phosphorus	XXX	Daily Max Report	XXX	XXX	Daily Max Report	XXX

Sludge use and disposal description and location(s): Dewatered sludge is disposed of at Seneca Landfill.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is not in effect.

**PA0288047**, Sewage, SIC Code 6513, **Waggoner Mary**, P.O. Box 332, Lyndora, PA 16045-0332. Facility Name: Mary Waggoner SFTF. This proposed facility is located at 256 Timblin Road, Butler, PA 16001, located in Clay Township, **Butler County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SFTF sewage.

The receiving stream(s), Muddy Creek (HQ-CWF), is located in State Water Plan watershed 20-C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0016 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790. Phone: 570.826.2511, Email: RA-EPNPDES\_NERO@pa.gov.*

**WQM Permit No. 4820401**, Sewerage, **Northampton Borough**, 1401 Laubach Avenue, Northampton, PA 18067-0070.

This existing facility is located in Northampton Borough, **Northampton County**.

Description of Proposed Action/Activity: The project is for the renovation of the borough's "Main Pump Station" at the wastewater treatment plant. A new 1.36 MGD pump station will replace the existing 1.08 MGD pump station. Three variable frequency drive-controlled pumps in a triplex configuration (2 in service, 1 spare) are each capable of conveying 500 gpm. All discharge and suction piping will be replaced with new ductile iron piping. A new 8-inch PVC force main will convey flows to the wastewater treatment plant.

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

**WQM Permit No. 2188407**, Amendment # 2, Sewerage 4952, **Kollas and Costopoulos**, 7099 Carlisle Pike, Carlisle, PA 17015.

This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval modifications of the Regency Woods North Mobile Home Park Wastewater Treatment Facility.

**WQM Permit No. 2177403**, Amendment # 3, Sewerage 4952, **Mount Holly Springs Borough**, 200 Harman Street, Mount Holly Springs, PA 17065.

This proposed facility is located in Mount Holly Springs Borough, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation to increase the permitted flow.

**WQM Permit No. 3820401**, Sewerage 4952, **North Londonderry Township Authority**, 655 East Ridge Road, Palmyra, PA 17078.

This proposed facility is located in North Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of The Pinnacle at Winding Creek pump station, force main and interceptor.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 2598403 A-1**, Sewerage, **Erie City Sewer Authority Erie County**, 68 Port Access Road, Erie, PA 16507-2204.

This existing facility is located in Erie City, **Erie County**.

Description of Proposed Action/Activity: Replacement of existing screening and grit removal equipment, addition of new influent flow monitoring, and improvements to headworks.

**WQM Permit No. 4220401**, Sewerage, **Daniel Karrasch**, 198 Dar Valley Road, Bradford, PA 16701-2482.

This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 1620401**, Sewerage, **Thomas Zeller**, 725 Fairchild Avenue, Kent, OH 44240.

This proposed facility is located in Monroe Township, **Clarion County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 2520402**, Sewerage, **Allison Seppala**, 10300 Route 98, Edinboro, PA 16412-3620.

This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

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**IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).**


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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.*

**PAI130082**, MS4, **Lower Gwynedd Township**, 1130 North Bethlehem Pike, Spring House, PA 19477. 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 Lower Gwynedd Township, **Montgomery County**. The receiving streams, Unnamed Tributary to Park Creek (WWF, MF), Wissahickon Creek (TSF, MF), Unnamed Tributary to Wissahickon Creek (TSF, MF), Trewellyn Creek (TSF, MF), and Willow Run (TSF, MF), are located in State Water Plan watershed 3-F and 2-F and are classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan with the application to reduce pollutant loads to impaired waters:

- A Total Maximum Daily Load (TMDL) 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 484-250-5910.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

**PAI132222**, MS4, **Lower Macungie Township**, 3400 Brookside Road, Macungie, PA 18062. 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 Lower Macungie Township, **Lehigh County**. The receiving streams, Spring Creek (HQ-CWF/MF), Tributary 3578 to Little Lehigh Creek (HQ-CWF/MF), Tributary 3572 to Cedar Creek (HQ-CWF/MF), Swabia Creek (HQ-CWF/MF), Tributaries 3580 & 3585 to Swabia Creek (HQ-CWF/MF), Little Lehigh Creek (HQ-CWF/MF), Leibert Creek (HQ-CWF/MF), and Toad Creek (HQ-CWF/MF) are located in State Water Plan watershed 2-C and are classified as previously indicated, as well as for aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

**PAI132227**, MS4, **Lower Saucon Township**, 3700 Old Philadelphia Pike, Bethlehem, PA 18015-5426. 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 Lower Saucon Township, **Northampton County**. The receiving streams, the Lehigh River (WWF/MF), Saucon Creek (CWF/MF), Tributaries 3360 & 3361 to Saucon Creek (CWF/MF), an Unnamed Tributary to Saucon Creek (CWF/MF), an Unnamed Tributary to East Branch Saucon Creek (CWF/MF), Black River (CWF/MF), Tributary 3355 to Black River (CWF/MF), an Unnamed Tributary to Black River (CWF/MF), Polk Valley Run (CWF/MF), and Silver Creek (CWF/MF) are located in State Water Plan watershed 2-C and are classified as previously indicated, as well as for aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

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**VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities.**


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

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

*Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447, 570-382-3086.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD350014	Susan Hazelton Penndot District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Lackawanna	Jefferson TWP	Trib 05711 of W Branch Wallenpaupach Creek (HQ-CWF, MF)

*Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401, 610-391-9583.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390149	Jaindl Land Co 3150 Coffetown Rd Orefield, PA 18069	Lehigh	Upper Macungie TWP	Iron Run (HQ-CWF, MF)

*Northampton County Conservation District, 14 Gracedale Ave, Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480117	Bridge Moorestown Rd LLC John Porcek 1 Gatehall Dr Ste 201 Parsippany, NJ 07054	Northampton	Bushkill Twp	Sobors Run (HQ-CWF, MF) EV Wetlands (EV)

*Pike County Conservation District, 556 Route 402, Suite 1, Hawley, PA 18428, 570-226-8220.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD520024	Commonwealth of PA 1800 Herr St Harrisburg, PA 17103	Pike	Porter Twp	UNT To Bushkill Creek (HQ-CWF, MF)

*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD630046	GSP Management Company P.O. Box 677 Morgantown, PA 19543	Washington	Donegal Township	UNTs to Bonar Creek (HQ-WWF)

*Cambria District Office: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

*Individual Permit Type—PAD*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD680007 Application	Attention: Patrick M. Webb Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800	Allegheny County	South Fayette Township	Millers Run (CWF)

**VII. List of NOIs for NPDES and/or Other General Permit Types.**


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 PAG-13 Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
 

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**MS4 PAG-13 Notices of Intent Received.**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5970.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG130108	Upper Providence Township 1286 Black Rock Road Oaks, PA 19456	Upper Providence Township Montgomery County	N	Y
PAG130166	Bryn Athyn Borough 2835 Buck Road Bryn Athyn, PA 19009-0683	Bryn Athyn Borough Montgomery 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 (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**ACT 38  
NUTRIENT MANAGEMENT PLANS**

**CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Irwin Martin 231 Brosius Hill Road Mt. Pleasant Mills, PA 17853	Snyder	46.1 for manure application	614.26	Swine/ Finishing	NA	Renewal
Harvest Lane Farm James Stahl 910 Jake Landis Road Lititz, PA 17543	Lancaster	278	324.09	Layers/ Beef	NA	Renewal

## PUBLIC WATER SUPPLY PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### SAFE DRINKING WATER

#### Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

**Permit No. 1720501**, Public Water Supply.

Applicant	<b>S.B. Elliott State Park, PA—DCNR</b>
Township or Borough	Pine Township
County	<b>Clearfield County</b>
Responsible Official	Mr. John Hallas Director, Bureau of State Parks 400 Market Street 8th Floor P.O. Box 8551 Harrisburg, PA 17105
Type of Facility	Public Water Supply—Construction
Consulting Engineer	Mr. Shawn Beeler DCNR—Bureau of Facility Design Construction 400 Market Street 8th Floor P.O. Box 8451 Harrisburg, PA 17105
Application Received Date	January 31, 2020

Description of Action	S.B. Elliott State Park is applying to replace the existing spring-water source with a drilled groundwater well and install the well-water treatment system.
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**Permit No. 5510501**, Public Water Supply.

Applicant	<b>7-Eleven # 40410</b>
Township or Borough	Perry Township
County	<b>Snyder County</b>
Responsible Official	Mr. Mark Meleski 2014 Milta Hill Road Romansville, PA 19320
Type of Facility	Public Water Supply— Construction
Consulting Engineer	Mr. Jeremy S. Madaras, P.E. J.S. Madaras Consulting, LLC 250 Indian Land Boyertown, PA 19512
Application Received Date	February 10, 2020

Description of Action	Reverse osmosis for TDS reduction and chlorination system for 4-Log disinfection.
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*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 4287502-MA7**, Public Water Supply.

Applicant	<b>Bradford City Water Authority</b>
Township or Borough	Bradford
County	<b>McKean County</b>
Responsible Official	Steve Disney
Type of Facility	Public Water Supply
Consulting Engineer	Jason Saylor Utility Service Company, Inc. 1230 Peachtree Street NE Ste 1100 Atlanta, GA 30309
Application Received Date	January 31, 2020

Description of Action	Interior painting and sanitary repairs to 200,000-gallon ground storage tank.
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**Permit No. 4393502-MA1**, Public Water Supply.

Applicant	<b>Pine Township Waterworks</b>
Township or Borough	Pine Township
County	<b>Mercer County</b>
Responsible Official	William Pritchard
Type of Facility	Public Water Supply
Consulting Engineer	Daniel Gonncz, P.E. Gannett Fleming Inc. 554 South Erie Street Mercer, PA 16137
Application Received Date	January 31, 2020
Description of Action	Removal of tank from permit.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, State-wide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

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

**Former Scranton Lace Complex**, 1313 Meylert Avenue, Scranton City, **Lackawanna County**. SCE Environmental Group, 1380 Mount Cobb Road, Lake Ariel, PA 18436, on behalf of Lace Building Affiliates, 538 Spruce Street, Suite 618, Scranton, PA 18503, submitted a Notice of Intent to Remediate. Historic operations and an underground gasoline storage tank released metals and hydrocarbons to the soil. Future use of the site will be commercial and residential. The Notice of Intent to Remediate was published in the *Scranton Times-Tribune* on January 24, 2020.

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

**Lehman Property**, 2790 Meadow View Road, Manheim, PA 17545, Rapho Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Doug Lehman, 2790 Meadow View Road, Manheim, PA 17545, submitted a Notice of Intent to Remediate soil and groundwater contaminated with diesel fuel. The site will be remediated to the Residential Statewide Health Standard for soil and an unknown standard for groundwater. Future use of the site will continue to be used for residential purposes. The Notice of Intent to Remediate was published in the *LNP* on January 29, 2020.

## 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.

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**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.**

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

*Contact: Raymond Kempa, New Source Review Chief, (570) 826-2507.*

**66-00001: Procter and Gamble Paper Products Co.** (P.O. Box 32, State Route 87 South, Mehoopany, PA 18629). The Department intends to issue an amended Title V Operating Permit for operation in Washington Township, **Wyoming County**. The amendment is intended to include additional presumptive RACT II sources, case-by-case RACT II conditions, correct site HAP calculations from combustion sources, to clarify and update compliance demonstration methods, and to correct start-up and shutdown condition to state that the ammonia slip emission limit does not apply during start-up or shut-down. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. The proposed operating permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

**08-00010P: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) for the removal of the W.W. Sly Manufacturing Co. Impinjet model 390 wet scrubber which controls emissions from the existing R&D Spray Dryer, and the installation of a Scientific Dust Collector model SPJ-18-X4B8 dust collector and a XH Absolute model 01XH-24Z24Z12 high efficiency particulate air (HEPA) filter, in the scrubber's place at the Towanda Facility located in Towanda Borough, **Bradford County**. The Department of Environmental Protection's (Department) review of the information submitted by Global Tungsten & Powders Corp. indicates that the air cleaning devices to be installed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed installation.

The emissions from the R&D Spray Dryer after the installation of the new air cleaning devices will not exceed 0.0001 ton per year of filterable particulate matter and 0.0001 ton per year of hazardous air pollutants. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: The concentration of particulate matter in the exhaust from the dust collector shall not exceed 0.007 grain per dry standard cubic foot. No more than 132 lbs/hr of slurry may be processed in the R&D Spray Dryer. The HEPA filter shall maintain a control efficiency of at least 99.97% for particulate matter. The dust collector and HEPA filter shall each be equipped with instrumentation to continuously monitor the pressure drop across the control device. The permittee shall record the pressure drop across the dust collector and HEPA filter at least once per operating shift. The permittee shall maintain records, including supporting calculations, as necessary to demonstrate compliance with the particulate matter emissions and hourly throughput limitations. These records shall be kept on site for a minimum of five years and shall be presented to the Department upon request. The permittee shall keep on hand sufficient quantity of spare fabric collector bags and filters for all collectors and filters at the facility in order to be able to immediately replace any bag or filter requiring replacement. Any air compressor used to provide compressed air to any of the collectors or filters shall be equipped with an air dryer and an oil trap.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 08-00010P, the requirements established in the plan approval will be incorporated into State Only Operating Permit 08-00010 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. 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.

## OPERATING PERMITS

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

*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.*

**01-05029: Kestrel Acquisition, LLC** (1731 Hunterstown Road, Gettysburg, PA 17325) to issue a Title V Operating Permit renewal for the Hunterstown Combined Cycle Generating Station located in Straban Township, **Adams County**. The actual emissions from the facility in 2018 were reported to be the following: 138.1 tons CO; 90.4 tons NO<sub>x</sub>; 18.3 tons VOC; 17.9 tons PM<sub>10</sub>; 17.9 tons PM<sub>2.5</sub>; 11.5 tons SO<sub>x</sub>; 1.1 ton toluene; 0.5 ton xylenes; 0.3 ton acetaldehyde; 0.3 ton ethyl benzene; 0.2 ton propylene oxide; 0.1 ton benzene; 2.6 tons total HAPs; and 13.1 tons ammonia. The Title V Operating Permit will include emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. Among other items, the conditions include provisions derived from the following: 40 CFR Part 60, Subpart Da—Standards of Performance for Electric Utility Steam Generating Units (Source IDs 101, 201 and 301); 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines (Source IDs 101, 201 and 301); the Cross-State Air Pollution Rule (CSAPR) requirements of 40 CFR Part 97 (Source IDs 101, 201 and 301); the Acid Rain Program requirements of 40 CFR Part 72 (Source IDs 101, 201 and 301); the continuous emission monitoring systems (CEMS) requirements of 25 Pa. Code § 139.101 and 40 CFR Part 75 (Source IDs 101, 201 and 301); 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (Source ID 031); 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Source IDs 501 and 502); and the presumptive RACT 2 requirements of 25 Pa. Code §§ 129.96–129.100 (Source IDs 031, 101, 201, 301, 501, and 502).

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

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

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

**54-00056: Pine Grove Area School District** (103 School Street, Pine Grove, PA 17963-1698). The Department intends to issue a State-Only Operating Permit for operation of sources at the Pine Grove Area High School located in Pine Grove Borough, **Schuylkill County**. The sources include an anthracite coal fired boiler. Control devices include a cyclone. The proposed permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**66-00012: Williams Field Services Company, LLC** (310 State Route 29 North, Tunkhannock, PA 18657-6817). The Department intends to issue a State-Only (Synthetic Minor) Operating Permit for operation of sources at a natural gas compressor station Tunkhannock Township, **Wyoming County**. The sources include three compressor engines, two compressor turbines, and two generators. Control devices include three oxidation catalysts. The proposed permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**66-00012: Williams Field Services Company, LLC** (310 State Route 29 North, Tunkhannock, PA 18657-6817). The Department intends to issue a State-Only (Synthetic Minor) Operating Permit for operation of sources at a natural gas compressor station Springville Township, **Susquehanna County**. The sources include two reboilers, four compressor engines, and two dehydration units. Control devices include four oxidation catalysts. The proposed permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**22-05033: Hempt Bros., Inc.—Steelton Plant** (205 Creek Road, Camp Hill, PA 17011) to issue a State Only Operating Permit for the operation of their batch asphalt plant in Steelton Borough, **Dauphin County**. The potential emissions from the facility are estimated at 7.0 tpy of NO<sub>x</sub>, 14.6 tpy of CO, 25.1 tpy of PM<sub>10</sub>, 5.3 tpy of VOC, 0.9 tpy SO<sub>x</sub> and 1.6 tpy HAPs. 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 product throughput limits and provisions derived from 40 CFR 60 Subparts I and OOO as well as 25 Pa. Code § 129.63.

**67-03021: General Dynamics OST** (200 East High Street, Red Lion, PA 17356) to issue a State Only Operating Permit for the ammunition manufacturing facility in Red Lion Borough, **York County**. The potential emissions from the facility are estimated at 13.02 tpy of NO<sub>x</sub>, 6.14 tpy of CO, 1.85 tpy of PM<sub>10</sub>, 9.6 tpy of VOC, 2.63 tpy SO<sub>2</sub> and 1.33 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52d, 129.63, 40 CFR 60, 40 CFR 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR 63 Subpart WWWW—Area Source Standards for Plating and Polishing Operations.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.*

**10-00304: JSP International Mfg** (150 Eastbrook Lane, Butler, PA 16002-1024). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the manufacturing facility located in Summit Township, **Butler County**. The facility's primary emission sources include the four (4) natural gas-fired boilers used to provide process steam for the facility, specialty foam processing tools, and two (2) natural gas-fired emergency generators. The potential emissions of the primary pollutants from the facility are as follows: 18.56 TPY (tons per year) NO<sub>x</sub>, 21.74 TPY CO, 4.20 TPY VOC, 1.97 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, 0.16 TPY SO<sub>x</sub>, and 0.49 TPY combined HAPs; thus, the facility is a natural minor. The boilers are subject to 40 CFR 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. One emergency generator is subject to 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines, and the other is subject to 40 CFR 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Envi-

ronmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to a mining permit application should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

Requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

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

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

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

**32081301 and NPDES Permit No. PA0235946. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES permit for the Coral-Graceton Mine in Center and Blacklick Townships,

**Indiana County**, affecting 3,822.1 proposed underground acres and 3,822.1 proposed subsidence control plan acres. No additional discharges. The application was considered administratively complete on February 4, 2020. Application received: December 23, 2019.

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

**17020103 NPDES PA0243221. River Hill Coal Company, Inc.**, P.O. Box 141, Kylertown, PA 16847, permit revision for stream variances, wetland replacement plan, add RES Coal LLC as contractor, and update mine plan and bonding to a bituminous coal surface and auger mine in Chest Township, **Clearfield County** affecting 560.7 acres. Receiving streams: Wilson Run and McMasters Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: January 29, 2020.

*Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

**PAM220002. Rock Ridge Quarries, Inc.**, 403 Ice Harvest Drive, Mountain Top, PA 18707, coverage under General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on GP-105 Bluestone Mining No 08202501 located in Wilmot Township, **Bradford County**. Receiving stream(s): Sugar Run Creek classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: January 28, 2020.

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

**Permit No. 64142802C and NPDES Permit No. PA0225517. Robert A. Coleman** (P.O. Box 3, Susquehanna, PA 18847), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Scott Township, **Wayne County**. Receiving stream: unnamed tributary to Balls Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: January 21, 2020.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0235709 (Mining permit No. 56061301), RoxCoal, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, a renewal to the NPDES and mining activity permit and a revision to the NPDES and mining activity permit to remove outfalls 003 and 004 for the Kimberly Run Mine in Somerset Township, **Somerset County**, affecting 107 surface acres and 2,676 underground acres. Receiving stream(s): Kimberly Run classified for the following use(s): CWF and Wetland Adjacent to Kimberly Run classified for the following use: CWF. Coxes Creek Watershed TMDL. The application was considered administratively complete: September 17, 2018. Application received: October 2, 2017.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

*Outfall 001 discharges to: Kimberly Run*

The proposed effluent limits for *Outfall 001* (Lat: 39° 59' 47" Long: -78° 59' 47") are:

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	Report
Iron	(mg/l)	-	1.5	3.0
Suspended Solids	(mg/l)	-	35	70
Manganese	(mg/l)	-	2.0	4.0
Aluminum	(mg/l)	-	2.0	4.0
Sulfate	(mg/l)	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-
pH	(S.U.)	6.0	-	-
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-
Alkalinity, Net	(mg/l)	0.0	-	-
Osmotic Pressure	(mOs/kg)	-	-	-

Outfall 002 discharges to: Wetland Adjacent to Kimberly Run

The proposed effluent limits for Outfall 002 (Lat: 39° 59' 47" Long: -78° 59' 47") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.56	3.12	3.9
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.04	2.08	2.6
Aluminum	(mg/l)	-	0.75	0.78	0.78
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

EPA waiver is not in effect.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Holly Calvetti).

**NPDES No. PA0263354 (Mining Permit No. 56110108), Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, renewal of an NPDES permit for bituminous coal mining in Shade Township, **Somerset County**, affecting 176.9 acres. Receiving stream(s): unnamed tributary to Oven Run, and unnamed tributaries to Stonycreek River, classified for the following use(s): CWF & TSF. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: October 19, 2018.

The following outfalls discharge to unnamed tributaries to Stonycreek River:

Outfall Nos.	New Outfall (Y/N)
001 (Treatment Pond # 1)	N
002 (Treatment Pond # 2)	N
004 (Sediment Pond # 1)	N
005 (Sediment Pond # 2)	N
006 (Sediment Pond # 3)	N

The proposed effluent limits for the previously listed outfalls are as follows:

Outfalls: (All Weather Conditions) Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following outfalls discharge to unnamed tributary to Oven Run:

Outfall Nos.	New Outfall (Y/N)
003 (Treatment Pond # 3)	N
007 (Treatment Pond # 4)	N

The proposed effluent limits for the previously listed outfalls are as follows:

Outfalls: (All Weather Conditions) Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

**NPDES No. PA0249815 (Mining Permit No. 40A77SM12), PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 1,128 acres. Receiving stream(s): Piney Run, a tributary to the Casselman River, classified for the following use(s): CWF, WWF. This receiving stream is included in the Casselman River TMDL. Application received: December 30, 2019.

The following treated wastewater outfall discharges to Piney Run:

Outfall Nos.	New Outfall (Y/N)
001 (T-1)	N

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfall: 001 (T-1) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 10.5 standard units at all times.

Alkalinity must exceed acidity at all times.

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

**NPDES No. PA0219584 (Mining Permit No. 17930117), RES Coal LLC**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, permit renewal of an NPDES permit for surface mining of bituminous coal in Goshen Township, **Clearfield County** affecting 329.8 acres. Receiving stream(s): Surveyor Run, classified for the following use(s): CWF, MF. This receiving stream is included in the Surveyor Run Watershed TMDL. Application received: September 10, 2019.

The following outfalls discharge to UNT to Surveyor Run and Surveyor Run:

<i>Outfall Number</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	TFB
005	N	SP1
006	N	SP2
007	N	SP3
008	N	SP4
009	N	SP5
010	N	SP6
011	N	SP7

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Outfalls: 002, 005, 006, 007, 008, 009, 010 and 011 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.5	3.0	3.7
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)	Monitor & Report		
Flow (gpm)	Monitor & Report		
Temperature (°C)	Monitor & Report		
Specific Conductivity (µmhos/cm)	Monitor & Report		

pH (S.U.): Must always be between 6.0 and 9.0 standard units.

Alkalinity must always exceed acidity.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87, Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

A Consent Order and Agreement has been executed between Pennsylvania DEP and Sky Haven Coal, Inc. with this permit as part of a pilot project under EPA's Project XL. This Order was executed on February 7, 2001. A subsequent agreement executed on May 1, 2008 transfers this agreement to RES Coal LLC. The object of this Order is to measure the impact of this remining operation on in-stream water quality at Monitoring Point No. 6 on Surveyor Run, rather than at individual Subchapter F discharges and requires full implementation of all best management practices.

*New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Tracy Norbert).*

**NPDES No. PA0251500 (Mining Permit No. 02080102), Cherep's Excavating, LLC**, 9742 Saltsburg Road, Pittsburgh, PA 15239. Renewal of an NPDES permit for a bituminous surface mined located in North Fayette and Collier Townships, **Allegheny County**, affecting 121.4 acres. Receiving stream(s): unnamed tributary to Robinson Run, Robinson Run, unnamed tributary to Pinkertons Run, and Pinkertons Run and classified for the following use(s): WWF. The first downstream potable water supply intake from the point of discharge is a surface water intake on the Ohio River and operated by the West View Water Authority. Application received: July 23, 2019.

The following outfalls discharge to an unnamed tributary to Robinson Run, Robinson Run, unnamed tributary to Pinkertons Run, and Pinkertons Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
SP1	N	SWO
SP2	N	SWO
SP3	N	SWO
SP4	N	SWO

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
SP5	N	SWO
SP6	N	SWO
TP1	N	TFO
TP2	N	TFO
TP3	N	TFO
TP4	N	TFO
TP5	N	TFO

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/L)	1.5	3.0	3.7
Total Manganese (mg/L)	1.0	2.0	2.5
Total Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35	70	90
Osmotic Pressure (mOsm/kg)	50	50	50
Sulfates (mg/L)		Monitor and Report	
Total Cadmium (mg/L)		Monitor and Report	
Total Copper (mg/L)		Monitor and Report	
Total Lead (mg/L)		Monitor and Report	
Total Mercury (mg/L)		Monitor and Report	
Specific Conductivity (µmhos/cm)		Monitor and Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0279579 (Mining Permit No. 11190801), Hite Coal & Stone Supply, LLC**, P.O. Box 350, Carrolltown, PA 15722, transfer of an NPDES permit for shale material removal in East Carroll Township, **Cambria County**, affecting 5.0 acres. Receiving stream(s): Laurel Lick Run, classified for the following use(s): HQ-CWF. This receiving stream is included in the Chest Creek TMDL. Application received: December 19, 2019.

No treatment or sediment ponds exist on site because all water is contained within the permit and infiltrates through the shale material.

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

**NPDES Permit No. PA0225967 on GP105 Permit No. 64192501. Robert A. Coleman** (P.O. Box 3, Susquehanna, PA 18847), new NPDES Permit for a bluestone quarry operation in Scott Township, **Wayne County**, affecting 12.9 acres. Receiving stream: West Branch Delaware River, classified for the following uses: HQ—cold water and migratory fishes. Application received: February 21, 2019.

Non-discharge BMP's shall be in effect.

**NPDES Permit No. PA0225975 on Surface Mining Permit No. 64190802. Robert A. Coleman** (P.O. Box 3, Susquehanna, PA 18847), new NPDES Permit for a bluestone quarry operation in Scott Township, **Wayne County**, affecting 5.9 acres. Receiving stream: West Branch Delaware River, classified for the following uses: HQ—cold water and migratory fishes. Application received: February 21, 2019.

Non-discharge BMP's shall be in effect.

**NPDES Permit No. PA0226017 on Surface Mining Permit No. 64192801. Leo's 848 Products, Inc.** (P.O. Box 277, Lake Como, PA 18437), new NPDES Permit for a bluestone quarry operation in Preston Township, **Wayne County**, affecting 5.8 acres. Receiving stream: unnamed tributary to Kinneyville Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: March 22, 2019.

Non-discharge BMP's shall be in effect.

**NPDES Permit No. PA0226068 on Surface Mining Permit No. 64192802. Bunnell Waste Removal, Inc.** (267 Tryon Street, Honesdale, PA 18431), new NPDES Permit for a bluestone quarry operation in Texas Township, **Wayne County**, affecting 5.0 acres. Receiving stream: Lackawaxen River, classified for the following uses: HQ—cold water and migratory fishes. Application received: September 13, 2019.

Non-discharge BMP's shall be in effect.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

#### Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Southeast Region: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160.*

*Contact: Elaine Henderson, Clerk Typist 3, 484.250.5157.*

**Permit No. E51-301, Philadelphia Water Department**, 1101 Market Street, Philadelphia, PA 19107, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

Philadelphia Water Department (PWD) is proposing to replace an 8-foot by 7-foot box sewer and outfall. In its place, PWD will construct and maintain an 8-foot by 12-foot box sewer within the 100-year floodplain and outfall constructed on piles on the bank of the Delaware River (WWF-MF) resulting in 30 linear feet (45 square feet) of permanent watercourse impact, 40 linear feet (600 square feet) of temporary watercourse impact, 2,100 square feet of permanent floodway impact, and 600

square feet of temporary floodway impact. This project is located at Columbus Crossing Shopping Center in Philadelphia (USGS PA Philadelphia Quadrangle—Latitude 39.924388 N, Longitude 75.141221 W).

**Permit No. EA46-026/WL4620301, Borough of Lansdale**, 1 Vine Street, Lansdale, PA 19446, Borough of Lansdale and Upper Gwynedd Township, **Montgomery County**, ACOE Philadelphia District.

The Borough of Lansdale is proposing to restore 1,320 linear feet of stream bank for a portion of an unnamed tributary to Towamencin Creek (TSF-MF) in Whites Road Park and includes the following activities:

- Removal of floodplain fill and grading to enhance floodplain capacity and improve stream stability.
- Construction of a J-Hook rock vane.
- Removal of gabion basket walls at multiple locations and in its place, construct boulder walls at multiple locations including a portion of the area adjacent to the existing amphitheater area. This activity includes the placement of boulders along stream banks upstream of concrete bridges for the protection of bridge abutments.
- Removal of the gabion basket wall and to regrade embankment adjacent to the existing amphitheater area.
- Placement of coir log at toe of regraded stream banks.
- Landscaping, which includes the planting of live stakes, plugs, and broadcasting of seed.

This project is located within the 100-year floodplain and includes other enhancements to the park for a future recreational area and grading for winter sledding and is located at 400 Whites Road in Lansdale Borough, Montgomery County (USGS PA Lansdale Quadrangle—Latitude 40.236722 N, Longitude 75.295026 W).

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.*

**E4104119-016. PA DOT Engineering District 3-0**, 715 Jordan Ave., Montoursville, PA 17754. SR 2017, Section 025, Segment 0030, Offset 0500 through 1226, Slope Failure Restoration, Franklin and Jordan Townships, **Lycoming County**, Baltimore ACOE (Lairdsville, PA Quadrangle N: 41° 11' 40"; W: -76° 33' 50").

PA DOT propose to restore a roadway slope failure adjacent to West Branch Run. PA DOT proposes to construct a 165 L.F. R-8 Rip Rap Slope and 322 L.F. stream realignment to stabilize a roadway slide on SR 2017, Section 025, Segment 0030, Offset 0500 through 1226 adjacent to Unnamed Tributary to West Branch Run (UNT 1). The R-8 Rip Rap will have a slope of 1.5:1 and will be grouted to an elevation above the 100 year water surface elevation of the UNT 1. The remaining slope above the 100 year water surface elevation will consist of R-6 Rip Rap. The Rip Rap slope will restore the roadway side slope and channel to pre-flood location. The Rip Rap slope will result in the relocation of approximately 322 L.F. of the UNT 1. In addition, a 24 inch pipe under SR 2017 will be replaced In Kind (UNT 2). The UNT 2 will be conveyed down the proposed Rip Rap slope and result in approximately 41 L.F. of relocation of UNT 2. The project will also relocate approximately 37 L.F. of UNT 3 at the upstream limit of the project to tie it into the relocation of UNT 1. The project will utilize three 24 inch pipes for a temporary crossing of UNT 1 and one 18 inch pipe for the temporary crossing of UNT 3. The project will utilize a temporary cofferdam and temporary access road

to construct the Rip Rap slope. The proposed relocated UNT 1 will have a 10 Ft. bottom width and include 13 multi-log deflectors. The project includes a planting plan to restore the riparian area impact. A detour will be utilized to convey traffic during construction. The project will not impact any jurisdictional wetland. West Branch Run is designated as a Cold Water Fishery by 25 Pa. Code Chapter 93 Water Quality Standards.

**E4104220-003. Stony Brook Camp**, 584 Carson Road, Waterville, PA 17776. Stony Brook Camp, Pine Township, **Lycoming County**, U.S. Army Corps of Engineers Baltimore District (English Center, PA Quadrangle, Latitude: 41.40764°N; Longitude: 77.32475°W).

The applicant will replace a failed on-lot septic system located in a 1% floodplain. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E6004220-001. Pennsylvania Department of Conservation and Natural Resources**, 262 Sizerville Road, Emporium, PA 15834. RB Winter State Park Footbridge, Hartley Township, **Union County**, U.S. Army Corps of Engineers Baltimore District (Mifflinburg Quadrangle, Latitude: 40.9897°N; Longitude: 77.1894°W).

The applicant will construct and maintain a 55' × 4' pedestrian bridge over Rapid Run. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

*Southwest Region: Dana Drake, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.*

**E02052-1830, Geoffrey Shorts**, 2004 Cortona Drive, Oakdale, PA 15071, Collier Township **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

Construct and maintain a 4.5-foot diameter 80 foot long concrete pipe in an unnamed tributary (UNT) to Robinson Run (WWF) for the purpose of providing a gravel access road to two parcels of property. The project also will temporarily impact an additional 28 LF of this watercourse, and will permanently impact 0.18 acre of the floodway.

The project site is located on Parcel 262-L-20 McMichael Road, Carnegie (Oakdale, PA USGS topographic quadrangle; N: 40°, 24', 26"; W: -80°, 8', 25"; Sub-basin 20F; USACE Pittsburgh District), in Collier Township, Allegheny County.

**E26052-385, Redstone Township Sewer Authority**, 1010 Main Street, Republic, PA 15475, Redstone Township, **Fayette County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Construct and maintain two (2) 8" PVC sewer line crossings under Dunlap Creek (WWF) via directional bore.

2. Construct and maintain two (2) 8" PVC sewer line crossings under an unnamed tributary to Dunlap Creek (WWF) via directional bore.

3. Construct and maintain six (6) 8" PVC sewer line crossings under six (6) PEM wetlands via open trench.

4. Construct and maintain one pump station within the 100-year floodplain of Dunlap Creek for the purpose of constructing a sewerline extension. The project will result in approximately 80 LF of permanent impacts and approximately 110 LF of temporary impacts to Dunlap Creek and unnamed tributaries to Dunlap Creek, ap-

proximately 4.6 acres of temporary impacts and approximately 2.0 acres of permanent impacts to PEM wetlands, and approximately 0.17 acre of temporary impact and approximately 0.05 acre of permanent impacts to the 100-year floodplain. Mitigation will include restoring the areas disturbed by the utility line crossings back to original condition and elevation and stabilizing these disturbed areas. The project includes a number of new sewer lines, starting approximately 500 feet northeast of the intersection of Keeny Row and Tower Hill Road (Quadrangle: Carmichaels, PA, Latitude 39° 57' 11"; Longitude: -79° 52' 43"), and ends approximately 500 feet southeast of the intersection of Filbert Orient and Paradise Lake Road at the Filbert pump/treatment station (Quadrangle: Salem, PA, Latitude: 39° 57' 23"; Longitude: -79° 51' 39"), in Redstone Township, Fayette County.

**E30052-269, Dominion Energy Transmission, Inc.**, 5000 Dominion Boulevard, Glen Allen, VA 23060, Gilmore Township, **Greene County**, Pittsburgh ACOE District.

The applicant proposes to:

Place and maintain fill in 0.067 acre of wetlands for the purpose of correcting and preventing the causes of a landslide that occurred within and adjacent to a pipeline right-of-way. These impacts to wetlands will be mitigated through the purchase of 0.07 wetland mitigation credits from the Robinson Fork Phase I Mitigation Bank within the Ohio River Sub-basin 20.

The project site is located off of Jones Road, Holbrook, PA 15341 (Holbrook, PA USGS topographic quadrangle; N: 39°, 46', 20.9604"; W: -80°, 20', 13.38"; Sub-basin 19G; USACE Pittsburgh District), in Gilmore Township, Greene County.

**E65052-1002, West Penn Power Company, a FirstEnergy Company**, 800 Cabin Hill Drive, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**; Pittsburgh ACOE District.

The applicant proposes to:

Place and maintain fill in 0.44 acre of wetlands to expand an existing 500 kV Yukon substation to address thermal overloads, at existing transformers, under a Critical Events scenario. These impacts to wetlands will be mitigated through the purchase of 0.44 wetland mitigation credits from the Enlow Fork Mitigation Bank within the Monongahela River Sub-basin 19.

The project site is located at 926 Greensburg Pike, West Newton, PA 15089 (Smithton, PA USGS topographic quadrangle; N: 40°, 12', 35.2332"; W: -79°, 43', 31.1988"; Sub-basin 19D; USACE Pittsburgh District), in Sewickley Township, Westmoreland County.

#### EROSION AND SEDIMENT CONTROL

The following parties have applied for an Erosion and Sediment Control Permit (ESCP) for an earth disturbance activity associated with either a road maintenance or timber harvesting operation.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office listed above the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications received under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).**

*Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.*

**E63-07-019: ETC Northeast Pipeline, LLC**, 6051 Wallace Run Extension, Third Floor, Wexford, PA 15090. Cross Creek Township, **Washington County**, ACOE Pittsburgh District.

ETC Northeast Pipeline, LLC is proposing stream and wetland restoration at the Upper Cross Creek Restoration Site in Washington County, Pennsylvania, to compensate for unavoidable impacts to Waters of the United States associated with the Revolution Pipeline project. The proposed mitigation will offset temporal and permanent impacts to palustrine scrub-shrub (PSS) and palustrine emergent (PEM) wetlands, as well as ephemeral, intermittent and perennial streams in Allegheny, Beaver, Butler and Washington Counties, PA located along the existing Revolution Pipeline right-of-way. The proposed Project restoration efforts will focus on the creation of stable, exchanging and self-regulated stream, wetland and riparian system within a degraded landscape. The project includes restoration work with Tributary 33072 to South Fork Cross Creek (HQ-WWF), unnamed tributaries to 33072 to South Fork Cross Creek, and adjacent wetland and floodplain areas.

Resource Type	Classification	Existing	Proposed	Permanent Beneficial Impacts		Temporary Impacts		Permanent Impacts	
				Linear Feet	Acre	Linear Feet	Acre	Linear Feet	Acre
Streams	Perennial	4,477.68	4,548.54	3,946	0.66	30	-	74	0.01
	Intermittent	1,883.86	1,860.52	905	0.14	547	0.03	24	-
	Ephemeral	1,229.76	1,548.72	302	0.01	113	-	0	-
	<i>Total</i>	7,597.30	7,957.79	5,153	0.81	690	0.03	98	0.01
Wetlands	PEM	0.52	-	-	-	-	0.34	-	-
	PSS	-	-	-	-	-	-	-	-
	PFO	-	6.07	-	-	-	-	-	-
	PUB	0.03	-	-	-	-	-	-	-
	<i>Total</i>	0.55	6.07	-	-	-	0.34	-	-
Floodways	<i>Total</i>	7.24	8.43	-	-	-	5.17	-	-
<i>Total Impacts</i>				5,153	0.81	690	5.54	98	0.01

**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.**

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES\_NERO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0041009 (Industrial)	Global Companies Macungie Terminal Shippers Lane P.O. Box 459 Macungie, PA 18062	Lehigh County Lower Macungie Township	Unnamed Tributary to Little Lehigh Creek (HQ-CWF, MF) (2-C)	Yes
PA0065218 (Sewage)	Kirschman SRSTP 8393 Hawk View Road Germansville, PA 18053	Lehigh County Heidelberg Township	Unnamed Tributary to Jordan Creek (HQ-CWF, MF) (2-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N</i>
PA0247391 A-1 (SEW)	North Codorus Township York County 1986 Stoverstown Road Spring Grove, PA 17362-7804	York County North Codorus Township	UNT to Codorus Creek (WWF) In Watershed(s) 7-H	No
PA00228401 (CAFO)	Schrack Farms Partnership 860 W Valley Road Loganton, PA 17747-8935	Clinton County Greene Township	UNT to Fishing Creek (HQ-CWF) and UNT to Fishing Creek (HQ-CWF, MF) In Watershed(s) 9-C	No
PA0228770 (CAFO)	Bishcroft Farm LLC 2334 Farm Road Roaring Branch, PA 17765-8959	Tioga County Liberty Township	UNT to Little Elk Run (EV (existing use)) and Little Elk Run (EV (existing use)) In Watershed(s) 10-A	No

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N</i>
PA0260631 (CAFO)	Peach Glen Farm LLC 367 Georgetown Road Gardners, PA 17324-9066	Cumberland County Dickinson Township	UNT to Tagg Run (HQ-CWF, MF) and UNT to Tagg Run (HQ-CWF) In Watershed(s) 7E	No
<i>Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701. Phone: 570.327.3636.</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114286 (Sewage)	New Albany Borough Sewer System STP P.O. Box 67 New Albany, PA 18833-0067	Bradford County New Albany Borough	South Branch Towanda Creek (CWF, MF) (4-C)	Yes
PA0024341 (Sewage)	Canton Borough Authority Sewer System P.O. Box 237 Canton, PA 17724-0237	Bradford County Canton Borough	Towanda Creek (TSF) (4-C)	Yes
<i>Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0001406 (Industrial)	Braeburn Alloy Steel Rolling Mill Facility 101 Braeburn Road Lower Burrell, PA 15068-2259	Westmoreland County Lower Burrell City	Allegheny River (WWF) (18-A)	Yes
PA0205079 (Industrial)	American Beverage Corp 1 Daily Way Verona, PA 15147-1199	Allegheny County Verona Borough	Plum Creek (WWF) (18-A)	Yes
<i>Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0103896 (Industrial)	County Landfill 344 Walley Run Drive Leeper, PA 16233	Clarion County Farmington Township	Unnamed Tributary to Walley Run (CWF) (16-F)	Yes
PA0240141 (Sewage)	Stephen Sherk SRSTP 20 Yohe Road Bradford, PA 16701	McKean County Corydon Township	Unnamed Tributary to the Willow Creek (HQ-CWF) (16-B)	Yes
PA0221643 (Sewage)	Sligo Borough STP P.O. Box 241 Sligo, PA 16255-0241	Clarion County Sligo Borough	Mineral Run (CWF) (17-B)	Yes
PA0221759 (Sewage)	Thomas Shuttleworth SRSTP 923 Fern Road Saint Marys, PA 15857-3022	Elk County Jones Township	Unnamed Tributary to Swamp Creek (HQ-CWF) (17-A)	Yes

## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**NPDES Permit No. PA0287911**, Sewage, SIC Code 8800, **Judith March**, 10611 Pine Road, Conneaut Lake, PA 16316-6729.

This proposed facility is located in Vernon Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0287831**, Sewage, SIC Code 8800, **John Godlesky**, 74 Cedar Lane, Leeper, PA 16233-2324.

This proposed facility is located in Farmington Township, **Clarion County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law.**


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*Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES\_SWRO@pa.gov.*

**WQM Permit No. 0274469 A-8**, Sewage, SIC Code 4952, **Allegheny County Sanitary Authority ALCOSAN**, 3300 Preble Avenue, Pittsburgh, PA 15233-1025.

This existing facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Description of Proposed Action/Activity: Wet Weather Plant Expansion consisting of New East Headworks Facilities, two new primary clarifiers, two new final clarifiers, new Disinfection Facilities, Wet Weather Bypass Control Structure, New Waste Sludge Thickening Facilities, Additional Wet Scrubber Odor Control Facilities and Electrical System Upgrade. Relocated Outfall 001 and new CSO outfall 002.

**WQM Permit No. 2673408 A-1 T-2**, Sewage, **DP 116 LLC**, 333 N. Bedford Road, Suite 145, Mount Kisco, NY 10549.

This existing facility is in Saltlick Township, **Fayette County**.

Description of Proposed Action/Activity: Replacement STP of same capacity permitted to new owner.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 2019403**, Sewage, **Judith March**, 10611 Pine Road, Conneaut Lake, PA 16316-6729.

This proposed facility is located in Vernon Township, **Crawford County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 0308201 A-2**, Industrial, **Alliance Petro Co. LLC**, 101 McQuiston Drive, Jackson Center, PA 16133.

This existing facility is located in South Bend Township, **Armstrong County**.

Description of Proposed Action/Activity: Amendment to add treatment technology to remove barium from connate wastewater.

**WQM Permit No. 1619406**, Sewage, **John Godlesky**, 74 Cedar Lane, Leeper, PA 16233-2324.

This proposed facility is located in Farmington Township, **Clarion County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

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**VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions.**


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

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

*Northampton County Conservation District, 14 Gracedale Ave, Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480093	Presbyterian Homes, Inc. c/o Casey Jones 1 Trinity Drive Suite 201 Dillsburg, PA 17019-8522	Northampton	City of Bethlehem	Monocacy Creek (HQ-CWF, MF)
PAD480087	Hilltop Center, LLC c/o David Jaindl 3150 Coffeetown Road Orefield, PA 18069	Northampton	Lehigh Township	UNT to Indian Creek (CWF, MF), Indian Creek (CWF, MF), Lehigh River (TSF, MF), EV Wetlands

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, 717.705.4802, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD500008 Issued	PennDOT Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	Perry	Carroll Township	UNT Sherman Creek (WWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210040 Issued	S&A Homes, Inc. 2121 Old Gatesburg Road Suite 200 State College, PA 16801	Cumberland	South Middleton Township	Letort Spring Run (EV)

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**VII. Approvals to Use NPDES and/or Other General Permits.**


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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).

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**List of NPDES and/or Other General Permit Types.**


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PAG-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities
PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-06	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-07	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-08	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-08 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
PAG-09	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-09 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-09 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

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

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

<i>Permit No.</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC350073 Authorization/ Issuance	Dunmore Boro Scranton City Lackawanna County	PA American Water Co 852 Wesley Dr Mechanicsburg, PA 17055	Lackawanna River (CWF, MF) Roaring Brook (CWF, Mf)	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC400134 Authorization/ Issuance	Plains Twp Luzerne County	JCJ Holdings LLC Chris Gilchrist 1170 Hwy 315 Ste 1 Wilkes-Barre, PA 18702	Susquehanna River (WWF, MF)	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991

**NOTICES**

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, 717.705.4802, Email: RA-EPNPDES\_SCRO@pa.gov.*

<i>Permit No.</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC010127 Issued	Huntington Township Adams County	Howdy's Wholesale Signs, LLC 169 Water Street Dillsburg, PA 17019	UNT 08719 Bermudian Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC340027 Issued	Monroe Township Juniata County	Shad Ehrisman 1844 Lauver Valley Road Richfield, PA 17086	UNT Stoney Run (TSF)	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059-8709 717.436.8953, ext. 5
PAC360482 Issued	East Lampeter Township Lancaster County	Mellinger Mennonite Church 1916 Lincoln Highway East Lancaster, PA 17602	UNT 07606 Mill Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360456 Issued	Strasburg Township Lancaster County	Jonathan Fisher 65 Old Leacock Road Ronks, PA 17572	UNT Little Beaver Creek (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC670272 Issued	Dover Township York County	WPG-Hilton Avenue Properties, LLC c/o Apple Outdoor Supply 2850 Appleton Street Camp Hill, PA 17011	Little Conewago Creek (TSF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670360 Issued	Hellam Township York County	Guardian CSC 6000 Susquehanna Plaza Drive York, PA 17406	Kreutz Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670346 Issued	Dover Township York County	Young Men's Christian Association for York and York County 90 North Newberry Street York, PA 17401	Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670350 Issued	York City York County	York City 101 South George Street York, PA 17401	UNT Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
PAC670338 Issued	Dover Township York County	Heritage Senior Center 3700-4 Davidsburg Road Dover, PA 17315	UNT Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

<i>Permit No.</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC670385 Issued	East Manchester Township York County	Kinsley Equities II, LP 6259 Reynolds Mill Road Seven Valleys, PA 17360	UNT Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
<i>Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>				
<i>Permit No.</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC080048	Sayre Boro Bradford Cnty	Guthrie Clinic 1 Guthrie Square Sayre, PA 18848	Cayuta Creek WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
PAC140041 Renewal	Ferguson Twp Centre Cnty	State College Apartments, LLC 250 Gibraltar Rd Horsham, PA 19044	UNT Slab Cabin Run CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
PAC140093	Ferguson Twp Centre Cnty	Centre Region Parks & Recreation 2643 Gateway Dr # 1 State College, PA 16803	Tributary 23045 CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
PAC140060 A-1 Renewal	Benner Twp Centre Cnty	The Pennsylvania State University 139J Physical Plant Bldg University Park, PA 16802	UNT Spring Creek CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
PAC140098 Renewal	Harris Twp Centre Cnty	KBB&H Partnership 1952 Waddle Rd Suite 203 State College, PA 16803	UNT Spring Creek CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
PAC170020 Maj Amendment	City of DuBois and Sandy Twp Clearfield Cnty	DuBois Regional Medical Centre 100 Hospital Ave DuBois, PA 15801	CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
PAC410048	Moreland Twp Lycoming Cnty	Toby Wagner 857 G Wagner Rd Muncy, PA 17756	UNT to Lautel Rn CWF UNT to W Br Chillisquequa Creek WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
PAC410047	Clinton Twp Lycoming Cnty	Sheetz Inc. 5700 Sixth Ave Altoona, PA 16602	UNT to Black Hole Creek TSF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003

## NOTICES

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*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Paint Township	PAC560038	D. Edward Leasing Company 250 Seanor Road P.O. Box 278 Windber, PA 15963	Paint Creek (CWF, TSF)	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Peters Township	PAC630116	Environmentally Sound Enterprises, LLC 245 Summerlawn Drive Sewickley, PA 15143	UNT to Peters Creek (TSF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
North Strabane Township	PAC630169	Rolling Lambert, LLC 1350 Old Pond Road Bridgeville, PA 15017	Chartiers Creek (WWF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
Robinson Township	PAC630173	Alex E. Paris Contracting 1595 Smith Township State Road Atlasburg, PA 15004	North Branch Robinson Run (WWF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
Unity Township	PAC650092-A1	Latrobe Municipal Authority 104 Guerrier Road P.O. Box 88 Latrobe, PA 15650	Loyalhanna Creek (WWF)	Westmoreland Conservation District J. Roy Houston Conservation Center 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Mount Pleasant Township	PAC650179	Cherry Wood Development, LLC 1868 Lions Club Road New Alexandria, PA 15670	Wilson Run (WWF); Shupe Run (WWF)	Westmoreland Conservation District J. Roy Houston Conservation Center 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Unity Township	PAC650199	Akela Realty Group, LLC 4270 Morse Road Columbus, OH 43230-1523	UNT to Ninemile Run (WWF)	Westmoreland Conservation District J. Roy Houston Conservation Center 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
East Huntingdon Township	PAC650205	Morgan-Keller, Inc. 70 Thomas Johnson Drive # 200 Frederick, MD 21702	UNT to Buffalo Run (WWF)	Westmoreland Conservation District J. Roy Houston Conservation Center 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

*General Permit Type—PAG-03*

<i>Permit No.</i>	<i>Facility Location Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG034867	South Centre Township Columbia County	Sekisui Polymer Innovations LLC 6685 Lowe Street Bloomsburg, PA 17815-8613	Unnamed Tributary to Susquehanna River (CWF, MF)—5-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Unity Township Westmoreland County	PAG036271	Gutchess Lumber Co. Inc. 185 Devereaux Drive Latrobe, PA 15650-2662	Monastery Run (WWF)—18-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Sharon City Mercer County	PAG038382	Astralloy Steel Products Inc. 251 Wheeler Place Sharon, PA 16146-1677	Shenango River (WWF)—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-12*

<i>Permit No.</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG123706	East Hanover Township Lebanon County	Gerald And Mike Long 39 Reeds Creek Road Annville, PA 17003-8405	in Watershed(s) 7-D	Clean Water SCRO 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  
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Oscar Manbeck 10 Fort Henry Rd Bethel, PA 19507	Berks	677.1	917.94	Swine	NA	Approved
Kenneth Martin 1397 Robert Fulton Hwy Quarryville, PA 17566	Lancaster	270	1,749.63	Swine/ Dairy/ Poultry	HQ	Approved
Brubaker Farms, LLC Mike Brubaker 493 Musser Road Mount Joy, PA 17552	Lancaster	2,150.7	3,220.31	Dairy/ Poultry	HQ	Approved

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

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

**Permit No. 3917510**, PWS Major Amendment.

Applicant **Lehigh County Authority**  
P.O. Box 3348  
Allentown, PA 18106-3348

Township or Borough	Upper Milford Township <b>Lehigh County</b>
Responsible Official	John Persons Lehigh County Authority 1053 Spruce Street P.O. Box 3348 Allentown, PA 18106-3348
Type of Facility	Public Water Supply
Consulting Engineer	Robert A. Koechert, P.E. Johnson, Mirmiran and Thompson 1600 Market Street Suite 520 Philadelphia, PA 19103
Permit to Construct Issued (Extension)	January 17, 2020 <b>Permit No. 2520005</b> , Public Water Supply.
Applicant	<b>Grampa's Woods Estates, LLC</b> (Well No. 1 Reserve Designation) 194 Egypt Road Tafton, PA 18464
Township or Borough	Palmyra Township, <b>Pike County</b>
Responsible Official	Mr. Matthew G. Martin Grampa's Woods Estates, LLC 194 Egypt Road Tafton, PA 18464
Type of Facility	Public Water Supply
Permit Issued	January 16, 2020 <i>Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>
Applicant	<b>Permit No. 1986501-T1-A1. Transfer.</b> Public Water Supply. <b>Pennsylvania American Water Company</b>
Borough or Township	Berwick Borough
County	<b>Columbia County</b>
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	February 5, 2020

**Permit No. 1819501MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Suburban Lock Haven Water Authority</b>
Borough or Township	Lamar Township
County	<b>Clinton County</b>
Type of Facility	Public Water Supply—Construction
Consulting Engineer	Mr. Jeff R. Garrigan, P.E. 474 Windmere Drive Suite 100 College Township, PA 16801
Permit Issued	February 4, 2020

**Operations Permit** issued to: **Adams Township Municipal Authority**, P.O. Box 1, Troxellville, PA 17882, **PWSID No. 4550006**, Adams Township, **Snyder County** on February 4, 2020 for the operation of facilities approved under construction permit # 5519503MA. Authorizes the change of the pH control chemical for the spring from caustic soda to sodium carbonate at the treatment plant.

**Operations Permit** issued to: **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055, **PWSID No. 4140087**, Rush Township, **Centre County** on February 5, 2020 for the operation of facilities approved under construction permit # 1419506MA. Authorizes Pennsylvania American Water to operate one of two vertical centrifugal pumps that has replaced one of two horizontal centrifugal pumps in Sandy Ridge Booster Pump Station, while the second horizontal booster pump is replaced with the second vertical booster pump.

**Operations Permit** issued to: **Rote Mutual Water Company**, **PWSID No. 4180064**, Lamar Township, **Clinton County** on February 4, 2020 for the operation of facilities approved under construction permit # 261 W5-A1. Authorizes the designation of Spring # 1 at Entry Point No. 100 as a reserve source.

**Upper Halfmoon Water Company** (Public Water Supply), **Centre County**: On February 7, 2020, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Upper Halfmoon Water Company community water system. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (Mark R. Stephens, P.G., (570) 327-3422).

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Operation Permit** issued to **Oil Creek Township**, **PWSID No. 6200081**, Oil Creek Township, **Crawford County**. Permit Number 2017501-MA1 issued January 29, 2020 to install and operate an additional interconnection from City of Titusville to Skyline Drive.

**Operation Permit** issued to **Hickory Run Energy LLC**, **PWSID No. 6370975**, North Beaver Township, **Lawrence County**. Permit Number 3719501 issued January 31, 2020 for the operation of the Hickory Run Energy Station water treatment plant. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 8, 2020.

**Operation Permit** issued to **JCD Heritage Hills, LLC**, **PWSID No. 6370041**, Pulaski Township, **Lawrence County**. Permit Number 3719502 issued February 5, 2020 for the operation of the public water system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 22, 2020.

**Operation Permit** issued to **Franklin City General Authority**, **PWSID No. 6610020**, Franklin, **Venango County**. Permit Number 6119503 issued February 7, 2020 for the operation of the Barrett Flats Water Treatment Plant's 4-log inactivation of Viruses treatment system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 24, 2020.

**Operation Permit** issued to **Clymer Borough Municipal Authority**, **PWSID No. 5320009**, Clymer Borough and Cherryhill Township, **Indiana County**. Permit Number 3218508MA issued February 7, 2020 for the operation of 7,000 LF of replacement 8 in diameter PVC waterlines. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 23, 2020.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Leacock Township	3545 W. Newport Rd. Intercourse, PA 17534	Lancaster

*Plan Description:* Approval of a revision to the official plan of Leacock Township, Lancaster County has been issued. This action is a result of the review of a planning module for the Lapp Valley Farms Development (DEP Code No. A3-36935-308-3S; APS ID No. 1002370). The proposed development—to be located at 4040 Old Philadelphia Pike in Gordonville, PA—consists of a small-flow treatment facility for commercial use, with discharge of treated effluent to an unnamed tributary of the Pequea Creek. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. Any permits must be obtained in the name of the property owner.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Chanceford Township	33 Muddy Creek Forks Road Brogue, PA 17309	York

*Plan Description:* Approval of a revision to the official plan of Chanceford Township, York County. The project is known as Wade M. Cornett. The plan provides for a small flow treatment facility (SFTF) proposal to replace a malfunctioning on-lot sewage disposal system serving an existing single-family residential dwelling on 17 acres. Total estimated sewage flows are 400 gpd, and there will be a proposed discharge to an unnamed tributary of the

Susquehanna River. The proposed development is located at 5111 Shenks Ferry Road in Chanceford Township, York County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-67908-319-3s and the APS ID is 1007992. Any permits must be obtained in the name of the property owner.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Letterkenny Township	4294 Orrstown Road Orrstown, PA 17244	Franklin

*Plan Description:* Approval of an update to the official plan of Letterkenny Township, Franklin County. The project is known as the Letterkenny Township Act 537 Update Special Study. The plan provides for the transfer in ownership of the collection, conveyance and treatment facilities from Letterkenny Township to York Water Company. The project is located in Letterkenny Township, Franklin County. The Department's review of the sewage facilities Special Study has not identified any significant impacts resulting from this proposal. The DEP Code Number for this Minor Update Revision is B1-28910-ACT and the APS ID is 1006130. NPDES Permits or WQM Permits must be transferred to York Water Company.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Montgomery	11364 Fort Loudon Road Mercersburg, PA 17236	Franklin

*Plan Description:* Approval of an update to the official plan of Montgomery Township, Franklin County. The project is known as the Montgomery Township Act 537 Update Special Study. The plan provides for the transfer of ownership of Guest Farm Village, Inc. collection, conveyance, and treatment facilities to the Guest Farm Village Sewer Authority formed by the Montgomery Township Supervisors. The project is located at Guest Farm Village. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this Act 537 Plan Special Study Update is B1-28915-ACT and the APS ID is 1009625. Any permits must be obtained in the name of the Guest Farm Village Sewer Authority.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Londonderry Township	738 S. Geysers Church Road Middletown, PA 17111	Dauphin

*Plan Description:* Approval is granted for an Act 537 Special Study for Londonderry Township, Dauphin County. The Study provides for the transmission of sewage from Sewer Districts 2 and 3 (Route 230 corridor) to the Derry Township Municipal Authority (DTMA) Southwest Treatment Plant. The Department's review of the special study has not identified any significant impacts resulting from this proposal. Permits must be acquired in the name of the DTMA. The DEP Code Numbers for this plan are D1-22920-ACT and Application No. 36882.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Snydertown Borough	42 S. Market Street Snydertown, PA 17877	Northumberland

*Plan Description:* The plan concerns the existing Snydertown Borough sewage treatment plant, which serves the Village Center zoned district in the borough, and proposes the replacement of the recently installed treatment system (2018), which did not perform up to standards, with a new wastewater treatment system, replacement of pump station pumps with grinder pumps, replacement of control building and removal of the most recently installed treatment system. This proposal's projected cost for the construction of a new wastewater treatment plant is expected to be \$291,500.00 and the primary funding source identified is PENNVEST, with the potential for a grant or low interest loan through the Rural Utility Service (RUS) program, a grant through the Pennsylvania Department of Community and Economic Development (DCED), and/or a conventional bank loan. The submission is consistent with the planning requirements in Chapter 71 of DEP's regulations. No significant environmental or historical impacts were identified in the review of the plan.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Brown Township	22 Brown Township Drive Reedsville, PA 17084	Mifflin

*Plan Description:* The exception to the requirement to revise the Official Plan for the Chester G. Selfridge Subdivision, DEP Code No. A3-44905-137-1, APS ID 1010537, consisting of one new single-family residential lot, is disapproved. The proposed development is located at 172 Tea Creek Road, Reedsville. This plan is disapproved because it does not qualify as an exception to the requirement to revise the Official Plan. It does not qualify because the subdivision is in an area of the municipality where the Official Plan requires preliminary hydrogeologic studies.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Douglass Township	1068 Douglass Drive Boyertown, PA 19512	Berks

*Plan Description:* The Official Act 537 Sewage Facilities Plan for Douglass Township, DEP Code No. C1-06930-ACT, for Areas 2, 3 and 4 is denied. The plan is denied because the applicant failed to submit adequate information necessary to address all of the technical deficiencies identified in DEP's January 9, 2020 letter. Those deficiencies

cies that were not addressed are: The Plan did not include any water sampling data for properties in Areas 3 and 4. At least 15% of the wells in these areas should be sampled as described in the approved Plan of Study and Section III.B.4 of the Plan Content Checklist. Based on the approximate number of 1,090 properties in the on lot areas, a minimum of 163 water samples should be taken in the planning area. Based on the results of the sampling, the Township must evaluate the use of on lot sewage disposal systems for new land development in light of the requirements of Chapter 71, Section 71.62(c). Limitations on the use of planning exemptions and exceptions to the requirement to revise the official plan (Component 1 modules) may be appropriate. In the evaluation of alternatives, Section 6.1.2 should evaluate the consistency of the projects with the Municipal Wasteload Management Plans for the Berks-Montgomery Municipal Authority, Upper Pottsgrove Township and Pottstown as these are the potential receiving facilities of the sewer projects. In Section 6.4 the evaluation of each alternative speaks only of PENNVEST funding to conclude that each alternative is not financially feasible without grant money. Information presented in Appendix I appears to show financial feasibility for at least Alternative 1 using USDA funding without any grant money. Please address why this option is not being pursued. Sections 3.6 and 6.1.12 make reference to municipalities not associated with this plan. Section 5.2.7 misidentifies the Zoning Map as Map 10 instead of Map 11.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to

achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**1468 Clearfield Road Property**, 1468 Clearfield Road, Nazareth, PA 18064, Bushkill Township, **Northampton County**. Above Environmental Services, P.O. Box 801, Vernon, NJ 07462, on behalf of Hudson Homes, 3701 Regent Boulevard, Irving, TX 75063, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an aboveground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on February 10, 2020.

### HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

**Permits issued, suspended, expired, denied, revoked, reinstated 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, telephone number: 717-705-4706.*

**PAD010154045. Envirite of Pennsylvania, Inc.**, 730 Vogelsong Road, York, PA 17404, City of York, **York County**. Class I Permit Modification approving revisions to the facility's Preparedness, Prevention and Contingency Plan and financial assurance associated with the implementation of new Tank T-23. Permit modification was issued by the Southcentral Regional Office on February 7, 2020.

### REGISTRATION FOR GENERAL PERMIT—MUNICIPAL WASTE

**Registration(s) Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities.**

*Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, telephone number 717-705-4906.*

**General Permit Registration No. WMGM036SC001B. Denali Environmental Solutions, LLC**, Wood # 1 Mine Site, located at Mountain Road to Haul Road, Wood, PA 16694, Wells Township, **Fulton County**. This registration to operate under General Permit No. WMGM036 authorizes the blending or mixing of dewatered sewage sludge generated by municipal sewage collection and treatment systems or treatment works, and lime material to produce either an exceptional quality biosolid or a lime stabilized sewage sludge for beneficial use by using a portable processing unit. The registration was issued by the Southcentral Regional Office on February 7, 2020.

Persons interested in reviewing the general permit may contact John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4906. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**AG5A-58-00007A: SWN Production Company LLC** (917 State Route 29 North, Tunkhannock, PA 18657) on January 28, 2020 operation of a compressor engine and ancillary equipment at the NR-02 Endless Mountain Wellpad site located in New Milford Twp., **Susquehanna County**.

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

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

**AG5-18-00002A: Nation Fuel Gas Supply Corporation** (6363 Main Street, Williamsville, NY 14221) on January 30, 2020, authorize the construction and operation of the Tamarack Compressor Station located in Leidy Township, **Clinton County**. The sources at the facility consist of two (2) natural gas-fired compressor turbine engines, one (1) natural gas-fired emergency generator engine, one (1) storage tank and several small natural gas-fired building heaters pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP5).

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

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

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

**39-00055B: B. Braun Medical, Inc.** (901 Marcon Blvd., Allentown, PA 18109) issued on January 30, 2020 for the installation and operation of a new control device manufactured by Anguil Environmental Systems, Inc. (Anguil) to control EtO emissions from the existing eight Sterilizers and Aeration Room. The proposed Anguil System control device will replace the existing Catalytic Oxidizer (Control Device ID C001) and Wet Scrubber Deoxx Unit (Control Device ID C002) at the existing facility located in Hanover Township, **Lehigh County**.

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

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

**50-03007B: Atlantic Metal Industries LLC** (600 Susquehanna Trail, Liverpool, PA 17045) on February 6, 2020, for the construction of an aluminum sweat/copper wire burning furnace at the metal scrap recycling facility located in Liverpool Township, **Perry County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**08-00054B: Wolf Run Energy, LLC** (106 Isabella St., Ste. 600, Pittsburgh, PA 15212) on February 4, 2020, to extend the plan approval expiration date to August 9, 2020 to allow continued operation of five natural gas-fired reciprocating engines at their electric generating facility in Wilmot Township, **Bradford County**.

**59-00035A: Empire Pipeline, Inc.** (6363 Main Street, Williamsville, NY 14221) on February 4, 2020, for the construction and operation of the Jackson Compressor Station located in Jackson Township, **Tioga County**. The plan approval has been extended until August 13, 2021.

**18-00011J: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) on January 27, 2020, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from February 4, 2020 to August 2, 2020, at their Mill Hall Facility located in Bald Eagle Township, **Clinton County**. The plan approval has been extended.

**19-00007B: Transcontinental Gas Pipe Line Company, LLC** (P.O. Box 1396, Houston, TX 77251-1396) on January 27, 2020, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from January 23, 2020 to July 21, 2020, at their Compressor Station 517 located in Jackson Township, **Columbia County**. The plan approval has been extended.

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

*Contact: Edward Orris, New Source Review Chief, 412.442.4168.*

**PA-04-00699H: National Gypsum Company, Inc.** (168 Shippingport Hill Road, P.O. Box 346, Shippingport, PA 15077-1000). Plan Approval Extension issuance date January 07, 2020, for 180 days to allow temporary operation, evaluate source test reports, and submit the plan approval application for their NGC facility located in Shippingport Borough, **Beaver County**.

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

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

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

**65-00207: OMNOVA Solutions, LLC** (1001 Chambers Avenue, Jeannette, PA 15644-3207). Title V Operating Permit on February 6, 2020, the Department of Environmental Protection (DEP) authorized a renewed Title V operating permit for their polymer-based film and composite materials manufacturing facility located in the City of Jeannette, **Westmoreland County**. The permit includes Reasonably Available Control Technology (RACT II) requirements for this facility in accordance with 25 Pa. Code §§ 129.96—129.100. The permit includes emission limits, operating requirements, monitoring requirements, recordkeeping requirements, and work practice standards for the site to ensure that the facility complies with all applicable Federal and State air quality regulations.

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

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

**25-00035: Molded Fiber Glass Companies, Union City** (55 Fourth Avenue, Union City, PA 16438-1247). On February 5, 2020, the Department issued a modification of the Title V Operating Permit to incorporate RACT II case-by-case and presumptive requirements for the manufacturing facility. The facility is major for VOC and not NO<sub>x</sub>; thus, the RACT II Review only addresses emissions of VOC. The Union City facility manufactures a variety of fiberglass reinforced plastic products that includes the operation of open molding (gelcoat and resin application), closed molding, surface coating processes, and various support operations. The open and closed molding operations are subject to 40 CFR 63 Subpart WWWW NESHAP for Reinforced Plastic Composites Production and 40 CFR 63 Subpart PPPP NESHAP for Surface Coating of Plastic Parts and Products. Two boilers are subject to 40 CFR 63 Subpart DDDDD NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters. This RACT II major modification addresses several VOC emission sources subject to an alternative RACT proposal pursuant to § 129.99(c), including the gelcoat operation, mechanical and manual non-atomized resin application, and the primer spray operation. This RACT II major modification also addresses the reaction injection molding presses, which are a VOC source subject to presumptive RACT pursuant to § 129.97(c)(2) for PTE less than 2.7 tpy. The facility is also subject to a facility-wide VOC limit of 75 tpy on a 12-month rolling basis in compliance with RACT II case-by-case provisions. The permit contains emission

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

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

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

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**54-00063: Greater Pottsville Area Sewer Authority** (1050 Route 61 Hwy S, Pottsville, PA 17901). The Department issued, on February 3, 2020, a State-Only Operating Permit for the operation of sources at the wastewater treatment facility located in the City of Pottsville, **Schuylkill County**. The sources include primary and finish solids processing, and digesters. The control devices include a solids wet scrubber and a burn off flare. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**21-03029: Pennsy Supply, Inc.** (2400 Thea Drive, Suite 3A, Harrisburg, PA 17011) on February 4, 2020, for the Mt. Holly Springs Quarry located in Dickinson Township, **Cumberland County**. The State-only permit was renewed.

**01-05022: Knouse Foods Cooperative, Inc.** (800 Peach Glen Idaville Road, Peach Glen, PA 17375-0001) on February 6, 2020, for the Orrtanna fruit processing facility located in Hamiltonban Township, **Adams County**. The State-only permit was renewed.

**06-05102: Sunsweet Growers, Inc.** (105 South Buttonwood Street, Fleetwood, PA 19522-1639) on February 4, 2020, for the juice bottling plant located in Fleetwood Borough, **Berks County**. The State-only permit was renewed.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**39-00006: American Craft Brewery LLC** (7880 Penn Dr, Breinigsville, PA 18031) on January 30, 2020, in Upper Macungie Township, **Lehigh County** for an amendment to incorporate process modification. The RACT II conditions from Plan Approval 39-00006F were copied into the Title V Operating Permit No. 39-00006. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

**53-00006: Dominion Energy Transmission Inc.** (5000 Dominion Boulevard, Glenn Allen, VA 23060) issued a revised Title V operating permit on February 10, 2020, for a change in the responsible official and permit contact person for the Ellisburg Compressor Station. This facility is located in Genesee Township, **Potter County**.

**18-00005: Dominion Energy Transmission Inc.** (5000 Dominion Boulevard, Glenn Allen, VA 23060) issued a revised Title V operating permit on February 10, 2020, for a change in the responsible official and permit contact person for the Finnefrock Compressor Station. This facility is located in Leidy Township, **Clinton County**.

## **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).**

### *Coal Permits Issued*

*New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Tracy Norbert).*

**63080102 and NPDES Permit No. PA0251429. Neiswonger Construction, Inc.**, 17592 Route 322, Strattanville, PA 16258, renewal application for continued mining to an existing bituminous mine located in Somerset Township, **Washington County**, affecting 187.8 acres. Receiving stream(s): unnamed tributaries to Center Branch Pigeon Creek. Classified for the following use: WWF. Ellsworth Borough Water Department is the potable water supply within 10 miles downstream from the point of discharge. Application received: November 19, 2018. Permit issued: February 4, 2020.

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

**Permit No. 54840209R7. Mazaika Coal Company** (689 Fairview Street, Tamaqua, PA 18252), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Rush Township, **Schuylkill County** affecting 24.0 acres. Receiving stream: Little Schuylkill River. Application received: October 22, 2019. Renewal issued: February 7, 2020.

**Permit No. PAM114033R. Mazaika Coal Company** (689 Fairview Street, Tamaqua, PA 18252), renew cover-

age under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54840209 in Rush Township, **Schuylkill County**, receiving stream: Little Schuylkill River. Application received: October 22, 2019. Renewal issued: February 7, 2020.

### *Noncoal Permits Issued*

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

**Permit No. 56190301 and NPDES No. PA0279749. Windber Stone, LLC**, 117 Marcia Street, Latrobe, PA 15650, commencement, operation and restoration of a large noncoal (industrial minerals) operation in Ogle Township, **Somerset County**, affecting 99.8 acres. Receiving stream(s): unnamed tributaries to Clear Shade Creek, unnamed tributary to South Fork Little Conemaugh River, classified for the following use(s): CWF and HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 21, 2019. Permit Issued: February 4, 2020.

**Permit No. 34190801, Dryhouse Stoneworks**, 30 Walnut Grove Lane, Belleville, PA 17004, commencement, operation, and restoration of a small noncoal (industrial minerals) operation in Beale Township, **Juniata County**, affecting 5.0 acres, receiving stream(s): unnamed tributary to Doyle Run. Application received: September 16, 2019. Permit Issued: February 4, 2020.

**PAM419005-GP104, Dryhouse Stoneworks**, 30 Walnut Grove Lane, Belleville, PA 17004. Renew Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Noncoal Permit No. 34190801 located in Beal Township, **Juniata County**. Receiving stream(s): unnamed tributary to Doyle Run, classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: September 16, 2019. Approved: February 4, 2020.

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

**43830305. Gerald S. Greene** (25149 Hilltop Road, Springboro, PA 16435). Final release for a small noncoal mining operation in Greene Township, **Mercer County**. Restoration of 4.0 acres completed. Receiving streams: Unnamed tributary to Shenango River. Application Received: October 25, 2019. Final release approved: February 3, 2020.

*New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Tracy Norbert).*

**02030301 and NPDES Permit No. PA0004278. Redland Quarries NY**, 6211 Ann Arbor Road, Dundee, MI 48131. Transfer of permit formerly issued to LaFarge North America, Inc. for continued operation and reclamation of a noncoal surface mining site located in West Mifflin Borough, **Allegheny County**, affecting 112.5 acres. Receiving stream(s): Thompson Run. Application received: December 12, 2018. Transfer Permit issued: February 6, 2020.

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

**Permit No. 49050301C. Central Builders Supply Co.** (P.O. Box 152, Sunbury, PA 17801), correction to an

existing quarry operation to update the post-mining land use to include unmanaged natural habitat; unmanaged natural water impoundment and cropland in Point Township, **Northumberland County** affecting 54.5 acres, receiving stream: Susquehanna River. Application received: June 29, 2018. Correction issued: February 4, 2020.

**Permit No. PAM119023. David P. Compton** (909 Glenwood Road, Hop Bottom, PA 18824), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58112511 in Apolacon Township, **Susquehanna County**, receiving stream: Apalachin Creek. Application received: October 4, 2019. Permit issued: February 5, 2020.

**Permit No. PAM113070R. Northstar Leasing, Inc. d/b/a Northstar Stone** (P.O. Box 322, Meshoppen, PA 18630), renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on GP-105 Permit No. 66132501 in Nicholson Township, **Wyoming County**, receiving stream: unnamed tributary to Monroe Creek. Application received: July 11, 2019. Renewal issued: February 5, 2020.

**Permit No. 06080301C5 and NPDES Permit No. PA0224715. Dyer Quarry, Inc.** (P.O. Box 188, Birdsboro, PA 19508), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Robeson Township, **Berks County**. Receiving stream: Indian Corn Creek. Application received: May 31, 2019. Renewal issued: February 6, 2020.

**Permit No. 7775SM4C6 and NPDES Permit No. PA0594563. Lehigh Cement Co., LLC** (7660 Imperial Way, Allentown, PA 18195), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Oley Township, **Berks County**. Receiving stream: unnamed tributary to Manatawny Creek. Application received: June 27, 2019. Renewal issued: February 6, 2020.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

##### *Blasting Permits Issued*

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

**Permit No. 36204104. J Roy's, Inc.** (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Rock Litz Pod 5 in Warwick Township, **Lancaster County** with an expiration date of January 30, 2021. Permit issued: February 3, 2020.

**Permit No. 35204102. Hayduk Enterprises, Inc.** (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Rite-Temp Associates parking lot in Dalton Borough, **Lackawanna County** with an expiration date of June 30, 2020. Permit issued: February 6, 2020.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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

**E06-701: Sunoco Pipeline, L.P.**, 535 Fritztown Road, Sinking Spring, PA 19608, Cumru Township, **Berks County**, ACOE Baltimore and Philadelphia District.

To amend the permit which authorized the installation and maintenance of approximately 20.4 miles long, 20-inch pipeline, a second 16-inch pipeline, and appurtenant structures. The project impacts in Berks County include a total of 101 linear feet of temporary impacts to Wyomissing Creek (HQ-CWF), an unnamed tributary to Wyomissing Creek (HQ-CWF), an unnamed tributary to Sleepy Hollow Run (CWF) and an unnamed tributary to Rock

Run (HQ-TSF), a total of 2,829 linear feet of permanent impacts to 11 unnamed tributaries to East Branch Conestoga River (WWF), East Branch Conestoga River (WWF), 5 unnamed tributaries to Little Cocalico Creek (TSF), Cacoosing Creek (CWF), 16 unnamed tributaries to Cacoosing Creek (CWF), Allegheny Creek (CWF), 9 unnamed tributaries to Allegheny Creek (CWF), Allegheny Creek (CWF), Wyomissing Creek (HQ-CWF), 9 unnamed tributaries to Wyomissing Creek (HQ-CWF), Little Muddy Creek (TSF), 2 unnamed tributaries to Sleep Hollow Run (CWF), 8 unnamed tributaries to Rock Run (HQ-TSF), Hay Creek (EV), 10 unnamed tributaries to Hay Creek (EV), and Rock Run (HQ-TSF), and 7.474 acres of permanent floodway impacts, 3.306 acres of temporary floodway impacts, 0.03 acre of temporary impacts to PEM wetlands and 2.151 acres of permanent impacts to PuB, PEM, PFO, and PSS wetlands in South Heidelberg, Spring, Cumru, Brecknock, New Morgan, Robeson, and Caernarvon Townships, Berks County. The project impacts in this permit application are associated with a transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA. This major amendment changes the installation method of the 16.0-inch pipeline across two Unnamed Tributaries to Wyomissing Creek (HQ-CWF) and an EV PFO/PSS wetland from conventional bore to open cut, impacting 105 linear feet of Unnamed Tributaries to Wyomissing Creek and 0.11 acre of EV PFO/PSS wetland which will be converted to PEM wetland and will be offset by plantings at a compensatory mitigation site in Cumberland County. Permit issued January 31, 2020.

**E50-258: Sunoco Pipeline, L.P.**, 535 Fritztown Road, Sinking Spring, PA 19608, Toboyne Township, **Perry County**, ACOE Baltimore District.

E50-258, Sunoco Pipeline, LP (SPLP), 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II Pennsylvania Pipeline Project, in Toboyne and Jackson Townships, Perry County, ACOE Baltimore District. The project starts at Toboyne Township, PA Quadrangle Blairs Mill N: 40°, 17', 45"; W: 77°, 39', 55" and ends at Jackson Township, PA Quadrangle Andersonburg N: 40°, 15', 24"; W: 77°, 28', 11".

The project consists of the installation and maintenance of approximately 10.4 miles long, 20-inch pipeline, a second 16-inch pipeline, and appurtenant structures. The project impacts in Perry County include a total of 245 linear feet of temporary impacts to Horse Valley Run (HQ-CWF), 2 unnamed tributaries to Horse Valley Run (HQ-CWF), 2 unnamed tributaries to Shermans Creek (HQ-CWF), an unnamed tributary to Laurel Run (HQ-CWF), 3 unnamed tributaries to Schaeffer Run (HQ-CWF), a total of 1,528 linear feet of permanent impacts to Laurel Run (EV), Bull Run (HQ-CWF), Horse Valley Run (HQ-CWF), Schultz Creek (HQ-CWF), South Branch Laurel Run (HQ-CWF), an unnamed tributary to Horse Valley Run (HQ-CWF), an unnamed tributary to Laurel Run (EV), 4 unnamed tributaries to Laurel Run (HQ-CWF), 3 unnamed tributaries to Schaeffer Run (HQ-CWF), 4 unnamed tributaries Schultz Creek (HQ-CWF), 5 unnamed tributaries Sherman Creek (HQ-CWF), an unnamed tributary to South Branch Laurel Run (HQ-CWF) and Schaeffer Run (HQ-CWF), and 3.958 acres of permanent floodway impacts, 2.305 acres of temporary floodway impacts, 0.006 acre of temporary impacts to PEM wetlands and 1.188 acre of permanent impacts to PEM, PFO, and PSS wetlands. 0.034 acre of permanent PFO to PEM wetland conversion is proposed in Perry County which

will be offset by plantings at a compensatory mitigation site in Cumberland County. The project impacts in this permit application are associated with a transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA. This major amendment alters the route and the installation method of the 16.0-inch pipeline across Horse Valley Run (HQ-CWF, MF) and two Unnamed Tributaries to Horse Valley Run (HQ-CWF, MF) from the authorized Horizontal Directional Drill (HDD, No. S2-0157-16) to open cut. Approximately 193 linear feet of stream will be impacted. The project is located 3.5 miles north of the intersection of SR 75 and Horse Valley Road (Latitude: 40.2937°N; Longitude: 77.6501°W) in Toboyne Township, Perry County. Permit issued January 31, 2020.

**E07-459: Sunoco Pipeline, L.P.**, 535 Fritztown Road, Sinking Spring, PA 19608, Blair & Woodbury Townships, **Blair County**, ACOE Baltimore District.

E07-459, Sunoco Pipeline, LP (SPLP), 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II Pennsylvania Pipeline Project, in Allegheny, Blair, Frankstown, Juniata, and Woodbury Townships, Blair County, ACOE Baltimore District. The project starts at Juniata Township, PA Quadrangle Cresson N: 40°, 24', 29"; W: 78°, 33', 23" and ends at Woodbury Township, PA Quadrangle Williamsburg N: 40°, 24', 34"; W: 78°, 10', 38".

The project consists of the installation and maintenance of approximately 23.5 miles long, 20-inch, a second 16-inch pipeline, and appurtenant structures. The project impacts in Blair County include a total of 326 linear feet of temporary impacts to 11 unnamed tributaries to Robinson Run (WWF) and 5 unnamed tributaries to Frankstown Branch Juniata River (WWF), a total of 2,400 linear feet of permanent impacts to 2 unnamed tributaries to Beaverdam Branch (WWF), Oldtown Run (WWF), an unnamed tributary to Oldtown Run (WWF), Frankstown Branch Juniata River (WWF), 12 unnamed tributaries to Frankstown Branch Juniata River (WWF), Clover Creek (HQ-CWF), 2 unnamed tributaries to Poplar Run (CWF), Dry Run (WWF), 2 unnamed tributaries to Blair Run (CWF), Blair Run (CWF), Piney Run (HQ-CWF), 2 unnamed tributaries to Piney Creek (HQ-CWF), Dry Run (WWF), 10 unnamed tributaries to Dry Run (WWF) and an unnamed tributary to Blair Gap Run (TSF), and 6.491 acres of permanent floodway impacts, 3.867 acres of temporary floodway impacts, 0.789 acre of temporary impacts to PEM and PSS wetlands and 2.420 acres of permanent impacts to PFO, PEM, and PSS wetlands. 0.019 acre of permanent PFO to PEM wetland conversion is proposed in Blair County which will be offset by plantings at a compensatory mitigation site in Cumberland County. The project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 306 miles and 255 miles in Pennsylvania between Houston Borough, Washington County, PA and Marcus Hook Borough, Delaware County, PA.

The Piney Creek amendment consists of the following: 1.) re-route and alter the installation method of the 16.0-inch pipeline from Horizontal Directional Drilling (HDD, No. S2-0142-16) to open cut, resulting in a total of approximately 158 linear feet of impacts to two unnamed tributaries to Piney Creek (HQ-CWF, MF, Wild Trout), and 50 feet of impacts to Piney Creek (HQ-CWF, MF, Class A Wild Trout) (Latitude: 40.4345°N; Longitude: 78.2692°W);

The Everett Railroad amendment consists of the following: 1.) alter the installation method of the 16.0-inch pipeline from HDD (HDD No. S2-0121-16) to open cut and conventional bore in exceptional value, palustrine emergent/scrub shrub wetlands (Latitude: 40.4127°N; Longitude: 78.3727°W) impacting 0.24 acre of wetland; 2.) alter the installation method of the 16.0-inch pipeline in exceptional value, palustrine emergent wetlands (Latitude: 40.4157°N; Longitude: 78.3802°W) impacting 0.29 acre of PEM wetland for work associated with HDD; 3.) alter the installation method of the 16.0-inch pipeline from HDD to open cut in the floodway of Frankstown Branch Juniata River (WWF, MF) (Latitude: 40.4133°N; Longitude: 78.3737°W) impacting 0.004 acre of floodway; 4.) construct a temporary construction road across an unnamed tributary to Frankstown Branch Juniata River (WWF, MF) (Latitude: 40.4150°N; Longitude: 78.3810°W) impacting 15 feet of stream and 0.07 acre of floodway; and 5.) construct a temporary construction road across an unnamed tributary to Frankstown Branch Juniata River (WWF, MF) (Latitude: 40.4156°N; Longitude: 78.3804°W) impacting 15 feet of stream.

*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02052-1812, St. Joan of Arc Parish Charitable Trust**, 6470 Library Road, South Park, PA 15129, South Park Township, **Allegheny County**; Pittsburgh ACOE District.

The following application has been DENIED:

Construct, operate, and maintain corrugated metal liner plates within an existing twin cell metal culvert carrying a private driveway over Piney Fork Run (TSF) for the purpose of reinforcing a deteriorating structure. In addition, a 60 foot, five-foot diameter relief pipe will be installed adjacent to the existing culvert to offset the hydraulic opening loss. Permanent impacts include 65 linear feet of stream impact, and 60 linear feet of floodway impacts. Temporary impacts include 40 linear feet of stream impacts.

No mitigation is proposed for this project.

The project site is located at St. Joan of Arc Private Drive, South Park, PA (Bridgeville, PA USGS topographic quadrangle; N: 40°, 17', 17"; W: -80°, 01', 31"; Sub-basin 19C; USACE Pittsburgh District), in South Park Township, Allegheny County.

**E02051-1829, Pennsylvania Department of Transportation District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017, Monroeville Borough, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Remove failed, existing bank stabilization, and construct and maintain new bank stabilization, along Thompson Run Creek, to repair a roadway embankment failure along SR 2054-A08 (Northern Pike), in Monroeville Borough, Allegheny County. The project will include combinations of the use of rock slope protection, soil nails, and wire mesh for bank stabilization. The permanent impacts to Thompson Run Creek are 250 LF for the purpose of excavation and rock placement. The temporary impacts are 260 LF. The project site is located along Northern Pike at the intersection of William Penn Highway (Murrysville, PA USGS topographic quadrangle; N: 40°, 25', 36.3358"; W: 79°, 43', 34.3083"; Sub-basin 19A; USACE Pittsburgh District), in Monroeville Borough, Allegheny County. This notice is a correction of a

notice that was published on February 15, 2020, for E02051-1929. The permit number on that notice was incorrect, and should have read E02051-1829.

**E04051-375, Pennsylvania Department of Transportation Engineering District 11**, 45 Thoms Run Road, Bridgeville, PA 15017, Greene Township, **Beaver County**, Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain a 12.27' long 30" extension to an existing 25.43' long 30" culvert conveying a private driveway over an unnamed tributary to Mill Creek (TSF; referred to as UNT-1) having a drainage area of 0.20 square mile.

2. Remove the existing 304' long 36" corrugated metal pipe enclosure carrying a gravel parking lot over a second unnamed tributary to Mill Creek (TSF; referred to as UNT-2) having a drainage area less than 100 acres; immediately downstream remove the existing 53' long 36" corrugated metal pipe carrying SR 30 over UNT-2; construct and maintain a replacement 213' long 56" reinforced concrete pipe enclosure in the same location under the relocated intersection of SR 30 and Red Dog Road. In addition, construct and maintain 91' of open stream channel upstream of the new culvert and construct and maintain 53' of open stream channel downstream of the new culvert.

3. Remove the existing 49' long 24" pipe carrying SR 30 over a third unnamed tributary to Mill Creek (TSF; referred to as UNT-3) having a drainage area less than 100 acres; construct and maintain 49' of open stream channel in this same location. Immediately upstream, construct and maintain a 78' long 60" reinforced concrete pipe enclosure conveying the relocated SR 30 over UNT-3. The new pipe results in a permanent impact of 125', temporary impact of 175', and loss of 76' of UNT-3.

4. Remove the existing 43' long 18" pipe conveying SR 30 over a fourth unnamed tributary to Mill Creek (TSF; referred to as UNT-4) having a drainage area less than 100 acres; construct and maintain a springbox and a 64' long 18" reinforced concrete pipe in the same location.

5. Remove the combined 25' long 18" reinforced concrete pipe and downstream 40' long 24" reinforced concrete pipe carrying SR 30 over a fifth unnamed tributary to Mill Creek (TSF; referred to as UNT-5) having a drainage area less than 100 acres; construct and maintain a replacement 70' long 63" by 48" elliptical reinforced concrete pipe.

6. Place and maintain fill in 0.041 acre of PEM wetland and 0.084 acre of PFO wetland.

7. In addition, construct and maintain roadway associated stormwater facilities, and temporarily impact 944' of stream and 0.729 acre of wetland for the purpose of constructing these encroachments. The project permanently impacts 850' of stream.

8. Stream mitigation will occur onsite via the removal of existing culverts resulting in a net gain of 28' of open stream channel. Wetland mitigation will occur onsite with the construction of 0.8978 acre of PEM wetland.

The project site is associated with the realignment and reconstruction of SR 30 (Lincoln Highway) beginning approximately 0.5 mile from the Pennsylvania-West Virginia Border and extending 4,900' east (East Liverpool, OH and Hookstown, PA USGS topographic quadrangles; N: 40°, 35', 22.21"; W: -80°, 30', 11.63"; Sub-basin 20B; USACE Pittsburgh District), in Greene Township, Beaver County.

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

**E0829-123: Repsol Oil & Gas USA**, 337 Daniel Zenker Drive, Horseheads, NY 14845, Armenia Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 90 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) (Roseville, PA Quadrangle, Latitude: 41.763202°, Longitude: -76.884540°);

2. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 77 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) (Roseville, PA Quadrangle, Latitude: 41.763519°, Longitude: -76.884664°);

3. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 1,074 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.7635189°, Longitude: -76.885445°);

4. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 41 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.763489°, Longitude: -76.885612°);

5. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 84 square feet of a Palustrine Emergent Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.763656°, Longitude: -76.886177°);

6. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 70 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) and impacting 1,234 square feet of an adjacent Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.764235°, Longitude: -76.886786°);

7. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 70 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) and impacting 1,950 square feet of an adjacent Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.764423°, Longitude: -76.887251°);

8. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 77 square feet of a Palustrine Forested Wetland (EV) (Roseville, PA Quadrangle, Latitude: 41.764655°, Longitude: -76.887305°);

9. a 12-inch diameter natural gas line, an 8-inch waterline and a temporary timber mat bridge impacting 90 linear feet of an unnamed tributary to Tioga River (HQ-CWF, MF) (Roseville, PA Quadrangle, Latitude: 41.765759°, Longitude: -76.887390°);

The project will result in 397 linear feet or 1,609 square feet of temporary stream impacts and 1,199 square feet (0.03 acre) of temporary PEM and 3,261 square feet (0.08 acre) of PFO wetland impacts all for the purpose of installing a natural gas pipeline and a waterline with associated access roadways for Marcellus shale development in Armenia Township, Bradford County.

**E4129-131: Rockdale Marcellus, LLC**, 4600 J. Barry Court, Canonsburg, PA 15317-5426. Red Run to Texas Creek Temporary Above Ground Waterline (TAGWL) in McIntyre and Jackson Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate and maintain a temporary above ground waterline (TAGWL). The temporary waterline will be located within existing natural gas pipeline ROW, existing access road ROW, along agricultural fields and along Roaring Branch Road. The project will result in a total of 90 LF (485 SF) of temporary stream impacts, 8,064 SF (0.1851 ac.) of temporary wetland impacts and 880 SF (0.0202 ac.) of temporary floodway impacts for the purpose of providing a temporary means of water conveyance for use during drilling activities for Marcellus well development.

**Stream Impact Table:**

<i>Resource Name</i>	<i>Municipality Quadrangle</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>
UNT Red Run STR-190522-0920	McIntyre Ralston	12-inch TAGWL	CWF	None	2	2			41.535891 76.999611
UNT Red Run STR-190522-0935	McIntyre Liberty	12-inch TAGWL	CWF	None	3	3			41.537292 77.002033
Roaring Branch STR-190502-1505	Jackson Liberty	12-inch TAGWL	HQ-CWF; EV	Wild	89	44			41.543757 77.024235
UNT Brion Creek STR-190502-1345	Jackson Liberty	12-inch TAGWL	HQ-CWF; EV	Wild	10	5			41.547065 77.031547
UNT Roaring Br. STR-190522-1145	Jackson Liberty	12-inch TAGWL	HQ-CWF; EV	Wild	4	4			41.542930 76.988612
Brion Creek STR-191014-1500	Jackson Liberty	12-inch TAGWL	HQ-CWF; EV	Wild	377	32			41.544931 77.036161
<i>TOTAL IMPACTS</i>					485	90			
<i>TOTAL STREAM IMPACTS</i>					466	76			
<i>TOTAL WAIVER 2 IMPACTS</i>					19	14			

**Wetland Impact Table:**

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cowardin Class</i>	<i>Listed Trout</i>	<i>Total Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Total Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Wetland 1 W-190430-1100	McIntyre Liberty	12-inch TAGWL	PEM; EV	Wild	749	83			41.536123 77.017081
Wetland 2 W-190502-1521	Jackson Liberty	12-inch TAGWL	PEM; EV	Wild	702	52			41.542990 77.023062
Wetland 3 W-190502-1520	Jackson Liberty	12-inch TAGWL	PEM; EV	Wild	906	78			41.543555 77.023924
Wetland 4 W-190502-1432	Jackson Liberty	12-inch TAGWL	PEM; EV	Wild	189	31			41.544089 77.025219
Wetland 5 W-190718-1100	Jackson Liberty	12-inch TAGWL	PEM; EV	Wild	3,774	283			41.547690 77.031303
Wetland 6 W-190522-1300	Jackson Liberty	12-inch TAGWL	PEM; EV	Wild	1,744	131			41.547157 76.980923
<b>TOTAL IMPACTS</b>					8,064	658			
<i>PEM</i>					8,064	658			
<i>PSS</i>									
<i>PFO</i>									

**Floodway Impact Table:**

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
UNT Red Run STR-190429-1420	McIntyre Ralston	12-inch TAGWL	169	169			41.534813 76.997091
UNT Red Run STR-190522-0920	McIntyre Ralston	12-inch TAGWL	70	70			41.535891 76.999611
UNT Red Run STR-190522-0935	McIntyre Liberty	12-inch TAGWL	98	98			41.537292 77.002033
Roaring Branch STR-190502-1505	Jackson Liberty	12-inch TAGWL	220	110			41.543757 77.024235
UNT Brion Creek STR-190502-1345	Jackson Liberty	12-inch TAGWL	168	100			41.547065 77.031547
UNT Roaring Br. STR-190522-1145	Jackson Liberty	12-inch TAGWL	124	124			41.542930 76.988612
Brion Creek STR-191014-1500	Jackson Liberty	12-inch TAGWL	31	12			41.544931 77.036161
<b>TOTAL IMPACTS</b>			880	683			

**E5929-093: Rockdale Marcellus, LLC**, 4600 J. Barry Court, Canonsburg, PA 15317-5426. Red Run to Texas Creek Temporary Above Ground Waterline (TAGWL) in Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate and maintain a temporary above ground waterline (TAGWL). The temporary waterline will be located within existing natural gas pipeline ROW, existing access road ROW, along agricultural fields and along Roaring Branch Road. The project will result in a total of 4 LF (4 SF) of temporary stream impacts, 4,057 SF (0.0931 ac.) of temporary wetland impacts and 190 SF (0.0044 ac.) of temporary floodway impacts for the purpose of providing a temporary means of water conveyance for use during drilling activities for Marcellus well development.

**Stream Impact Table:**

<i>Resource Name</i>	<i>Municipality Quadrangle</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>
UNT Brion Creek STR-190718-1300	Liberty Liberty	12-inch TAGWL	HQ-CWF; EV	Wild	2	2			41.565044 77.032506
UNT Red Run STR-190718-1310	Liberty Liberty	12-inch TAGWL	HQ-CWF; EV	None	2	2			41.564972 77.034224

Resource Name	Municipality Quadrangle	Activity	Chapter 93	Listed Trout	Impact Area Temp. (SF)	Impact Length Temp. (LF)	Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
<b>TOTAL IMPACTS</b>					4	4			
<b>TOTAL STREAM IMPACTS</b>									
<b>TOTAL WAIVER 2 IMPACTS</b>					4	4			

**Wetland Impact Table:**

Resource Name	Municipality Quadrangle	Activity	Cowardin Class	Listed Trout	Total Impact Area Temp. (SF)	Impact Length Temp. (LF)	Total Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
Wetland 7 W-190718-1235	Liberty Liberty	12-inch TAGWL	PEM; EV	Wild	2,826	222			41.560366 77.031636
Wetland 8 W-190718-1250	Liberty Liberty	12-inch TAGWL	PEM; EV	Wild	1,179	78			41.564006 77.032028
Wetland 9 W-190718-1300	Liberty Liberty	12-inch TAGWL	PEM; EV	Wild	52	52			41.565093 77.032164
<b>TOTAL IMPACTS</b>					4,057	352			
<b>PEM</b>					4,057	352			
<b>PSS</b>									
<b>PFO</b>									

**Floodway Impact Table:**

Resource Name	Municipality Quadrangle	Activity	Impact Area Temp. (SF)	Impact Length Temp. (LF)	Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
UNT Brion Creek STR-190718-1300	Liberty Liberty	12-inch TAGWL	115	115			41.565044 77.032506
UNT Red Run STR-190718-1310	Liberty Liberty	12-inch TAGWL	75	75			41.564972 77.034224
<b>TOTAL IMPACTS</b>			190	190			

**DAM SAFETY/LIMITED POWER**

**Actions on applications 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); Sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402); the Limited Power Act of June 14, 1923, P.L. 704 (as amended by the Act of July 19, 1935, P.L. 1363); and notice of final action for certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, telephone number: 717-787-3411.*

**D48-139A. Minsi Lake Dam**, Pennsylvania Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16826. Permit issued to operate and maintain Minsi Lake Dam across East Branch Martins Creek (CWF) in accordance with all permit conditions (Stroudsburg, PA Quadrangle; Latitude: 40.912N, Longitude: -75.170W) in Upper Mount Bethel Township, **Northampton County**.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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 # ESX16-059-0050 Major  
 Applicant Name EQM Gathering OPCO, LLC  
 Contact Person Brint Goettel  
 Address 2200 Energy Dr.  
 City, State, Zip Canonsburg, PA 15317  
 County Greene County  
 Township(s) Aleppo Township  
 Receiving Stream(s) and Classification(s) UNTs to Mudlick Fork (TSF)  
 Secondary Receiving Water—South Fork Dunkard Fork (TSF)

*Northwest Region: Oil and Gas Management, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6860. Contact Mary Slye, Clerical Supervisor, 814-332-6325.*

ESCGP-3 # Heartwood 1 ESG084219005-00  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County McKean  
 Township(s) Keating  
 Receiving Stream(s) and Classification(s) UNT to Marvin Creek, CWF

**STORAGE TANKS****SITE-SPECIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
20-25-007	United Erie, Inc. 2797 Freedland Road Hermitage, PA 16148 Attn: Michael Smith	Erie	City of Erie	1 AST storing hazardous substance	33,000 gallons

**SPECIAL NOTICES****MINING****Invitation for Bids to Perform Mine Drainage Treatment System O&M under Act 181 of 1984.**

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

The Department of Environmental Protection is soliciting interest and bids for a five (5) year contract to operate and maintain mine drainage treatment systems in **Centre, Clearfield, Clinton and Sullivan Counties**, Pennsylvania. The scope of work focuses on one chemical treatment facility in Burnside Township, Centre County (Site 1) and one chemical treatment facility in Morris Township, Clearfield County (Site 2). Secondary focus is nine (9) passive treatment systems located in Center, Clearfield, Clinton and Sullivan Counties (Site 3).

A mandatory pre-bid meeting will be conducted on Wednesday, February 26, 2020 at 9:00 AM at the Pine Glen treatment facility entrance road, intersection of SR-0879 (Pine Glen Road) and Short Dog Lane, Burnside Township, Centre County, Latitude: 41° 03' 41.34" Longitude: 78° 01' 37.87" (41.061483, -78.027186). Attendance (or a prior conference) is mandatory to place a bid for this contract.

Pre-registration is necessary via a letter of interest or verbal confirmation through Aaron Pontzer, Mining Permit and Compliance Specialist, Moshannon District Office, Department of Environmental Protection, 186 Enterprise Drive, Philipsburg, PA 16866, no later than 3:30 PM, Monday, February 24, 2020. Telephone inquiries shall be directed to Aaron Pontzer at 814.342.8200. Proposal documents package will be provided at meeting. Only proposals from those in attendance will be considered for this contract.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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**Special Notices Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

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*Southeast Region: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160.*

*Contact: Elaine Henderson, Clerk Typist 3, 484.250.5157.*

#### EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department office during the 30-day public comment period.

Following the 30-day comment period, the program manager from the appropriate Department office will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to United States Court of Appeals for the 3rd Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate Department office.

Persons with a disability that require an auxiliary aid, service, or other accommodation to participate during the 30-day public comment period should contact the specified Department office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800.654.5984.

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**Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402).**

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*Southeast Regional Office: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, John Hohenstein, P.E., Program Manager, 484.250.5900.*

**ESG010019001. Re-publication of Notice.** The Department of Environmental Protection (Department) provides notice of receipt of an application for a Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities. The application is currently under technical review for **Adelphia Gateway Project—Phase 1**. This notice was previously published in the *Pennsylvania Bulletin*, 50 Pa.B. 332, on January 18, 2020. The email address provided for submission of comments was incorrect, necessitating this re-publication. The proper email address is set forth below. Comments previously submitted to, and received by, the Department will be considered and do not have to be re-submitted.

The Adelphia Gateway Pipeline is an 84-mile pipeline that runs from Martins Creek to Marcus Hook. Facility upgrades will occur to thirteen (13) sites along the pipeline: Quakertown Compressor Station, East Perkiomen Blowdown, Skippack Pike Meter Station, Perkiomen Creek Blowdown, Schuylkill River Blowdown, Cromby Blowdown, French Creek Blowdown, Mainline Valve 2, Paoli Pike Blowdown, Chester Creek Blowdown, Mainline Valve 1, Transco Meter Station, and Marcus Hook Compressor Station.

The subsequent phase is the Tilghman and Parkway lateral pipeline installations. The Tilghman lateral pipeline consists of approximately 4.5 miles of a 16-inch O.D. pipeline through traditional pipeline installation and horizontal directional drill (HDD) installation methods. The project scope for the Parkway Lateral includes the installation of 500 linear feet of natural gas main, new meter pads, gravel paths, and a small compressor building.

This authorization is required for earth disturbance activities associated with oil and gas exploration, production, processing or treatment operations or transmission facilities when earth disturbance is five acres or greater. Review of this application is being coordinated among the Department and the associated county conservation districts.

The application under review is as follows:

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Counties</i>	<i>DEP Office</i>
ESG010019001	Adelphia Gateway, LLC 1415 Wyckoff Road Wall, NJ 07719	Bucks, Chester, Delaware, and Montgomery	Southeast Regional Office

More detailed information regarding the permit applications related to this proposed project is available in the Department's Southeast Regional Office at 2 East Main Street, Norristown, PA 19401 and available online ([dep.pa.gov/pipelines](http://dep.pa.gov/pipelines)). Contact the Department's Southeast Regional Office File Review Coordinator at 484.250.5900 to request a file review.

Comments on the applications can be e-mailed or sent via postal mail to the Department of Environmental Protection, Southeast Regional Office, Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, [ra-epww-sero@pa.gov](mailto:ra-epww-sero@pa.gov).

[Pa.B. Doc. No. 20-253. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Agricultural Advisory Board 2020 Meeting Schedule

The Agricultural Advisory Board (Board) has scheduled its meetings for the remainder of 2020. The Board will meet at 9 a.m. in Susquehanna Conference Room B, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 (unless otherwise noted). The meeting dates are as follows:

May 21, 2020

August 27, 2020—Room 309, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA

October 22, 2020—Room 206, Department of Environmental Protection, Bureau of Labs, 2575 Interstate Drive, Harrisburg, PA

December 17, 2020

Questions concerning Board meetings can be directed to Jay Braund at [jbraund@pa.gov](mailto:jbraund@pa.gov) or (717) 772-5636. 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](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Agricultural Advisory Board"). Prior to each meeting, individuals are encouraged to visit the web site to confirm meeting date, time and location.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5636 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-254. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### *Final Technical Guidance: New Guidance*

*DEP ID: 290-4100-001. Title: Radiation Protection Compliance & Enforcement Guidance. Description: This guidance establishes standard procedures for encouraging compliance with and enforcing the regulations in 25 Pa. Code Part I, Subpart D, Article V (relating to radiological health), which the Bureau of Radiation Protection (Bureau) has the authority to administer. The Bureau's regulatory responsibilities are authorized by the Radiation Protection Act (35 P.S. §§ 7110.101—7110.703), the Radon Certification Act (63 P.S. §§ 2001—2014) and*

the Low-Level Radioactive Waste Disposal Act (35 P.S. §§ 7130.101—7130.905). No comments were received by the Department on the draft technical guidance during its public comment period. Therefore, no revisions were made.

*Contact:* Questions regarding this TGD can be directed to Kristina Hoffman at [krihoffman@pa.gov](mailto:krihoffman@pa.gov) or (717) 787-2480.

*Effective Date:* February 22, 2020

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-255. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Household Hazardous Waste Education Grant Award under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection hereby announces the following grant to Erie County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste (HHW) and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offering can be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at [mvottero@pa.gov](mailto:mvottero@pa.gov) or (717) 772-5719.

#### Act 101, Section 901 HHW Education Grant

Region	County	Applicant	Project	Grant
Northwest	Erie	Erie County	HHW Education	\$75,000

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-256. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Planning Grant Award under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection announces the following grant to Erie County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offering can be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at [mvottero@pa.gov](mailto:mvottero@pa.gov) or (717) 772-5719.

#### Act 101, Section 901 Planning Grant

Region	County	Applicant	Project	Grant
Northwest	Erie	Erie County	Recycling Plan	\$61,672

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-257. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Rates to be Used for Calculating Long-Term Operation and Maintenance Cost Bonds for Water Supply Replacement Mining Operations

The Department of Environmental Protection (Department) announces the rates to be used to calculate bond amounts for water supply replacement operation and maintenance costs for anthracite and bituminous coal and industrial mineral mining operations. The authority for bonding mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control

Act (52 P.S. §§ 30.51—30.66), The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapters 77 and 86 (relating to noncoal mining; and surface and underground coal mining: general).

The rates are used in calculating the water supply operation and maintenance bond amounts for replacement water supplies affected by activities at mining operations including surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities, underground coal mining operations and industrial mineral surface mines. The procedures for calculating water supply operation and maintenance bonds are described in Technical Guidance # 562-4000-102, “Increased Operation and Maintenance Costs of Replacement Water Supplies,” which is available online at <http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=4605>.

The Department may review the adequacy of bonds on existing permits at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

*Rates*

The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2015—2019, resulting in a rate of 1.31%. For the rate of return, the interest rate for the 20-year Treasury bill as reported by the Federal Reserve was averaged for the calendar years 2015—2019, resulting in a rate of 2.57%.

For background information and supporting documentation regarding the rates, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

*Effective Date*

The rates in this notice will become effective April 1, 2020. They will remain in effect until new rates are published. It is anticipated new rates will be published in February 2021, to be effective April 1, 2021.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-258. Filed for public inspection February 21, 2020, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Medical Marijuana Program; Availability of Clinical Registrant Applications; Time Period to Submit Applications**

The purpose of this notice is to announce the implementation of sections 2000—2004 of the Medical Marijuana Act (act) (35 P.S. §§ 10231.2000—10231.2004), to give information regarding the availability of the application to be completed for approval as a clinical registrant (CR) as described under 28 Pa. Code § 1211.27 (relating to application for approval of a clinical registrant), and to establish the time period during which applications will be accepted by the Department of Health (Department).

*Availability of Application for Approval of a CR and Submission Deadline*

Notice is hereby given, as required by 28 Pa. Code § 1211.27(a), that on February 27, 2020, the Department intends to make available, on its web site at [www.health.pa.gov](http://www.health.pa.gov), the form of the application required to be submitted to be approved as a CR. The Department will accept applications until March 26, 2020. The Department will consider any application sent by mail to have been received on the date it is deposited in the mail as long as the postmark on the outside of the package is clear and legible. The Department will return an application that is postmarked after the March 26, 2020, deadline. An applicant must submit an application by mail in an electronic format that is listed in the instructions of the application to the Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Interested persons are invited to submit written comments, suggestions or objections regarding this notice to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3047, [RA-DHMedMarijuana@pa.gov](mailto:RA-DHMedMarijuana@pa.gov).

Persons with a disability who wish to submit comments, suggestions or objections regarding this notice or who require an alternative format of this notice (for example, large print, audiotape or Braille) may do so by using the previously listed contact information. Speech and/or hearing-impaired persons may 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. 20-259. Filed for public inspection February 21, 2020, 9:00 a.m.]

**DEPARTMENT OF LABOR AND INDUSTRY**

**Workers’ Compensation Appeal Board 2020 Hearing Schedule**

<i>Date</i>	<i>Room</i>	<i>Time</i>
Tuesday, January 7, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, January 8, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, January 22, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, January 23, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD

## NOTICES

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<i>Date</i>	<i>Room</i>	<i>Time</i>
Tuesday, February 4, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, February 5, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, February 6, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, February 19, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, February 20, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, March 3, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, March 4, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, March 17, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, March 18, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, March 31, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, April 1, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, April 2, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Tuesday, April 21, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Wednesday, April 22, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, May 5, 2020	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Wednesday, May 6, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, May 7, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, May 19, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, May 20, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, May 21, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, June 3, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Thursday, June 4, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, June 16, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, June 17, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, June 18, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, July 7, 2020	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Wednesday, July 8, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, July 9, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD

## NOTICES

<i>Date</i>	<i>Room</i>	<i>Time</i>
Wednesday, July 22, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Thursday, July 23, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, August 4, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, August 5, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, August 6, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, August 26, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, August 27, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Wednesday, September 9, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, September 10, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, September 15, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, September 16, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, October 6, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, October 7, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, October 8, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Tuesday, October 20, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Wednesday, October 21, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Wednesday, October 28, 2020	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Wednesday, November 4, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, November 5, 2020	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, November 17, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, November 18, 2020	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, December 1, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, December 2, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, December 3, 2020	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, December 16, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, December 17, 2020	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD

W. GERARD OLEKSIK,  
*Secretary*

[Pa.B. Doc. No. 20-260. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$1,000,000 Riches Instant Lottery Game 1445

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Riches (hereafter “\$1,000,000 Riches”). The game number is PA-1445.

2. *Price:* The price of a \$1,000,000 Riches instant lottery game ticket is \$20.

3. *Play symbols:* Each \$1,000,000 Riches instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, a “FAST \$100” area, a “FAST \$500” area, and a “FAST \$1,000” area. Each “FAST CASH” area is played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Cash (CASH) symbol, Stack of Coins (WINALL) symbol and a RICHES (\$1MIL) play symbol. The play symbols and their captions, located in the “FAST \$100” area, are: Gold Bar (TRY AGAIN) symbol, Piggy Bank (NO BONUS) symbol, Treasure Chest (TRY AGAIN) symbol, Safe (NO BONUS) symbol and a \$100 Bill (WIN100) symbol. The play symbols and their captions, located in the “FAST \$500” area, are: Bank (TRY AGAIN) symbol, Key (NO BONUS) symbol, Clover (TRY AGAIN) symbol, Lock (NO BONUS) symbol and a \$500 Bill (WIN500) symbol. The play symbols and their captions, located in the “FAST \$1,000” area, are: Crown (TRY AGAIN) symbol, Diamond (NO BONUS) symbol, Wallet (TRY AGAIN) symbol, Silver Bar (NO BONUS) symbol and a \$1,000 Bill (WIN1000) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prize that can be won in the “FAST \$100” area is \$100. The prize that can be won

in the “FAST \$500” area is \$500. The prize that can be won in the “FAST \$1,000” area is \$1,000. A player can win up to 23 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 6,000,000 tickets will be printed for the \$1,000,000 Riches instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a RICHES (\$1MIL) symbol, and a prize symbol of \$1MILL (ONE MIL) appears in the “prize” area under that RICHES (\$1MIL) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(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 \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(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 \$10,000 (TEN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (WINALL) symbol, and a prize symbol of \$500 (FIV HUN) appears in ten of the “prize” areas and a prize symbol of \$400 (FOR HUN) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$9,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (WINALL) symbol, and a prize symbol of \$1,000 (ONE THO) appears in five of the “prize” areas, a prize symbol of \$500 (FIV HUN) appears in five of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in eight of the “prize” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$8,400.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$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.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which a \$1,000 Bill (WIN1000) symbol appears in the “FAST \$1,000” area, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (WINALL) play symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY)

appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (WINALL) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in five of the “prize” areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in 11 of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in three of the prize areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$900.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$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.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which a \$500 Bill (WIN500) symbol appears in the “FAST \$500” area, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (WINALL) symbol, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in ten of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Stack of Coins (WINALL) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and

a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$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.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a \$100 Bill (WIN100) symbol appears in the “FAST \$100” area, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash (CASH) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>FAST CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$20 w/ CASH		\$20	20	300,000
\$20		\$20	15	400,000
\$30 w/ CASH		\$30	30	200,000

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>FAST CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$30		\$30	60	100,000
\$30 + \$20		\$50	100	60,000
(\$20 w/ CASH) + \$30		\$50	75	80,000
(\$30 w/ CASH) + \$20		\$50	75	80,000
\$50 w/ CASH		\$50	60	100,000
\$50		\$50	100	60,000
\$20 × 5		\$100	300	20,000
(((\$30 w/ CASH) × 2) + (\$20 w/ CASH) + \$20)		\$100	300	20,000
(\$50 w/ CASH) + (\$30 w/ CASH) + \$20		\$100	300	20,000
(\$20 w/ CASH) × 5		\$100	300	20,000
	\$100 w/ FAST \$100	\$100	42.86	140,000
\$100 w/ CASH		\$100	300	20,000
\$100		\$100	300	20,000
\$50 × 4		\$200	1,200	5,000
\$20 × 5	\$100 w/ FAST \$100	\$200	1,200	5,000
(((\$20 w/ CASH) × 2) + (\$20 × 3))	\$100 w/ FAST \$100	\$200	1,200	5,000
\$100 w/ CASH	\$100 w/ FAST \$100	\$200	1,200	5,000
\$200 w/ CASH		\$200	1,200	5,000
\$200		\$200	1,200	5,000
STACK OF COINS w/ (\$20 × 20)		\$400	2,667	2,250
\$100 × 4		\$400	12,000	500
\$50 × 6	\$100 w/ FAST \$100	\$400	12,000	500
(((\$100 w/ CASH) × 2) + (\$50 × 2))	\$100 w/ FAST \$100	\$400	12,000	500
(\$200 w/ CASH) + (\$20 × 5)	\$100 w/ FAST \$100	\$400	12,000	500
(\$20 w/ CASH) × 20		\$400	12,000	500
(\$100 w/ CASH) × 4		\$400	12,000	500
\$400 w/ CASH		\$400	12,000	500
\$400		\$400	12,000	500
STACK OF COINS w/ ((\$30 × 10) + (\$20 × 10))		\$500	6,000	1,000
STACK OF COINS w/ (\$20 × 20)	\$100 w/ FAST \$100	\$500	6,000	1,000
\$50 × 10		\$500	24,000	250
\$100 × 4	\$100 w/ FAST \$100	\$500	24,000	250
(((\$100 w/ CASH) × 2) + ((\$50 w/ CASH) × 2) + (\$20 × 5))	\$100 w/ FAST \$100	\$500	24,000	250
	\$500 w/ FAST \$500	\$500	1,200	5,000
\$500 w/ CASH		\$500	24,000	250
\$500		\$500	24,000	250

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>FAST CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
STACK OF COINS w/ (\$50 × 20)		\$1,000	24,000	250
STACK OF COINS w/ ((\$30 × 10) + (\$20 × 10))	\$500 w/ FAST \$500	\$1,000	12,000	500
STACK OF COINS w/ ((\$50 × 5) + (\$30 × 11) + (\$100 × 3) + \$20)	\$100 w/ FAST \$100	\$1,000	24,000	250
\$100 × 10		\$1,000	120,000	50
(((\$200 w/ CASH) × 2)	(\$500 w/ FAST \$500) + (\$100 w/ FAST \$100)	\$1,000	12,000	500
	\$1,000 w/ FAST \$1,000	\$1,000	4,000	1,500
\$1,000 w/ CASH		\$1,000	120,000	50
\$1,000		\$1,000	120,000	50
STACK OF COINS w/ ((\$500 × 10) + (\$400 × 10))	\$1,000 w/ FAST \$1,000	\$10,000	1,200,000	5
STACK OF COINS w/ ((\$1,000 × 5) + (\$500 × 5) + (\$100 × 8) + (\$50 × 2))	(\$1,000 w/ FAST \$1,000) + (\$500 w/ FAST \$500) + (\$100 w/ FAST \$100)	\$10,000	1,200,000	5
\$1,000 × 10		\$10,000	1,200,000	5
\$10,000 w/ CASH		\$10,000	1,200,000	5
\$10,000		\$10,000	1,200,000	5
\$100,000		\$100,000	600,000	10
\$1,000,000 w/ RICHES		\$1,000,000	1,200,000	5

Reveal a "CASH" (CASH) symbol, win prize shown under that symbol automatically.

Reveal a "STACK OF COINS" (WINALL) symbol, win all 20 prizes shown!

Reveal a "RICHES" (\$1MIL) symbol, win \$1,000,000 instantly!

FAST \$100: Reveal a "\$100 BILL" (WIN100) symbol, win \$100!

FAST \$500: Reveal a "\$500 BILL" (WIN500) symbol, win \$500!

FAST \$1,000: Reveal a "\$1,000 BILL" (WIN1000) symbol, win \$1,000!

FAST CASH is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$1,000,000 Riches instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of

at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of \$1,000,000 Riches, prize money from winning \$1,000,000 Riches instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$1,000,000 Riches instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$1,000,000 Riches or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-261. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Ca\$h Craze Instant Lottery Game 1447

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Ca\$h Craze (hereinafter “Ca\$h Craze”). The game number is PA-1447.

2. *Price:* The price of a Ca\$h Craze instant lottery game ticket is \$3.

3. *Play symbols:* Each Ca\$h Craze instant lottery game ticket will contain two “play grid” areas and a “WINNING SYMBOLS” area. Each “play grid” area consists of 16 spaces on a grid four vertical “LINES” wide and four horizontal “LINES” tall. The four vertical “LINES” on the first “play grid” are designated as “LINE 1,” “LINE 2,” “LINE 3” and “LINE 4.” The four horizontal “LINES” on the first “play grid” are designated as “LINE 5,” “LINE 6,” “LINE 7” and “LINE 8.” The four vertical “LINES” on the second “play grid” are designated as “LINE 9,” “LINE 10,” “LINE 11” and “LINE 12.” The four horizontal “LINES” on the second “play grid” are designated as “LINE 13,” “LINE 14,” “LINE 15” and “LINE 16.” Each “LINE” offers a separate chance to win. The play symbols and their captions located in the two “play grid” areas and the “WINNING SYMBOLS” area are: Pearls (PEARLS) symbol, Lock (LOCK) symbol, Gold Bar (GLDBAR) symbol, Card (CARD) symbol, Chest (CHEST) symbol, Sapphire (SAPPHR) symbol, Topaz (TOPAZ) symbol, Stack of Coins (STACK) symbol, Pot of Gold (POTGLD) symbol, Safe (SAFE) symbol, Diamond (DIAMND) symbol, Emerald (EMERLD) symbol, Ruby (RUBY) symbol, Stack of Bills (BILLS) symbol, Key (KEY) symbol, Hat (HAT) symbol, Moneybag (MNYBAG) symbol, Clover (CLVR) symbol, Ring (RING) symbol, Money Roll (ROLL) symbol, Piggy Bank (PIGBNK) symbol, Wallet (WALLET) symbol, Check (CHECK) symbol, Dollar (DOLLAR) symbol, Crown (CROWN) symbol, Silver (SILVER) symbol, Star (STAR) symbol, Coin (COIN) symbol, Gold Nugget (NUGGET) symbol, Horseshoe (SHOE) symbol, Bank (BANK) symbol and a 24K (24KT) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “Prize” area at the end of each “LINE” are: \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$10, \$15, \$30, \$50, \$100, \$150, \$300, \$1,000, \$3,000 and \$50,000. A player can win up to six times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the Ca\$h Craze instant lottery game.

#### 7. *Determination of prize winners:*

(a) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$50,000 (FTY THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$3,000 (THR THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$300 (THR HUN) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$150 (ONEHUNFTY) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$150.

(f) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or

horizontal "LINE," and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$10<sup>00</sup> (TEN

DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$5<sup>00</sup> (FIVE DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$3<sup>00</sup> (THREE DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$3.

8. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Scratch The Winning Symbols Area. Then Scratch The Corresponding Symbols Found On Either Grid. When You Match All Four Symbols In Any Horizontal Or Vertical Line, Win Prize Shown For That Line.</i> <i>Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$3	\$3	10	1,080,000
\$5	\$5	20	540,000
\$5 × 2	\$10	45.45	237,600
\$10	\$10	100	108,000
\$3 × 5	\$15	250	43,200
\$5 × 3	\$15	200	54,000
\$15	\$15	200	54,000
\$10 × 3	\$30	500	21,600
\$15 × 2	\$30	500	21,600
(\$10 × 2) + (\$5 × 2)	\$30	100	108,000
\$30	\$30	1,000	10,800
\$10 × 5	\$50	1,000	10,800
(\$5 × 4) + \$30	\$50	1,000	10,800
\$50	\$50	1,000	10,800
\$50 × 2	\$100	4,000	2,700
(\$10 × 2) + \$50 + \$30	\$100	2,400	4,500
(\$30 × 2) + (\$10 × 4)	\$100	2,400	4,500
\$100	\$100	4,000	2,700
\$30 × 5	\$150	12,000	900
\$50 × 3	\$150	12,000	900
(\$10 × 2) + \$100 + \$30	\$150	12,000	900
(\$30 × 3) + \$50 + \$10	\$150	12,000	900
(\$50 × 2) + (\$15 × 2) + (\$10 × 2)	\$150	12,000	900
\$150	\$150	12,000	900
\$100 × 3	\$300	24,000	450
(\$30 × 5) + \$150	\$300	60,000	180
(\$50 × 4) + \$100	\$300	24,000	450
(\$100 × 2) + (\$50 × 2)	\$300	60,000	180

<i>Scratch The Winning Symbols Area. Then Scratch The Corresponding Symbols Found On Either Grid. When You Match All Four Symbols In Any Horizontal Or Vertical Line, Win Prize Shown For That Line.</i> <i>Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$300	\$300	60,000	180
(\$150 × 4) + \$300 + \$100	\$1,000	540,000	20
(\$300 × 3) + (\$50 × 2)	\$1,000	540,000	20
\$1,000	\$1,000	540,000	20
\$3,000	\$3,000	1,080,000	10
\$50,000	\$50,000	1,080,000	10

Each "LINE" is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Ca\$h Craze instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Ca\$h Craze, prize money from winning Ca\$h Craze instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Ca\$h Craze instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101–3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Ca\$h Craze or through normal communications methods.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 20-262. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Gnome Me the Money Instant Lottery Game 1449

Under the State Lottery Law (72 P.S. §§ 3761-101–3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Gnome Me the Money (hereinafter "Gnome Me the Money"). The game number is PA-1449.

2. *Price:* The price of a Gnome Me the Money instant lottery game ticket is \$1.

3. *Play symbols:* Each Gnome Me the Money instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Gnome (GNOME) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup>

(FIFTEEN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$100, \$400 and \$5,000. A player can win up to four times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Gnome Me the Money instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either 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.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$15<sup>00</sup> (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.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gnome (GNOME) symbol and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "Prize" area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$1.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of FREE (TICKET) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single

ticket, shall be entitled to a prize of one Gnome Me the Money instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
FREE	FREE \$1 TICKET	10	840,000
\$1 × 2	\$2	200	42,000
(\$1 w/ GNOME) + \$1	\$2	50	168,000
\$2 w/ GNOME	\$2	50	168,000
\$2	\$2	200	42,000
\$1 × 4	\$4	1,000	8,400
(((\$1 w/ GNOME) × 2) + (\$1 × 2))	\$4	250	33,600
(\$2 w/ GNOME) + (\$1 w/ GNOME) + \$1	\$4	250	33,600
\$4 w/ GNOME	\$4	100	84,000
\$4	\$4	1,000	8,400
(\$2 × 2) + \$1	\$5	1,000	8,400
(((\$1 w/ GNOME) × 3) + \$2)	\$5	166.67	50,400
(\$2 w/ GNOME) + (\$1 × 3)	\$5	142.86	58,800
\$5 w/ GNOME	\$5	100	84,000
\$5	\$5	1,000	8,400
\$5 × 2	\$10	1,000	8,400
(\$2 × 2) + \$5 + \$1	\$10	1,000	8,400
(((\$4 w/ GNOME) × 2) + (\$1 × 2))	\$10	1,000	8,400
(\$5 w/ GNOME) × 2	\$10	1,000	8,400
\$10 w/ GNOME	\$10	200	42,000
\$10	\$10	1,000	8,400
\$5 × 3	\$15	1,000	8,400
(((\$5 w/ GNOME) × 2) + \$4 + \$1)	\$15	1,000	8,400
(\$10 w/ GNOME) + (\$2 × 2) + \$1	\$15	1,000	8,400
\$15 w/ GNOME	\$15	1,000	8,400
\$15	\$15	1,000	8,400
\$10 × 2	\$20	6,000	1,400
(\$10 w/ GNOME) + (\$5 w/ GNOME) + \$4 + \$1	\$20	1,500	5,600
(\$10 w/ GNOME) × 2	\$20	1,500	5,600
\$20 w/ GNOME	\$20	1,500	5,600
\$20	\$20	6,000	1,400
\$10 × 4	\$40	40,000	210
(((\$10 w/ GNOME) × 2) + \$15 + \$5)	\$40	24,000	350
(\$10 w/ GNOME) × 4	\$40	24,000	350
(\$20 w/ GNOME) × 2	\$40	24,000	350
\$40 w/ GNOME	\$40	24,000	350
\$40	\$40	60,000	140
(\$40 × 2) + (\$10 × 2)	\$100	60,000	140
(((\$40 w/ GNOME) × 2) + (\$10 × 2))	\$100	60,000	140
\$100 w/ GNOME	\$100	60,000	140

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
\$100	\$100	60,000	140
\$100 × 4	\$400	840,000	10
(\$100 w/ GNOME) × 4	\$400	840,000	10
\$400	\$400	840,000	10
\$5,000	\$5,000	840,000	10

Reveal a "GNOME" (GNOME) symbol, win prize shown under that symbol automatically!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Gnome Me the Money instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Gnome Me the Money, prize money from winning Gnome Me the Money instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Gnome Me the Money instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Gnome Me the Money or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-263. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Plu\$ the Money Instant Lottery Game 1446

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Plu\$ the Money (hereinafter "Plu\$ the Money"). The game number is PA-1446.

2. *Price:* The price of a Plu\$ the Money instant lottery game ticket is \$5.

3. *Play symbols:* Each Plu\$ the Money instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area on the front of the game ticket and one play area featuring a "WINNING NUMBER" area and a "YOUR NUMBERS" area on the back of the game ticket. The play areas on the front and back of the game ticket are played separately, but winning combinations on the front and back of the game ticket can be combined to win larger prizes as described in section 7 (relating to determination of prize winners). The play symbols and their captions, located in the "WINNING NUMBERS" area on the front of the game ticket, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the "YOUR NUMBERS" area on the front of the game ticket, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24

(TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), +\$50 (PLUS50) symbol and a +\$100 (PLUS100) symbol. The play symbols and their captions, located in the "WINNING NUMBER" area on the back of the game ticket, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions, located in the "YOUR NUMBERS" area on the back of the game ticket, 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) and a Star (STAR) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area on the front of the game ticket, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$75<sup>00</sup> (SVY FIV), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO). The prize symbols and their captions, located in the "YOUR NUMBERS" area on the back of the game ticket, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won on the front of the game ticket are: \$5, \$10, \$20, \$25, \$50, \$75, \$100, \$200, \$500, \$1,000, \$5,000 and \$100,000. The prizes that can be won on the back of the game ticket are: \$5, \$10, \$20, \$25, \$50, \$100, \$200 and \$500. A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the Plu\$ the Money instant lottery game.

7. *Determination of prize winners:*

(a) Determination of prize winners for the front of the game ticket are:

(1) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(2) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(3) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$100 (PLUS100) symbol and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that +\$100 (PLUS100) symbol, on a single ticket, shall be entitled to a prize of \$1,100.

(4) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$1,050.

(5) 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.

(6) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$100 (PLUS100) symbol and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that +\$100 (PLUS100) symbol, on a single ticket, shall be entitled to a prize of \$600.

(7) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$550.

(8) 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.

(9) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$100 (PLUS100) symbol and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that +\$100 (PLUS100) symbol, on a single ticket, shall be entitled to a prize of \$300.

(10) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$250.

(11) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(12) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$100 (PLUS100) symbol and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that +\$100 (PLUS100) symbol, on a single ticket, shall be entitled to a prize of \$200.

(13) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$100 (PLUS100) symbol and a prize symbol of \$75<sup>00</sup> (SVY FIV) appears in the "prize" area under that +\$100 (PLUS100) symbol, on a single ticket, shall be entitled to a prize of \$175.

(14) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$100 (PLUS100) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that +\$100 (PLUS100) symbol, on a single ticket, shall be entitled to a prize of \$150.

(15) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$150.

(16) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$75<sup>00</sup> (SVY FIV) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$125.

(17) 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.

(18) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$100.

(19) 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 \$75.<sup>00</sup> (SVY FIV) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$75.

(20) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$75.

(21) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$60.

(22) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a +\$50 (PLUS50) symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "prize" area under that +\$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$55.

(23) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(24) 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 \$25.<sup>00</sup> (TWY FIV) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(25) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(26) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(27) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(b) Determination of prize winners for the back of the game ticket are:

(1) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of

\$500 (FIV HUN) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$500.

(2) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Star (STAR) play symbol, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of \$200 (TWO HUN) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$200.

(4) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Star (STAR) play symbol, on a single ticket, shall be entitled to a prize of \$200.

(5) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of \$100 (ONE HUN) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$100.

(6) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Star (STAR) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(7) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$50.

(8) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "prize" area under that Star (STAR) play symbol, on a single ticket, shall be entitled to a prize of \$50.

(9) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$25.

(10) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in the "prize" area under that Star (STAR) play symbol, on a single ticket, shall be entitled to a prize of \$25.

(11) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$20.

(12) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$10.

(13) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "prize" area under that Star (STAR) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(14) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBERS" play symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$5.

(15) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR)

symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under that Star (STAR) play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>TICKET FRONT: When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When Any Of Your Numbers Match The Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5		\$5	8.57	1,260,000
\$5 × 2		\$10	300	36,000
\$5	\$5 w/ STAR	\$10	60	180,000
\$5	\$5	\$10	60	180,000
\$10		\$10	200	54,000
\$5 × 5		\$25	300	36,000
(\$10 × 2) + \$5		\$25	300	36,000
\$5 × 3	(\$5 w/ STAR) + \$5	\$25	200	54,000
\$5 × 3	\$5 × 2	\$25	200	54,000
\$10	(((\$5 w/ STAR) × 2) + \$5)	\$25	200	54,000
\$10 + \$5	\$10 w/ STAR	\$25	200	54,000
\$10 + \$5	\$10	\$25	300	36,000
\$25		\$25	300	36,000
\$5 × 10		\$50	600	18,000
\$10 × 5		\$50	600	18,000
\$5 × 5	(((\$5 w/ STAR) × 3) + (\$5 × 2))	\$50	300	36,000
\$10 × 3	(((\$5 w/ STAR) × 2) + \$10)	\$50	600	18,000
\$10 × 3	(\$10 w/ STAR) + (\$5 × 2)	\$50	300	36,000
\$25	(\$5 w/ STAR) × 5	\$50	300	36,000
\$25	\$5 × 5	\$50	300	36,000
\$50		\$50	600	18,000
\$25 × 3		\$75	6,000	1,800
\$25 × 2	\$5 × 5	\$75	6,000	1,800
\$50	\$25	\$75	6,000	1,800
\$50	\$25 w/ STAR	\$75	6,000	1,800
\$5 w/ +\$50 SYMBOL	(((\$5 w/ STAR) × 2) + \$10)	\$75	2,400	4,500
\$5 w/ +\$50 SYMBOL	(\$10 w/ STAR) + (\$5 × 2)	\$75	2,000	5,400
\$10 w/ +\$50 SYMBOL	(\$10 w/ STAR) + \$5	\$75	2,000	5,400
\$10 w/ +\$50 SYMBOL	\$5 × 3	\$75	2,000	5,400
\$25 w/ +\$50 SYMBOL		\$75	1,714	6,300
\$75		\$75	6,000	1,800
\$25 × 4		\$100	24,000	450

<i>TICKET FRONT: When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When Any Of Your Numbers Match The Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$50 × 2		\$100	24,000	450
\$50	\$50	\$100	12,000	900
\$10 × 5	\$10 × 5	\$100	12,000	900
(\$10 w/ +\$50 SYMBOL) + (\$10 × 3)	\$10	\$100	12,000	900
\$10 w/ +\$50 SYMBOL	(((\$10 w/ STAR) × 2) + (\$10 × 2))	\$100	12,000	900
\$25 w/ +\$50 SYMBOL	(\$5 × 3) + \$10	\$100	4,000	2,700
\$25 w/ +\$50 SYMBOL	(((\$10 w/ STAR) × 2) + \$5)	\$100	6,000	1,800
\$50 w/ +\$50 SYMBOL		\$100	4,000	2,700
\$100		\$100	12,000	900
\$25 × 8		\$200	24,000	450
\$100 × 2		\$200	24,000	450
(\$50 w/ +\$50 SYMBOL) + (\$10 × 10)		\$200	24,000	450
(\$50 w/ +\$100 SYMBOL) + (\$5 × 10)		\$200	24,000	450
\$50 w/ +\$50 SYMBOL	\$50 × 2	\$200	24,000	450
\$50 w/ +\$100 SYMBOL	\$50 w/ STAR	\$200	24,000	450
\$75 w/ +\$50 SYMBOL	\$25 × 3	\$200	24,000	450
\$75 w/ +\$100 SYMBOL	\$5 × 5	\$200	24,000	450
\$100 w/ +\$100 SYMBOL		\$200	12,000	900
\$200		\$200	24,000	450
\$50 × 10		\$500	120,000	90
\$100 × 5		\$500	120,000	90
(\$75 w/ +\$50 SYMBOL) × 4		\$500	60,000	180
\$75 × 5	(\$25 w/ STAR) × 5	\$500	60,000	180
(\$100 w/ +\$50 SYMBOL) + (\$50 w/ +\$100 SYMBOL) + (\$20 × 5)	\$20 × 5	\$500	60,000	180
(\$100 w/ +\$100 SYMBOL) + (\$50 w/ +\$50 SYMBOL)	(\$100 w/ STAR) + (\$25 × 4)	\$500	60,000	180
\$200 × 2	\$50 × 2	\$500	60,000	180
\$200 w/ +\$50 SYMBOL	(((\$100 w/ STAR) × 2) + \$50)	\$500	60,000	180
\$200 w/ +\$100 SYMBOL	\$200 w/ STAR	\$500	60,000	180
\$200 w/ +\$100 SYMBOL	\$200	\$500	60,000	180
\$500		\$500	60,000	180
\$100 × 10		\$1,000	120,000	90
\$200 × 5		\$1,000	120,000	90
\$50 × 10	\$500 w/ STAR	\$1,000	120,000	90
\$100 × 5	\$500	\$1,000	120,000	90
\$500 w/ +\$50 SYMBOL	(((\$100 w/ STAR) × 4) + \$50)	\$1,000	120,000	90

<i>TICKET FRONT: When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When Any Of Your Numbers Match The Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$500 w/ +\$100 SYMBOL	\$100 × 4	\$1,000	60,000	180
\$1,000		\$1,000	120,000	90
\$500 × 10		\$5,000	1,080,000	10
(((\$1,000 w/ +\$50 SYMBOL) × 2) + ((\$500 w/ +\$100 SYMBOL) × 4)	\$100 × 5	\$5,000	1,080,000	10
(\$1,000 w/ +\$100 SYMBOL) × 4	(((\$100 w/ STAR) × 4) + \$200	\$5,000	1,080,000	10
\$5,000		\$5,000	1,080,000	10
\$100,000		\$100,000	1,080,000	10

**TICKET FRONT:**

Reveal a “+\$50” (PLUS50) symbol, add \$50 to the prize shown under that symbol and win that amount.

Reveal a “+\$100” (PLUS100) symbol, add \$100 to the prize shown under that symbol and win that amount!

**TICKET BACK:**

Reveal a “STAR” (STAR) symbol, win prize shown under that symbol automatically!

Front and back play separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Plu\$ the Money instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Plu\$ the Money, prize money from winning Plu\$ the Money instant lottery game tickets will be retained by the Secretary for payment to the persons

entitled thereto. If no claim is made within 1 year of the announced close of the Plu\$ the Money instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Plu\$ the Money or through normal communications methods.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 20-264. Filed for public inspection February 21, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Time to Get Paid Instant Lottery Game 1448

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Time to Get Paid (hereinafter "Time to Get Paid"). The game number is PA-1448.

2. *Price:* The price of a Time to Get Paid instant lottery game ticket is \$2.

3. *Play symbols:* Each Time to Get Paid instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "PAYDAY BONUS" area. The "PAYDAY BONUS" area is played separately. The play symbols and their captions, 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) and 20 (TWENT). The play symbols and their captions, located in the "PAYDAY BONUS" area, are: NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol, NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol and a Clock (CLOCK) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO). The prize symbols and their captions, located in the "PAYDAY BONUS" area, are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000 and \$20,000. The prizes that can be won in the "PAYDAY BONUS" area are: \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100 and \$500. A player can win up to nine times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 9,600,000 tickets will be printed for the Time to Get Paid instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20,000 (TWY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which a Clock (CLOCK) symbol appears in the "PAYDAY BONUS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Clock (CLOCK) 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 either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which a Clock (CLOCK) symbol appears in the "PAYDAY BONUS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Clock (CLOCK) symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which a Clock (CLOCK) symbol appears in the "PAYDAY BONUS" area, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "prize" area under that Clock (CLOCK) symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which a Clock (CLOCK) symbol appears in the "PAYDAY BONUS" area, and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the "prize" area under that Clock (CLOCK) symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which a Clock (CLOCK) symbol appears in the "PAYDAY BONUS" area, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "prize" area under that Clock (CLOCK) symbol, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which a Clock (CLOCK) symbol appears in the "PAYDAY BONUS" area, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "prize"

area under that Clock (CLOCK) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets upon which a Clock (CLOCK) symbol appears in the “PAYDAY BONUS” area, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “prize” area under that Clock (CLOCK) play symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which a Clock (CLOCK) symbol appears in the “PAYDAY BONUS” area, and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the “prize” area under that Clock (CLOCK) symbol, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets upon which a Clock (CLOCK) symbol appears in the “PAYDAY BONUS” area, and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “prize” area under that Clock (CLOCK) play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>PAYDAY BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets:</i>
\$2		\$2	10	960,000
\$2 × 2		\$4	300	32,000
\$2	\$2 w/ CLOCK	\$4	50	192,000
	\$4 w/ CLOCK	\$4	75	128,000
\$4		\$4	300	32,000
	\$5 w/ CLOCK	\$5	37.5	256,000
\$5		\$5	150	64,000
\$2 × 5		\$10	300	32,000
\$5 × 2		\$10	300	32,000
\$5	\$5 w/ CLOCK	\$10	125	76,800
	\$10 w/ CLOCK	\$10	125	76,800
\$10		\$10	300	32,000
\$5 × 4		\$20	1,500	6,400
\$2 × 8	\$4 w/ CLOCK	\$20	300	32,000
	\$20 w/ CLOCK	\$20	300	32,000
\$20		\$20	1,500	6,400
\$10 × 4		\$40	1,500	6,400
(\$4 × 2) + (\$2 × 6)	\$20 w/ CLOCK	\$40	750	12,800
	\$40 w/ CLOCK	\$40	750	12,800
\$40		\$40	1,500	6,400
\$10 × 5		\$50	6,000	1,600
\$5 × 8	\$10 w/ CLOCK	\$50	1,714	5,600
\$10 × 3	\$20 w/ CLOCK	\$50	1,714	5,600
	\$50 w/ CLOCK	\$50	1,714	5,600
\$50		\$50	6,000	1,600
\$20 × 5		\$100	24,000	400
(\$40 × 2) + \$10	\$10 w/ CLOCK	\$100	12,000	800
\$10 × 8	\$20 w/ CLOCK	\$100	6,000	1,600
\$50	\$50 w/ CLOCK	\$100	6,000	1,600

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>PAYDAY BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets:</i>
	\$100 w/ CLOCK	\$100	6,000	1,600
\$100		\$100	24,000	400
\$100 × 5		\$500	120,000	80
(\$100 × 2) + (\$50 × 4) + \$40 + \$20	\$40 w/ CLOCK	\$500	120,000	80
\$100 × 4	\$100 w/ CLOCK	\$500	120,000	80
	\$500 w/ CLOCK	\$500	120,000	80
\$500		\$500	120,000	80
\$500	\$500 w/ CLOCK	\$1,000	960,000	10
\$1,000		\$1,000	960,000	10
\$20,000		\$20,000	960,000	10

PAYDAY BONUS: Reveal a “CLOCK” (CLOCK) symbol, win prize shown under that symbol. PAYDAY BONUS played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Time to Get Paid instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Time to Get Paid, prize money from winning Time to Get Paid instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Time to Get Paid instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Time to Get Paid or through normal communications methods.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 20-265. Filed for public inspection February 21, 2020, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) approved the addition of 36 stream sections to its list of Class A Wild Trout Streams and the amendment of the names of two stream sections as set forth at 49 Pa.B. 7052 (November 23, 2019). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission’s policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth’s naturally reproducing trout fisheries.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 20-266. Filed for public inspection February 21, 2020, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Classification of Wild Trout Streams; Additions, Revisions and Removal

The Fish and Boat Commission (Commission) approved the addition of 49 new waters to its list of wild trout

streams and the revision to the section limits of 1 water on that list as set forth at 49 Pa.B. 7050 (November 23, 2019). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate man-

agement of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams, and it is available on the Commission's web site at <http://www.fishandboat.com/Fish/PennsylvaniaFishes/Trout/Pages/TroutWaterClassifications.aspx>.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 20-267. Filed for public inspection February 21, 2020, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Classification of Wild Trout Streams; Proposed Additions and Revisions; April 2020

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time-to-time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on April 27 and 28, 2020, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Adams	UNT to Little Marsh Creek (RM 4.86)	Headwaters to Orchard Road	Little Marsh Creek	39.851579 77.354021
Armstrong	UNT to Mahoning Creek Lake (RM 28.65)	Headwaters to Mouth	Mahoning Creek Lake	40.902710 79.227690
Blair	New Creek	Headwaters to Confluence of Canoe Creek Lake Spillway at RM 0.34	Canoe Creek	40.475278 78.281667
Butler	North Branch Rough Run	Headwaters to Mouth	Rough Run	40.805000 79.729444
Cambria	UNT to Findley Run (RM 3.27)	Headwaters to Mouth	Findley Run	40.433675 78.951736
Cambria	UNT to Saint Clair Run (RM 1.76)	Headwaters to Mouth	Saint Clair Run	40.336828 78.960871
Cameron	May Hollow Run	Headwaters to Mouth	Sterling Run	41.423611 78.220000
Cameron	Reed Hollow Run	Headwaters to Mouth	Portable Run	41.431599 78.236481
Cameron	Snodgrass Run	Headwaters to Mouth	Tannery Hollow Run	41.414741 78.239660
Centre	UNT (RM 0.42) to UNT to Slab Cabin Run (Thompson Run)	Headwaters to Mouth	UNT to Slab Cabin Run (Thompson Run)	40.808042 77.835619
Centre	UNT to Kettle Run (RM 0.79)	Headwaters to Mouth	Kettle Run	40.838506 77.519130
Centre	UNT to Laurel Run (RM 0.84)	Headwaters to Mouth	Laurel Run	40.803064 77.561746
Centre	UNT to Penns Creek (RM 55.70)	Headwaters to Mouth	Penns Creek	40.845495 77.528870
Centre	UNT to Sinking Creek (RM 15.28)	Headwaters to Mouth	Sinking Creek	40.756641 77.712153
Clarion	UNT to Mill Creek (RM 4.91)	Headwaters to Mouth	Mill Creek	41.222031 79.271758
Clinton	UNT to Cherry Run (RM 4.57)	Headwaters to Mouth	Cherry Run	41.022450 77.423979

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Clinton	UNT to Cherry Run (RM 5.64)	Headwaters to Mouth	Cherry Run	41.028772 77.405505
Clinton	UNT to Pepper Run (RM 1.31)	Headwaters to Mouth	Pepper Run	41.052720 77.333227
Clinton	UNT to Pepper Run (RM 1.74)	Headwaters to Mouth	Pepper Run	41.047486 77.329292
Crawford	UNT to Sugar Creek (RM 17.59)	Headwaters to Mouth	Sugar Creek	41.619190 79.855170
Elk	Johnson Run	Headwaters to Mouth	East Branch Clarion River	41.538056 78.625556
Elk	UNT to Hoffman Run (RM 2.58)	Headwaters to Mouth	Hoffman Run	41.613301 78.761894
Elk	UNT to Hoffman Run (RM 3.91)	Headwaters to Mouth	Hoffman Run	41.615300 78.783790
Elk	UNT to Mix Run (RM 5.27)	Headwaters to Mouth	Mix Run	41.308590 78.266280
Elk	UNT to South Fork West Creek (RM 1.36)	Headwaters to Mouth	South Fork West Creek	41.458815 78.487969
Elk	UNT to South Fork West Creek (RM 1.93)	Headwaters to Mouth	South Fork West Creek	41.454678 78.496068
Forest	UNT to Coon Creek (RM 2.76)	Headwaters to Mouth	Coon Creek	41.451180 79.344020
Forest	UNT to Coon Creek (RM 4.24)	Headwaters to Mouth	Coon Creek	41.440041 79.328760
Forest	UNT to Little Tionesta Creek (RM 2.28)	Headwaters to Mouth	Little Tionesta Creek	41.453936 79.450666
Forest	UNT to North Branch Hemlock Creek (RM 0.63)	Headwaters to Mouth	North Branch Hemlock Creek	41.401350 79.436080
Forest	UNT to North Branch Hemlock Creek (RM 1.25)	Headwaters to Mouth	North Branch Hemlock Creek	41.398351 79.426090
Franklin	Pine Run	Headwaters to Mouth	Conodoguinet Creek	40.102949 77.705644
Franklin	UNT to West Branch Conococheague (RM 56.45)	Headwaters to Mouth	West Branch Conococheague Creek	40.195594 77.636240
Huntingdon	Robinson Run	Headwaters to Mouth	Frankstown Branch Juniata River	40.539472 78.087405
Huntingdon	Sugarcamp Run	Headwaters to Mouth	Shoup Run	40.221660 78.214020
Huntingdon	UNT to Crooked Creek (RM 5.08)	Headwaters to Mouth	Crooked Creek	40.445606 78.077208
Huntingdon	UNT to Crooked Creek (RM 5.10)	Headwaters to Mouth	Crooked Creek	40.445835 78.077227
Huntingdon	UNT to Crooked Creek (RM 5.79)	Headwaters to Mouth	Crooked Creek	40.452502 78.085865
Huntingdon	UNT to Crooked Creek (RM 8.06)	Headwaters to Mouth	Crooked Creek	40.478696 78.090366
Huntingdon	UNT to Crooked Creek (RM 8.59)	Headwaters to Mouth	Crooked Creek	40.485176 78.090649
Huntingdon	UNT to Globe Run (RM 4.81)	Headwaters to Mouth	Globe Run	40.647911 78.024529
Huntingdon	UNT to Great Trough Creek (RM 4.99)	Headwaters to Mouth	Great Trough Creek	40.311485 78.127403
Huntingdon	Vineyard Creek	Headwaters to Mouth	Crooked Creek	40.456543 78.089044

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Indiana	Rayne Run	Headwaters to Mouth	Crooked Creek	40.713080 79.060970
Indiana	UNT to Crooked Creek (RM 52.66)	Headwaters to Mouth	Crooked Creek	40.693052 79.049947
Jefferson	UNT to Clarion River (RM 51.24)	Headwaters to Mouth	Clarion River	41.324640 79.189640
Jefferson	UNT to Clarion River (RM 53.72)	Headwaters to Mouth	Clarion River	41.325040 79.173820
Jefferson	UNT to Clarion River (RM 53.83)	Headwaters to Mouth	Clarion River	41.325263 79.171341
Jefferson	UNT to Mill Creek (RM 2.27)	Headwaters to Mouth	Mill Creek	41.155070 79.019560
Jefferson	UNT to Sandy Lick Creek (RM 10.37)	Headwaters to Mouth	Sandy Lick Creek	41.097540 78.987222
Jefferson	UNT to South Branch North Fork Redbank Creek (RM 6.76)	Headwaters to Mouth	South Branch North Fork Redbank Creek	41.277323 78.848641
Lycoming	Laurel Run	Headwaters to Mouth	Little Muncy Creek	41.177574 76.666496
McKean	Orange Creek	Headwaters to Mouth	UNT to East Branch Tunungwant Creek (RM 10.14)	41.828637 78.645412
McKean	Pine Run	Headwaters to Mouth	Kinzua Creek	41.756524 78.605015
McKean	UNT to Bolivar Run (RM 2.71)	Headwaters to Mouth	Bolivar Run	41.989192 78.666305
McKean	UNT to East Branch Tunungwant Creek (RM 9.92)	Headwaters to Mouth	East Branch Tunungwant Creek	41.836237 78.643026
McKean	UNT to Kinzua Creek (RM 26.61)	Headwaters to Mouth	Kinzua Creek	41.751407 78.611769
McKean	UNT to Pine Run (RM 1.51)	Headwaters to Mouth	Pine Run	41.774263 78.676812
McKean	UNT to Railroad Run (RM 0.86)	Headwaters to Mouth	Railroad Run	41.855394 78.629269
McKean	UNT to Railroad Run (RM 2.30)	Headwaters to Mouth	Railroad Run	41.842680 78.612340
Mifflin	UNT to Havice Creek (RM 3.81)	Headwaters to Mouth	Havice Creek	40.769084 77.513114
Montour	County Line Branch	Headwaters to Yeagle Road Bridge	West Branch Chillisquaque Creek	41.079334 76.686127
Potter	Cow Run	Headwaters to Mouth	Oswayo Creek	41.948639 78.173843
Potter	Crawford Hollow Run	Headwaters to Mouth	West Branch Cowley Run	41.654038 78.185865
Potter	Rose Lake Run	Headwaters to Mouth	West Branch Genesee River	41.930278 77.895000
Potter	UNT to Middle Branch Genesee River (RM 4.65)	Headwaters to Mouth	Middle Branch Genesee River	41.921189 77.853696
Potter	UNT to West Branch Genesee River (RM 7.96)	Headwaters to Mouth	West Branch Genesee River	41.899120 77.886100
Schuylkill	Iron Ore Run	Headwaters to Mouth	Lower Little Swatara Creek	40.543229 76.299189
Schuylkill	Spruce Run	Headwaters to Mouth	Iron Ore Run	40.540925 76.283125

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Schuylkill	UNT to Lower Little Swatara Creek (RM 3.38)	Headwaters to Mouth	Lower Little Swatara Creek	40.539072 76.339121
Schuylkill	UNT to Lower Little Swatara Creek (RM 5.37)	Headwaters to Mouth	Lower Little Swatara Creek	40.544889 76.307740
Snyder	Breining Gap Run	Headwaters to 800 meters downstream of Timber Road	Schrader Gap Run	40.799871 77.201629
Tioga	UNT to Phoenix Run (RM 0.97)	Headwaters to Mouth	Phoenix Run	41.755890 77.599690
Venango	UNT to Porcupine Creek (RM 0.76)	Headwaters to Mouth	Porcupine Creek	41.430379 79.547397
Warren	UNT to Dunham Run (RM 0.29)	Headwaters to Mouth	Dunham Run	41.629601 79.584690
Warren	UNT to East Branch Tionesta Creek (RM 1.94)	Headwaters to Mouth	East Branch Tionesta Creek	41.671340 78.986080
Warren	UNT to Pine Creek (RM 7.83)	Headwaters to Mouth	Pine Creek	41.640609 79.544624
Warren	UNT to Widdlefield Run (RM 2.55)	Headwaters to Mouth	Widdlefield Run	41.907830 79.085010
Westmoreland	UNT to Hannas Run (RM 3.27)	Headwaters to Mouth	Hannas Run	40.290145 79.176936
Westmoreland	UNT to Linn Run (RM 4.26)	Headwaters to Mouth	Linn Run	40.153690 79.220240
Westmoreland	UNT to Linn Run (RM 4.42)	Headwaters to Mouth	Linn Run	40.153710 79.217630
Westmoreland	UNT to Mill Creek (RM 0.42)	Headwaters to Mouth	Mill Creek	40.249070 79.245952
Westmoreland	UNT to Mill Creek (RM 2.07)	Headwaters to Mouth	Mill Creek	40.251394 79.222102
Westmoreland	UNT to Mill Creek (RM 5.06)	Headwaters to Mouth	Mill Creek	40.253600 79.180400
York	Ebaughs Creek	Headwaters to PA/MD state line	Deer Creek	39.721027 76.592423

The Commission also will consider the following revisions to the section limits of streams on the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Current Limits</i>	<i>Revised Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Cameron	Finley Run	Headwaters to 3.4 km upstream of Mouth	Headwaters to Mouth	Sterling Run	41.425000 78.232500
Elk	Red Run	Paige Run to Mouth	Headwaters to Mouth	Mix Run	41.303889 78.243889
Franklin	East Branch Antietam Creek	Headwaters to T-365 (lower limit of Delayed Harvest Area)	Headwaters to Mouth	Antietam Creek	39.724167 77.605556
Huntingdon	Emma Creek	Headwaters to Huntsman Hollow Road	Headwaters to Mouth	Robinson Run	40.536915 78.088975
York	Centerville Creek	Pierceville Run to Mouth	Headwaters to Mouth	South Branch Codorus Creek	39.802500 76.740833
York	Deer Creek	Headwaters to Five Forks Road (T-540)	Headwaters to PA/MD state line	Susquehanna River	39.721111 76.609722
York	East Branch Codorus Creek	Headwaters to first UNT downstream of county park south boundary	Headwaters to Seaks Run Road (SR 216)	South Branch Codorus Creek	39.896111 76.743611

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Current Limits</i>	<i>Revised Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
York	Seaks Run	Headwaters to UNT downstream from I-83	Headwaters to Mouth	East Branch Codorus Creek	39.846438 76.653757

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 20-268. Filed for public inspection February 21, 2020, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Proposed Changes to List of Class A Wild Trout Waters; April 2020

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, the Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Biomass Class Criteria include provisions for:

(i) *Wild Brook Trout Fisheries*

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) *Wild Brown Trout Fisheries*

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) *Mixed Wild Brook and Brown Trout Fisheries*

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) *Wild Rainbow Trout Fisheries*

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

(v) *Mixed Wild Brook and Rainbow Trout Fisheries*

(A) Combined brook and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

(vi) *Mixed Wild Brown and Rainbow Trout Fisheries*

(A) Combined brown and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brown trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

During recent surveys, Commission staff documented the following stream sections to have Class A wild trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on April 27 and 28, 2020.

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Rainbow Trout (kg/ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Berks	UNT to Rock Run (RM 4.96)	1	Headwaters to Mouth	Rock Run	40.205555 75.958336	—	40.26	—	1.05	2019
Cameron	Bucher Hollow Run	1	Headwaters to Mouth	Salt Run	41.545349 78.173115	54.64	—	4.32	1.75	2019
Cameron	Finley Run	2	3.4 kilometers upstream of Mouth to Mouth	Sterling Run	41.425000 78.232500	30.36	11.36	—	2.11	2019
Cameron	Miller Hollow Run	1	Headwaters to Mouth	Portable Run	41.433121 78.236015	100.48	—	—	0.70	2019
Cameron	Portable Run	1	Headwaters to Mouth	Sterling Run	41.425278 78.232498	36.71	3.04	—	5.24	2019
Cameron	Reed Hollow Run	1	Headwaters to Mouth	Portable Run	41.431599 78.236481	40.91	—	—	0.99	2019
Cameron	Salt Run	2	Outflow of Salt Run Reservoir to Mouth	Sinnemahoning Portage Creek	41.522778 78.216111	18.79	29.09	—	1.96	2019
Cameron	Snodgrass Run	1	Headwaters to Mouth	Tannery Hollow Run	41.414741 78.239660	111.77	—	—	2.49	2019
Cameron	Sterling Run	1	Confluence of Finley Run and Portable Run to Mouth	Driftwood Branch Sinnemahoning Creek	41.413056 78.197778	17.58	32.95	—	2.30	2019
Cameron	Wheatfield Hollow Run	1	Headwaters to Mouth	Salt Run	41.537261 78.191986	61.16	0.68	—	0.60	2019
Cameron/Elk	Big Run	1	Headwaters to Mouth	West Creek	41.478226 78.366814	48.57	—	—	4.89	2019
Cameron/Potter	Salt Run	1	Headwaters to Outflow of Salt Run Reservoir	Sinnemahoning Portage Creek	41.522778 78.216111	53.63	—	9.74	4.44	2019
Centre	Wallace Run	1	Headwaters to North Branch Wallace Run	Bald Eagle Creek	40.930833 77.816944	18.61	53.75	—	6.74	2019
Clearfield	Little Medix Run	1	Headwaters to Mouth	Medix Run	41.239444 78.418889	47.89	1.87	—	3.72	2019
Clearfield	Slab Run	1	Headwaters to I-80 West	Sandy Lick Creek	41.137289 78.789462	41.39	—	—	1.69	2017
Clinton	Pepper Run	2	State Forest Boundary at RM 2.62 to Mouth	Long Run	41.061389 77.353333	28.71	23.08	—	2.62	2019
Clinton	Rockey Run	1	Headwaters to State Forest Boundary	Rauchtown Creek	41.087215 77.234818	21.27	19.23	—	2.15	2019
Elk	Kay Fork	1	Headwaters to Mouth	West Creek	41.459464 78.532872	46.33	—	—	3.48	2019

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Rainbow Trout (kg/ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Elk	Mix Run	2	English Draft to Red Run	Bennett Branch Sinnemahoning Creek	41.336667 78.198611	19.66	27.70	—	3.27	2019
Elk	Mud Lick Hollow	1	Headwaters to Mouth	Mix Run	41.310413 78.272812	24.36	33.53	—	1.61	2019
Elk	Red Run	2	Paige Run to Mouth	Mix Run	41.303889 78.243889	29.52	15.42	—	2.30	2019
Elk	UNT to Mix Run (RM 5.27)	1	Headwaters to Mouth	Mix Run	41.308590 78.266280	41.15	8.43	—	1.21	2019
Perry	Blain Hollow Run	1	Headwaters to Mouth	Kansas Valley Run	40.356527 77.568100	47.98	—	—	1.54	2018
Perry	Hemlock Run	1	Headwaters to Mouth	Sherman Creek	40.270832 77.630836	36.16	—	—	1.07	2018
Potter	Ellisburg Creek	1	Headwaters to Mouth	West Branch Genesee River	41.929955 77.894669	54.83	26.92	—	2.28	2019
Potter	Germania Branch	1	Headwaters to Baders Hollow	Kettle Creek	41.593333 77.627222	45.04	61.41	—	1.91	2019
Potter	Germania Branch	2	Baders Hollow to Straight Run	Kettle Creek	41.593333 77.627222	31.99	41.26	—	2.13	2019
Potter	Irish Settlement Brook	1	Headwaters to Mouth	West Branch Genesee River	41.983333 77.876111	6.50	40.77	—	2.80	2019
Potter	Miller Run	1	Headwaters to Mouth	Little Kettle Creek	41.563333 77.703611	31.71	0.76	—	2.08	2019
Potter	Rose Lake Run	1	Headwaters to Mouth	West Branch Genesee River	41.930278 77.895000	4.09	79.56	—	2.86	2019
Schuykill	UNT to Lower Little Swatara Creek (RM 3.88)	1	Headwaters to Mouth	Lower Little Swatara Creek	40.539072 76.339121	30.19	—	—	1.50	2019
Tioga	Bear Wallow Branch	1	Headwaters to Mouth	Right Asaph Run	41.807718 77.462639	166.71	4.13	—	1.63	2019
Tioga	Left Asaph Run	1	Confluence of Baker Branch and Rice Branch to Mouth	Asaph Run	41.790001 77.446388	24.29	43.23	—	2.04	2019

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 20-269. Filed for public inspection February 21, 2020, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of Life Insurance Company of North America

New York Life Insurance Company, a New York domiciled insurance company, has filed an application for approval to acquire control of Life Insurance Company of North America, a domestic stock life insurance company. The filing was received on January 31, 2020, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition 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 Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [syerber@pa.gov](mailto:syerber@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 20-270. Filed for public inspection February 21, 2020, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### Application for Approval to Reinsure the Entire Book of Business of a Domestic Insurer

21st Century Indemnity Insurance Company, a domestic stock casualty insurance company organized under the laws of the Commonwealth of Pennsylvania, has submit-

ted an application for approval to reinsure its entire schedule of policies with 21st Century North America Insurance Company, a stock property insurance company organized under the laws of the State of New York. The filing was submitted under section 319 of The Insurance Company Law of 1921 (40 P.S. § 442).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 15 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the 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 Lori Bercher, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [lbercher@pa.gov](mailto:lbercher@pa.gov).

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 20-271. Filed for public inspection February 21, 2020, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Mayfair Operator, LLC

Mayfair Operator, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Roosevelt Rehabilitation and Healthcare Center in Philadelphia, PA. The initial filing was received on February 3, 2020, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority 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 details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [kfeather@pa.gov](mailto:kfeather@pa.gov).

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 20-272. Filed for public inspection February 21, 2020, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### Berkshire Life Insurance Company of America (LFCR-132252998); Rate Increase Filing for Several Individual LTC Forms

Berkshire Life Insurance Company of America is requesting approval to increase the premium 25.8% on

356 policyholders of several individual LTC forms. The forms affected are BG01P (06/04)-PA, BG02P (06/04)-PA, BG03P (06/04)-PA, BG04P (06/04)-PA, BG01P (01/09)-PA and BG03P (01/09)-PA.

Unless formal administrative action is taken prior to May 7, 2020, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 20-273. Filed for public inspection February 21, 2020, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Continental Casualty Company (CNAB-132209522); Rate Increase Filing for Several Group LTC Forms

Continental Casualty Company is requesting approval to increase the premium 28.5% on 3,224 certificate holders of several group LTC forms. The forms affected are P1-43636-A, the SR-LTCP Series and GLTC-3-P-xx-01.

Unless formal administrative action is taken prior to May 7, 2020, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 20-274. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Pay Assessment

Public Meeting held  
February 6, 2020

*Commissioners Present:* Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; Andrew G. Place; John F. Coleman, Jr.; Ralph V. Yanora

*Cancellation of Certificates of Public Convenience for  
Motor Carriers; Failure to Pay Assessment;  
M-2020-3015774*

#### Tentative Order

*By the Commission:*

For each fiscal year, the Commission determines the total assessment for regulatory expenses, which is allocated to, and paid by, public utilities pursuant to the methodology set forth in the Public Utility Code. 66 Pa.C.S. § 510(a), (b). The Commission provides notice of the amount lawfully assessed against a utility and requires the utility to pay that amount within thirty (30) days of receipt of the notice. 66 Pa.C.S. § 510(c). The Public Utility Code authorizes the Commission to revoke a utility's Certificate of Public Convenience (CPC) for failure to pay the assessment within the time prescribed. 66 Pa.C.S. § 510(c).

The Commission undertook a review of its records to determine whether various motor carriers are in compliance with the assessment payment requirements of the Public Utility Code. The Commission's review revealed that a number of carriers failed to pay their 2017-2018 and 2018-2019 assessments. Specifically, each carrier listed in Appendix A, attached hereto, has an outstanding assessment balance.

The Fiscal Office of the Commission's Bureau of Administration sent correspondence to each carrier listed in Appendix A, notifying them of their outstanding assessment balance and requesting that they pay the past due balance within twenty (20) days of receipt of the letter. The letter warns that failure to comply will result in the Commission taking appropriate action to cancel the carrier's CPC. None of the carriers in Appendix A submitted payment in response to the Commission's Bureau of Administration letter.

Additionally, Commission staff attempted twice to contact each carrier listed in Appendix A at the telephone number the carrier provided to the Commission, but were not able to make contact.

Under the circumstances, the Commission has tentatively concluded that the motor carriers listed in Appendix A are not in compliance with the assessment payment requirements of 66 Pa.C.S. § 510(c), and may no longer be in business in Pennsylvania as a motor carrier public utility. As a result, it is appropriate to initiate the process to cancel their CPCs as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is hereby tentatively approved as being in the public interest.

2. The Secretary shall serve a copy of this Tentative Order upon the Commission’s Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of Administration, the Pennsylvania Department of Revenue’s Bureau of Corporation Taxes, the Pennsylvania Department of Transportation, and all motor carriers listed in Appendix A. The Tentative Order shall be filed at each carrier’s assigned docket number.

3. The Law Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

4. To the extent that any of the motor carriers listed on Appendix A challenges cancellation of their Certificates of Public Convenience, any of the parties listed in Ordering Paragraph No. 2, must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

5. Alternatively, carriers listed in Appendix A may pay their outstanding assessment balance up to and within

thirty (30) days after publication in the *Pennsylvania Bulletin*. Payment shall be sent to the Pennsylvania Public Utility Commission, Attn: Fiscal Office, P.O. Box 3265, Harrisburg, PA 17105. Checks shall be made payable to “Commonwealth of Pennsylvania.”

6. Absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely payment of a carrier’s outstanding assessment balance, the Law Bureau shall prepare a Secretarial Letter, for issuance by the Secretary’s Bureau, canceling the Certificate of Public Convenience of each motor carrier that fails to respond.

7. Upon issuance of the Secretarial Letter described in Ordering Paragraph No. 6 above, the Certificate of Public Convenience of each non-compliant carrier shall be cancelled, and each non-compliant carrier listed in Appendix A will be stricken from all active utility lists maintained by the Commission’s Bureau of Technical Utility Services and the Fiscal Office of the Bureau of Administration.

ROSEMARY CHIAVETTA,  
*Secretary*

**Appendix A  
Carriers with Outstanding Assessment Balances**

<i>Utility Code</i>	<i>Carrier Name</i>	<i>Docket No.</i>
630285	H.I.P., INC.	A-00109199
6310311	ROSEMONT TAXICAB CO., INC.	A-2008-2053668
632302	FAIRVIEW LIMOUSINE SERVICE, INC.	A-00106915
706897	LOMBARDI, BRIAN	A-00121052
641195	ANTHONY KILIANY—WHITE KNIGHT LIMOUSINE	A-00119503
6412402	LYTA CORPORATION	A-2010-2186555, A-2010-2186707, A-2010-2206537
6414238	LLG TRANSPORTATION, LLC	A-2012-2287026
641635	GEMSTAR LIMOUSINE, LLC	A-00122687, A-00122687, F.2
8914714	AMERICAN WELL SERVICE, LLC	A-2012-2305896
8916637	SLASK TRANSPORT, LLC	A-2014-2426787
8917672	COURIER LOGISTIC SOLUTIONS, LLC	A-2015-2482145
8918050	WILLIAM MARTINEZ, LLC	A-2015-2503248
8918716	PEABBAKA TRANSPORT, LLC	A-2016-2540819
8919980	COLE AND COLE TRUCKING, LLC	A-2017-2609471
6415494	VITAL EXPRESS LIMO, INC.	A-2013-2348816, A-2014-2432728
792280	LLOYDS MOVING CO., INC.	A-00094315
8911995	DIRT EXCAVATING, LLC	A-2010-2168993
8912458	ROX TRUCKING, INC.	A-2010-2188578

[Pa.B. Doc. No. 20-275. Filed for public inspection February 21, 2020, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Establishment of the Pole Attachment Working Group under 52 Pa. Code Chapter 77; Doc. No. L-2018-3002672**

On September 3, 2019, at Doc. No. L-2018-3002672, the Pennsylvania Public Utility Commission (Commission)

entered its Final Rulemaking Order regarding the Assumption of Commission Jurisdiction Over Pole Attachments from the Federal Communications Commission. The Final Rulemaking Order was published at 50 Pa.B. 469 (January 18, 2020), with the Commission’s regulatory authority over the rates, terms and conditions of access to and use of utility poles to become effective, under 52 Pa. Code Chapter 77 (relating to pole attachments), on March 18, 2020.

Section 77.7 (relating to working group) of the Commission’s regulation requires the creation of a pole attach-

ment working group to ensure that the Commission remains apprised of industry and public concerns, that Federal amendments are properly vetted before becoming effective in this Commonwealth and that dispute resolution processes are efficient and effective. This notice hereby invites any parties who are interested in participating in the pole attachment working group to inform the Commission of their interest within 15 days of the date of publication of this notice in the *Pennsylvania Bulletin*. The Commission will ultimately manage the size and composition of this working group to ensure that its regulatory purposes are fulfilled. Failure to respond to this notice is not intended to foreclose participation.

This pole attachment working group is hereby established with an initial membership of representatives from the following: (1) within the Commission: the Law Bureau, the Office of Special Assistants, the Bureau of Technical Utility Services, the Bureau of Consumer Services, the Bureau of Investigation and Enforcement and the Office of Administrative Law Judge—Mediation Office; (2) the Office of Consumer Advocate and the Office of Small Business Advocate; and (3) the Governor's Office of Broadband Initiatives. Among industry participants, also invited to participate are the Broadband Cable Association of Pennsylvania; CTIA—the Wireless Association; the Energy Association of Pennsylvania; and the Pennsylvania Telephone Association.

The contact person for this notice is Colin W. Scott, Assistant Counsel, Law Bureau. Parties interested in becoming members of the pole attachment working group should e-mail [colinscott@pa.gov](mailto:colinscott@pa.gov), with the subject line "Pole Attachment Working Group Membership" within 15 days of the date of publication of this notice in the *Pennsylvania Bulletin*.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-276. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Hamilton Relay, Inc. Petition for a Proposed Pilot of Real Time Text for People with Disabilities in this Commonwealth; Doc. No. P-2019-3008352**

On March 8, 2019, at Doc. No. P-2019-3008352, Hamilton Relay, Inc. (Hamilton) filed an Executive Summary and related information with the Pennsylvania Public Utility Commission (Commission) seeking Commission approval to conduct a 90-day pilot project of Real Time Text (RTT) supported by the TRS Fund (RTT Pilot). At the TRS Advisory Board meeting of December 5, 2018, the members recommended to the Commission including the Commonwealth in its RTT Pilot.

The RTT Pilot is a 90-day pilot project that is designed to test the availability and use of RTT by a limited number of eligible residents of this Commonwealth with disabilities. RTT capable devices will be supported from and distributed through the existing TRS Fund. The proposed RTT Pilot will be implemented through Hamilton in its current capacity as the Commonwealth's Commission-approved TRS provider.<sup>1</sup>

<sup>1</sup> See Application of Hamilton Relay, A-2014-2447601.

The pilot project will provide for the recruitment and selection of up to 50 eligible participants over a 90-day period. RTT is a digital, Internet Protocol based communication protocol that transmits text immediately as the characters are typed. RTT provides text communications that may be more functionally equivalent for Relay users as it allows for conversational bi-directional communication that may also include voice and special characters. The trial will include distribution of selected RTT-capable devices equipped with appropriate applications and software, as well as monitoring, measurement and evaluation of the use of this system. The RTT proposal seeks funding in the amount of \$167,575 from the TRS Fund for the relevant costs of the pilot project including the costs of the device equipment distribution and the costs for managing the overall project through its 90-day duration.

Interested persons may file comments on the proposed RTT Pilot within 20 calendar days of the publication of this notice. Comments must reference Doc. No. P-2019-3008352 and may be filed either electronically through the Commission's e-File System<sup>2</sup> or by mail addressed to the Pennsylvania Public Utility Commission, Attention: Secretary, 400 North Street, 2nd Floor, Harrisburg, PA 17120. Handwritten comments will be accepted by mail. The filing of comments by means of routine e-mail is not permitted.

Where possible, an electronic copy of any filing should also be sent to Eric Jeschke at [ejeschke@pa.gov](mailto:ejeschke@pa.gov). The contact person for this petition is Christian McDewell, Assistant Counsel, Law Bureau, (717) 787-7466.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-277. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Petition of Armstrong Telecommunications, Inc. for Designation as an Eligible Telecommunications Carrier**

Public Meeting held  
February 6, 2020

*Commissioners Present:* Gladys M. Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; Andrew G. Place; John F. Coleman, Jr.; Ralph V. Yanora

*Petition of Armstrong Telecommunications, Inc. for Designation as an Eligible Telecommunications Carrier; P-2018-3005035*

### Order

*By the Commission:*

Before the Pennsylvania Public Utility Commission (Commission) for disposition is the September 28, 2018 Petition of Armstrong Telecommunications, Inc. (ATI) (Petition) seeking Commission designation as an Eligible Telecommunications Carrier (ETC) in the Commonwealth of Pennsylvania for the purpose of receiving federal high-cost support, pursuant to Section 214(e)(2) of the

<sup>2</sup> See <http://www.puc.state.pa.us/efiling/default.aspx>.

Communications Act of 1934, as amended.<sup>1</sup> Obtaining a designation as a federal high-cost ETC from the Commission would qualify ATI to become eligible to receive federal high-cost support funding from the federal Universal Service Fund (USF) in any area where it was awarded a winning bid in the Federal Communications Commission's (FCC) Connect America Fund Phase II (CAF II) Auction 903 (Auction 903). As such, ATI is required to certify that it is an ETC in all of the eligible census blocks for which ATI was awarded Auction 903 support in order to provide voice and broadband services to identified locations. Accordingly, in its Petition, ATI states that it is seeking high-cost designation as an ETC only in specific census blocks throughout the Commonwealth for which it was awarded funding in the CAF II Auction 903.<sup>2</sup> ATI has identified these specific census blocks in Exhibit A to the Petition, which we have replicated in Appendix A to this Order, and which we hereafter refer to as ATI's ETC "Designated Area."

Notice of ATI's Petition was published in the *Pennsylvania Bulletin* at 48 Pa.B. 6759 on October 20, 2018. No comments were filed in response to ATI's Petition. ATI also filed supplements to its original Petition that set forth other additional pertinent information.<sup>3</sup>

We have reviewed ATI's Petition, as supplemented, to determine whether it meets the statutory criteria and applicable minimum standards necessary under state and federal law to obtain an ETC designation. ATI's Petition is hereby approved under the applicable federal statutory criteria and other relevant federal and Pennsylvania law. Concomitantly, as a condition of receiving an ETC designation to receive high-cost support, ATI must also participate in the federal Lifeline program and is required to offer Lifeline service to qualified low-income eligible customers or households in its Designated Area in accordance with applicable federal and Pennsylvania law.

We hereby conclude that it is in the public interest that ATI be designated an ETC for purposes of receiving Auction 903 support in the high-cost eligible census blocks where it submitted a winning bid to deploy and maintain networks capable of providing voice and broadband services and also to provide Lifeline service to qualifying low-income customers or households in those same census blocks. Specifically, ATI will be required to offer Lifeline services to qualified eligible low-income customers or households, subject to the conditions stated by this Order, and applicable reporting, annual recertification, and other requirements as they currently exist or may come to exist under federal and/or state law.

## Background

### A. FCC and State ETC Orders

In its 1997 Universal Service Order, the FCC established minimum requirements necessary for a telecommu-

nications carrier to be designated an ETC, and thus, eligible to receive federal universal service high-cost support from the federal USF.<sup>4</sup> In 2005, pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (Act), 47 U.S.C. § 214(e)(6), and consistent with the recommendations of the Federal-State Joint Board on Universal Service (Joint Board), the FCC addressed these minimum requirements and adopted additional mandatory requirements for ETC designation proceedings.<sup>5</sup> Additionally, as recommended by the Joint Board, the FCC encouraged states that exercise jurisdiction over ETC designations pursuant to Section 214(e)(2) of the Act, to adopt these same requirements when deciding whether they should designate a common carrier as an ETC.<sup>6</sup> Accordingly, in order to provide consistent standards and to obtain the complete and necessary information necessary when reviewing future petitions for ETC designation and annual ETC recertifications, the Commission adopted the FCC's statutorily prescribed requirements for ETC designations and set forth additional Pennsylvania-specific standards as guidelines for all ETC applicants over which it exercises jurisdiction.<sup>7</sup> The Commission codified these guidelines at 52 Pa. Code § 69.2501 (ETC Guidelines).

In its 2011 USF/ICC Transformation Order, the FCC comprehensively reformed the federal USF mechanism to accelerate broadband build-out to the 18 million Americans living across the nation in rural areas who were receiving voice service but lacked access to robust broadband infrastructure and service.<sup>8</sup> Specifically, the FCC concluded that it should adopt high-cost support for broadband-capable networks as an express universal service principle under Section 254(b) of the Act, 47 U.S.C. § 254(b).<sup>9</sup> Additionally, for the first time, the FCC set specific performance goals for the high-cost component of the federal USF to ensure the reforms are achieving their intended purposes.<sup>10</sup> Accordingly, the FCC revamped the purpose of the Universal Service High-Cost program of the federal USF to expand access to both voice and broadband services by supporting networks capable of providing those services and requiring certain support recipients to provide those services in geographic areas that were clearly unserved or underserved by unsubsidized service providers of broadband service.<sup>11</sup>

Concomitant with this repurposing of the six pre-existing programs in the federal USF High-Cost Fund that supported voice service, there was also a renaming of the High-Cost program to the Connect America Fund or CAF.<sup>12</sup> The CAF was rolled-out in different phases.<sup>13</sup> Up through the CAF Phase II Auction 903, the FCC, through the CAF, provided funding to federal price cap incumbent local exchange carriers (ILECs) to support the cost of

<sup>4</sup> See Federal-State Joint Board on Universal Service, First Report and Order, 12 FCC Rcd 8776, 8847-76, paras. 130-180 (1997) (Universal Service Order).

<sup>5</sup> See Federal-State Joint Board on Universal Service, Report and Order, 20 FCC Rcd 6371, 6372, 6380, paras. 2, 20 (2005) (2005 ETC Designation Order).

<sup>6</sup> See 2005 ETC Designation Order, 20 FCC Rcd at 6372, 6380, paras 1, 20.

<sup>7</sup> Final Policy Statement on Commonwealth of Pennsylvania Guidelines for Designation and Annual Recertification as an Eligible Telecommunications Carrier (ETC) for Purposes of Federal Universal Service Support, Docket No. M-2010-2164741 (Order entered August 2, 2010) (ETC Guidelines Order).

<sup>8</sup> In the Matter of Connect America Fund, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011), aff'd sub nom In re FCC 11-161, 753 F.3d 1015 (10th Cir. 2014) (USF/ICC Transformation Order). The FCC, inter alia, adopted rules that modernized and refocused the federal USF to make affordable broadband access available to all Americans and an inherent part of the universal service concept.

<sup>9</sup> See USF/ICC Transformation Order, 26 FCC Rcd at 17672, para. 17.

<sup>10</sup> Id.

<sup>11</sup> Id. at 17673, paras. 19-25.

<sup>12</sup> Id. at 17673, para. 20.

<sup>13</sup> Id. at 17673, paras 22-23.

<sup>1</sup> Although styled an application, ETC designation is properly sought through a petition. Per our regulations at 52 Pa. Code § 1.2, we have treated this document as a petition.

<sup>2</sup> The FCC made eligible for Auction 903 certain high-cost census blocks in states where the price cap carriers had declined an earlier offer of model-based support in CAF Phase I, Part 2 and in other unserved areas nationwide (excluding New York, Alaska, Puerto Rico, and the Virgin Islands) that were not served by an unsubsidized service provider. It was through this competitive bidding process that ATI was a winning bidder in certain high-cost census blocks located in service territories of Verizon Pennsylvania, LLC, Verizon North, LLC and The United Telephone Co. of Pennsylvania, Inc., d/b/a CenturyLink, and Windstream Pennsylvania, LLC. It is in these federally-funded census blocks that ATI is seeking federal high-cost ETC designation and will be offering voice and broadband services under federal law consistent with the FCC's public interest obligations.

<sup>3</sup> ATI filed supplements on January 9, 2019, March 14, 2019, April 24, 2019, January 14, 2020, and responded to staff inquiries on June 26, 2019, July 3, 2019 and July 28, 2019, January 4, 2020, January 14, 2020.

building new network infrastructure or performing network upgrades to continue to provide voice and, in addition, retail broadband access services in areas where it was lacking.

In 2018, as a part of CAF Phase II, Part II, the FCC conducted Auction 903 to allocate Phase II support to a certain number of locations in eligible CBGs across the United States, including areas in Pennsylvania where certain federal price cap ILECs had declined to receive the model-based high-cost support that had been previously offered by the FCC.<sup>14</sup> Auction 903 ran from July 24, 2018 to August 21, 2018 and awarded up to \$198 million annually for 10 years to all service providers that had committed to provide voice and fixed broadband services to specific locations in unserved high-cost areas, including areas in Pennsylvania.<sup>15</sup> As a result of Auction 903, some homes and businesses would have voice as well as broadband Internet access service (BIAS) available with download speeds of at least 100 megabits per second (Mbps).<sup>16</sup> Others would have voice and gigabit service available.<sup>17</sup> And lastly, the remaining locations would have voice as well as at least 25 Mbps download service available.<sup>18</sup>

Concomitantly, in order to continue the mission of assisting qualifying low-income Americans to get and stay connected in today's technological climate, while at the same time relieving some of the burden on the entities providing this service, the FCC also had begun restructuring the federal USF Lifeline program.<sup>19</sup> In its 2012 Lifeline Reform Order, the FCC eliminated the previous system of tiered support and set an interim funding rate of \$9.25 per month and per eligible subscriber or household effective May 1, 2012.<sup>20</sup> The FCC has issued three later Lifeline reform orders establishing a number of additional enhancements to the federal Lifeline Program,

<sup>14</sup> See Public Notice, Connect America Fund Phase II Auction Closes Winning Bidders Announced FCC Form 683 Due October 15, 2018, AU Docket No. 17-182 and WC Docket No. 10-90 (rel. August 28, 2018) (CAF Auction Results Notice).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> Lifeline and Link Up Reform and Modernization, et al., Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Red 6656 (2012) (2012 Lifeline Reform Order or Lifeline FNPRM).

<sup>20</sup> At the current time, federal rules limit Lifeline support to \$7.25 to support voice service. The Lifeline subscriber's \$9.25 support is applicable to broadband service. A Lifeline consumer may choose to purchase but subscribers cannot receive the \$7.25 support separately for each service. However, Lifeline also supports broadband-voice bundles so consumers choosing a bundled package containing voice and broadband service can apply the \$9.25 support to that bundle.

further connecting low-income Americans to voice services and, now, broadband.<sup>21</sup>

### B. ATI's Petition and Supplements

On August 28, 2018, the FCC announced that ATI had been awarded federal high-cost support funding in certain designated census blocks in Pennsylvania via the FCC's Auction 903.<sup>22</sup> In its Petition, ATI requested ETC designation in only the specific census blocks located in Mercer, Crawford and Erie Counties where it had submitted a successful bid via Auction 903 and had been awarded CAF Phase II support by the FCC.

The Commission subsequently engaged in detailed analysis of the Petition and supplemental information that was provided to ensure consistency with state and federal law.

ATI holds certificates of public convenience from the Commission to operate as a Competitive Local Exchange Carrier (CLEC), Interexchange Toll Reseller (IXCR), and a Competitive Access Provider (CAP) in the following ILEC service territories: Commonwealth Telephone Company d/b/a Frontier Communications Commonwealth Telephone Company, LLC (Frontier Commonwealth); Verizon North LLC (Verizon North); Verizon Pennsylvania LLC (Verizon PA); The United Telephone Company of Pennsylvania d/b/a CenturyLink (CenturyLink); Citizens Telephone Company of Kecksburg; Consolidated Communications of Pennsylvania Company; and Windstream Pennsylvania, LLC (Windstream PA).

ATI plans to provide local exchange service and BIAS as an ETC only to the customers residing in the awarded census blocks that are located in the following local exchanges in the following ILEC service territories in Crawford, Erie and Mercer Counties, i.e., its Designated Area:

<sup>21</sup> Lifeline and Link Up Reform and Modernization et al., Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, 30 FCC Red 7818 (2015) (2015 Lifeline FNPRM); Lifeline and Link Up Reform and Modernization et al., Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Red 3962, 4038, para. 211 (2016) (2016 Lifeline Modernization Order); Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking, and Notice of Inquiry, 32 Red 10475 (2017), vacated and remanded, *National Lifeline Association et al. v. FCC*, Docket Nos. 18-1026, Order issued February 1, 2019 (D.C. Cir. 2019) (2017 Lifeline NPRM and NOD) (collectively Lifeline Reform Orders).

<sup>22</sup> Along with the federal funding awarded to ATI in the recent CAF II Auction 903, ATI has also been awarded state funding to assist in constructing a fiber optic network to serve residential, business and institutional customers within a specific geographic area. The state funding includes Pennsylvania Redevelopment Capital Assistance Funds. This dedicated federal and Commonwealth funding entails certain conditions and obligations relevant to the deployment of ATI's planned network and provision of broadband access services that are under the purview of the FCC and the Pennsylvania Governor's Office of Broadband Initiatives. See Governor Wolf Announces Broadband Expansion to Over 9,200 Rural Homes and Businesses, September 20, 2018 Gov. Wolf's Press Release.

ATI Local Exchanges in the ILEC Service Territories

<i>Crawford County</i>	<i>ILEC</i>	<i>Erie County</i>	<i>ILEC</i>	<i>Mercer County</i>	<i>ILEC</i>
Cambridge Springs	Verizon North	Edinboro	Verizon North	Blacktown	CenturyLink
Cochranton	Windstream PA	Erie	Verizon North	Cochranton	Windstream PA
Conneaut Lake	Windstream PA	Fairview	Verizon North	Fredonia	Windstream
Conneautville	Windstream PA	Girard	Verizon North	Greenville	Verizon PA
Guys Mills	Windstream PA	McKean	Verizon North	Grove City	Verizon PA
Jamestown	Windstream PA	North East	Verizon North	Jamestown	Windstream PA
Lincolnton	Verizon North	Union City	Verizon North	Mercer	Verizon PA
Linesville	Windstream PA	Waterford	Verizon North	Sandy Lake	Windstream PA
Meadville	Windstream PA	Wattsburg	Verizon North	Sheakleyville	Windstream PA
Saegertown	Windstream PA			West Middlesex	Verizon PA
Spartansburg	Verizon North				
Titusville	Verizon North				
Townville	Windstream PA				
Westford	Windstream PA				

ATI will use facilities that are company-owned, but, at times, may resell another carrier’s services to offer the supported services to residential and business customers.<sup>23</sup> ATI’s facilities consist of the latest Gigabit Passive Optical Network (GPON) fiber optic architecture and include Optical Network Terminals (ONTs) at the customers’ premises. The services are fully digital using a session initiation protocol (SIP) via a device called a Media Terminal Adapter (MTA) which is built into the ONT. ATI operates its own Class 5 Switch, the Metaswitch, through which all call signals are uncompressed and provisioned using a common G.711ulaw coder-decoder (CODEC) software. Calls that require interconnection offnet either outbound or inbound are routed through ATI’s own Class 4 Tandem via a device called a session border controller which directs and terminates the calls. As part of its voice service offerings, ATI proposes to offer stand-alone basic local telephone service, which is a protected service in ATI’s Designated Area.<sup>24</sup>

ATI’s Lifeline offering, if approved for ETC purposes, would be eligible for the federal \$7.25 rate of support for voice services.<sup>25</sup> Eligible Lifeline customers will have access to a variety of standard features, including voicemail, caller I.D., and call waiting services at the applicable tariff rates and charges. Furthermore, ATI will offer number porting at no charge to its Lifeline customers.<sup>26</sup> ATI will also ensure uninterrupted access to 911/Enhanced 911 (E911) emergency services for its Lifeline customers. ATI will bill its customers on a monthly basis and at this time only provides paper billing. ATI’s Lifeline

customers will be advised of the billing method prior to establishing Lifeline service with ATI. ATI will not charge any of its Lifeline customers installation or equipment fees for voice or broadband service.

ATI understands that Pennsylvania participates in the Lifeline National Eligibility Verifier (National Verifier) program.<sup>27</sup> As such all electronic and paper applications are to be certified by the National Verifier, and applicants must physically e-sign an application for Lifeline whether entered by the applicant or ATI staff.<sup>28</sup> ATI also understands that the Pennsylvania Department of Human Services (DHS) has established an automated process with the National Verifier to assist with qualification and that all applications for Lifeline are approved by the National Verifier.<sup>29</sup> ATI asserts that it will comply with the eligibility determinations from the Lifeline National Verifier regarding potential Lifeline customers. Additionally, ATI states it will de-enroll Lifeline customers who do not receive recertification from the National Verifier in accordance with 47 CFR § 54.405(e)(4).<sup>30</sup>

Discussion

Section 254(e) of the Act provides that “only an eligible telecommunications carrier designated under Section 214(e) shall be eligible to receive specific Federal universal service support.”<sup>31</sup> Section 214(e)(2) of the Act provides state commissions with the primary responsibility for performing ETC designations.<sup>32</sup> Thus, pursuant to Section 214(e)(2), each certificated telecommunications carrier seeking federal universal service high-cost support must file a petition with the state commission in order to be designated an ETC. In those instances where a state cannot or will not make the requisite ETC designation, the FCC makes the ETC designation.<sup>33</sup> Thus, the Commission reserves the right to review any ETC designation request on a case-by-case basis and grant or deny such designation after considering the circumstances particular to each application.

<sup>23</sup> See Petition at 3.  
<sup>24</sup> July 9, 2019 response to staff inquiry. The CODEC software converts analog audio and video signals into digital format and vice versa. Harry Newton, Steve Schoen, *Newton’s Telecom Dictionary*, 31st ed., (Harry Newton, New York, NY, 2018) at 307.  
<sup>25</sup> The FCC has ruled that Lifeline subsidy support amount for fixed voice-only service will gradually decrease in the following manner:

<i>Effective Date</i>	<i>Mobile-voice only</i>	<i>Fixed-voice only</i>	<i>Mobile Broadband</i>	<i>Fixed Broadband</i>
December 1, 2019	\$7.25	\$7.25	\$9.25	\$9.25
December 1, 2020	\$5.25	\$5.25	\$9.25	\$9.25
December 1, 2021	0*	*0	\$9.25	\$9.25

See 2016 Lifeline Modernization Order, 31 FCC Rcd at 3962, para. 64 (2016).  
<sup>26</sup> ETCs may not charge Lifeline customers a monthly number portability charge.  
 See 47 CFR § 54.401(e).

<sup>27</sup> In 2016, the FCC established the National Verifier to make eligibility determinations to enroll eligible subscribers into the Lifeline Program. The National Verifier is further discussed, *infra*.  
<sup>28</sup> January 23, 2020 response to staff inquiry.  
<sup>29</sup> *Id.*  
<sup>30</sup> See ATI’s April 24, 2019 supplement at 1.  
<sup>31</sup> 47 U.S.C. § 254(e).  
<sup>32</sup> 47 U.S.C. § 214(e)(2).  
<sup>33</sup> 47 U.S.C. § 214(e)(6).

The Commission has adopted the federal requirements as a starting point for review of a request for ETC designation.<sup>34</sup> We also have Pennsylvania-specific guidelines discussed below that a federal high-cost ETC petitioner must satisfy before we can approve its request for ETC designation in Pennsylvania.<sup>35</sup> As set forth below, ATI satisfies all federal requirements, including the FCC's Universal Service Order, the 2005 ETC Designation Order, the USF/ICC Transformation Order, the Lifeline Reform Orders, and FCC regulations codifying the requirements of these Orders. ATI also satisfies related Pennsylvania-specific requirements or guidelines.<sup>36</sup>

### I. Federal Requirements for Designation as A High-Cost ETC

Pursuant to 47 U.S.C. § 214(e)(1), an ETC petition must contain the following: (1) a certification that the petitioner offers or intends to offer all services designated for support by the FCC pursuant to Section 254(c); (2) a certification that the petitioner offers or intends to offer the services supported by the federal universal service mechanisms throughout the designated service area "either using its own facilities or a combination of its own facilities and resale of another carrier's services" (including the services offered by another ETC); (3) a description of how the petitioner "advertise[s] the availability of [supported] services and the charges therefore using media of general distribution"; and (4) a detailed description of the geographic service area for which it requests an ETC designation from the Commission.<sup>37</sup>

As the FCC set forth in its 2005 ETC Designation Order,<sup>38</sup> a telecommunications carrier must also satisfy these additional mandatory requirements for it to be designated an ETC and thus eligible to receive federal universal service support: (1) a commitment and ability to provide services, including providing service to all customers within its proposed service area; (2) how it will remain functional in emergency situations; (3) that it will satisfy consumer protection and service quality standards; and (4) that it offers local usage comparable to that offered by the ILEC.<sup>39</sup> These requirements were codified in the FCC's rules and regulations.<sup>40</sup> The FCC subsequently added an additional requirement concerning the Anti-Drug Abuse Act of 1988.<sup>41</sup>

In addition to meeting these statutory requirements, state commissions must also perform a "public interest" review before approving an ETC designation. Section 214(e)(2) of the Act states that, "[u]pon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications car-

rier" for a designated service area, so long as the requesting carrier meets the requirements of Section 214(e)(1).<sup>42</sup>

Thus, our review of ATI's petition will be done consistent with the federal requirements that must be met in order for an applicant to receive designation as an ETC, as codified, which we have adopted and implemented in the Commonwealth as the minimum standards applicable to ETC designation. Our review of ATI's petition also will be done to ensure consistency with independent Pennsylvania law as an ongoing obligation.

#### A. The FCC's Rules Governing ETC Designations

##### 1. 47 CFR § 54.101(a) and (b)

#### *Certification Regarding the Offering of All Services Designated for Support*

The FCC defines supported service as qualifying voice service and the offering of qualifying broadband services.<sup>43</sup> As a condition of receiving support, ETCs must offer qualifying voice service as a standalone service throughout their designated service area and must offer voice telephony services at rates that are reasonably comparable to urban rates.<sup>44</sup> Accordingly, all ETCs must satisfy these criteria.

All ETCs must offer qualifying voice service using their own facilities, at least in part.<sup>45</sup> The Commission has interpreted the term "facilities," for purposes of Section 214(e) of the Act, to mean "any physical components of the telecommunications network that are used in the transmission or routing of the services designated for support under section 254(c)(1)."<sup>46</sup> As explained by the FCC, "a carrier need not offer universal service wholly over its own facilities in order to be designated an eligible carrier because the statute allows an eligible carrier to offer the supported services through a combination of its own facilities and resale."<sup>47</sup> Facilities are the ETC's "own" if the ETC has exclusive right to use the facilities to provide the supported services<sup>48</sup> or when service is provided by any affiliate within the holding company structure.<sup>49</sup>

An ETC satisfies its obligation to "offer" qualifying services by being legally responsible for dealing with customer problems, providing quality of service guarantees, and meeting federal USF-related requirements.<sup>50</sup> Accordingly, a broadband provider may satisfy its voice obligation by offering voice service through an affiliate or

<sup>42</sup> Verizon PA and Verizon North are not rural ILECs in Pennsylvania. However, Windstream PA and CenturyLink are.

<sup>43</sup> 47 CFR § 54.101 (including both eligible voice telephony and eligible broadband Internet access as services "supported by federal universal service support mechanisms," and characterizing the provision of eligible broadband service as a high-cost public interest obligation); see also USF/ICC Transformation Order, 26 FCC Rcd at 17691-94, paras. 74-89 (describing the "core functionalities of the supported services as 'voice telephony service,'" and as a separate condition of receiving federal high-cost universal service support, all ETCs are required to offer BIAS in their supported area that meets certain basic performance requirements).

<sup>44</sup> USF/FCC Transformation Order, 26 FCC Rcd at 17693, paras. 80-81; see also 47 CFR § 54.101(b).

<sup>45</sup> 47 U.S.C. § 214(e)(1); 47 CFR § 54.101. The FCC has exercised forbearance from the provision requiring that providers must provide supported service using at least a portion of their own facilities for certain wireless Lifeline-only providers. See Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petitions for Limited Eligible Telecommunications Carrier Designation in New York, Pennsylvania, Virginia, North Carolina, and Tennessee, Order, 24 FCC Rcd 3381 (2009) (Virgin Mobile Order).

<sup>46</sup> Universal Service Order, 12 FCC Rcd at 8847, para. 128.

<sup>47</sup> Id. at 8870, para. 169.

<sup>48</sup> Id. at 8866, para. 160.

<sup>49</sup> December 2014 CAF Order, 29 FCC Rcd at 15668 n.43; see also 47 U.S.C. § 153(2) (defining an affiliate as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person").

<sup>50</sup> Cf. Connect America Fund, Report and Order, 28 FCC Rcd 7211, 7215, para. 9 (2013) (Phase II Challenge Process Order) (finding that it is not sufficient for a broadband provider to qualify as an "unsubsidized competitor" if a consumer must obtain voice service from a third party, because that broadband provider would not be offering a voice service).

<sup>34</sup> See generally Universal Service Order and the 2005 ETC Designation Order.

<sup>35</sup> See ETC Guidelines Order at 4.

<sup>36</sup> The Commission's ETC designation review process reflects the current requirements under federal and state law. But the Commission acknowledges that ETC designation requirements imposed under state and federal law may change in response to subsequent developments.

<sup>37</sup> See Universal Service Order, 12 FCC Rcd 8776, 8847-76, paras. 130-180.

<sup>38</sup> See ETC Designation Order, 20 FCC Rcd at 6380, para. 20 (citing Federal-State Joint Board on Universal Service, Recommended Decision, 19 FCC Rcd 4259, para. 5 (Fed-State Jt. Bd. 2004)).

<sup>39</sup> In the 2005 ETC Designation Order, the FCC also established that an ETC may be required to provide equal access if all other ETCs in the service area relinquish their designations. In the USF/ICC Transformation Order, the FCC determined that the above ETC equal access requirement was obsolete and deleted it from 47 CFR § 54.202. The FCC stated because this rule was obsolete, it found good cause to delete it without notice and comment. USF/ICC Transformation Order, FCC Rcd 17872, para. 647 and Appendix A.

<sup>40</sup> See 47 CFR § 54.202.

<sup>41</sup> 21 U.S.C. § 862; 47 CFR § 1.2002(a)-(b).

by offering a managed voice solution (including Voice-over-Internet Protocol or VoIP) through a third-party vendor but cannot simply rely on the availability of over-the-top voice options.<sup>51</sup>

ATI attests that it will be providing all of the services and functionalities supported by the federal universal service program as set forth in Section 54.101(a) of the FCC's regulations throughout its Designated Area in the Commonwealth of Pennsylvania using at least a portion of its own facilities.<sup>52</sup>

*a. Voice Grade Access to the Public Switched Telephone Network (PSTN)*

ATI meets the ETC requirement of being a common carrier. As previously stated, ATI is certificated as a CAP, CLEC and IXCR in Pennsylvania. Moreover, ATI represents that it will extend its voice service in its Designated Area by extending its own fiber network to additional service locations in the Designated Area.<sup>53</sup> As such, ATI is a common carrier under 47 U.S.C. § 214(e)(1) for purposes of ETC designation.<sup>54</sup>

*b. Minutes of Use for Local Service*

As part of the voice grade access to the PSTN, an ETC must provide local calling services to its customers at no additional charge. Although the FCC did not set a minimum local usage requirement, in the Universal Service Order, it determined that ETCs should provide some minimum amount of local usage as part of their "basic service" package of supported services.<sup>55</sup> However, the FCC has determined that a carrier satisfies the local usage requirements by including a variety of local usage plans as part of a universal service offering. ATI has stated that it will offer a variety of local usage plans.<sup>56</sup> In particular, ATI's telephone service includes unlimited local and long distance.<sup>57</sup> Additionally, ATI's proposed Lifeline offering, as described, also complies with the local usage requirements established by the FCC. This meets the local calling requirement of 47 CFR § 54.101. In addition to voice services, ATI will provide Lifeline customers with access to a variety of other features at no cost, including voice mail, caller I.D., call waiting services and E911 capabilities.<sup>58</sup>

*c. Access to Emergency Services*

ATI certifies that it will provide access to 911 and E911 emergency services for all of its customers throughout its entire service area.<sup>59</sup>

*d. Toll Limitation Services*

Under the language of Section 54.400, the FCC has defined three terms addressing the service provided by an ETC by which a subscriber may prevent toll charges from

accumulating beyond a set point. Specifically, Subsection 54.400(b) of the FCC's regulations defines "toll blocking" as the service a subscriber may elect to not allow outgoing toll calls. Subsection (c) defines "toll control service" as the service a subscriber may elect to specify a set amount of toll usage allowed per month or per billing cycle. Subsection (d) defines "toll limitation service" as a generic term covering either toll blocking or toll control service for ETCs that are incapable of providing both or covering both services.

Section 54.401(a)(2), toll limitation service, does not need to be offered for any Lifeline service that does not distinguish between toll and non-toll calls in the pricing of the service. If an ETC charges Lifeline subscribers a fee for toll calls that is in addition to the per month or per billing cycle price of the subscribers' Lifeline service, the carrier must offer toll limitation service at no charge to its subscribers as part of its Lifeline service offering.

ATI's Lifeline service will include unlimited local and long-distance calling. ATI uses toll control to restrict calls to international or premium rate numbers unless the customer requests access in writing to have those controls lifted.<sup>60</sup> Therefore, the nature of ATI's service eliminates the concern that low-income customers will incur significant charges for long distance calls, risking disconnection of their service.

*e. Eligible Broadband Internet Access Services*

An ETC subject to a high-cost public interest obligation to offer BIAS must offer BIAS that provides the capability to transmit data to and receive data by wire or radio from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service, within the areas where it receives high-cost support.<sup>61</sup>

ATI satisfies this requirement because it furnishes broadband Internet access that provides the capability to transmit data to and receive data by wire from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service.<sup>62</sup> Through the CAF II support received from Auction 903, ATI will extend its existing fiber network to provide broadband Internet access to the Designated Area.<sup>63</sup>

*2. 47 CFR § 54.201*

*Definition of ETC*

Pursuant to Section 153(10) of the Act, "common carrier" is defined as "any person engaged as a common carrier for hire, in interstate or foreign communications by wire or radio[.]" 47 U.S.C. § 153(10). A carrier is eligible under Section 54.201 so long as it offers the services set forth in Section 54.101, either through its own facilities or a combination of its own facilities and the resale of another carrier's services and advertises the availability of the federal universal support services using media of general distribution.<sup>64</sup> Common carriers that provide services consistent with the requirements of Section 214(e) may be designated ETCs.

As previously found, ATI meets the ETC requirement of being a common carrier. As previously stated, ATI is

<sup>51</sup> See Connect America Fund et al., Order on Reconsideration, 33 FCC Rcd 1380, 1387-88, para. 20 (2018) (rejecting arguments contending that "because VoIP is provided over broadband networks and over-the-top voice options are available, broadband service providers need only offer broadband as a standalone service," and requiring carriers to "offer VoIP over their broadband network on a standalone basis"); cf. Phase II Challenge Process Order, 28 FCC Rcd 7224, n.21 (explaining that a broadband provider would be considered to be providing voice service if it did so through an affiliated competitive local exchange company or "through a managed voice solution obtained from a third party vendor...so long as the broadband provider is the entity responsible for dealing with any customer problems, and it provides quality of service guarantees to end user customers").

<sup>52</sup> See Petition at 2-3.

<sup>53</sup> ATI June 27, 2019 response to Staff inquiry.

<sup>54</sup> See Petition at 2.

<sup>55</sup> See Universal Service Order, 12 FCC Rcd 8776, 8813, para. 67. Although the FCC's rules define "local usage" as "an amount of minutes of use of wire center service, prescribed by it, provided free of charge to end users," the FCC has not specified a number of minutes of use. See 47 CFR 54.101(a)(1). See also Federal-State Joint Board on Universal Service, Recommended Decision, CC Docket No. 96-45, FCC 02J-1 (rel. Jul. 10, 2002).

<sup>56</sup> ATI's April 24, 2019 supplement at 2-3.

<sup>57</sup> Id.

<sup>58</sup> See Petition at 2.

<sup>59</sup> See Petition at 2.

<sup>60</sup> ATI's April 24, 2019 supplement at 2-3.

<sup>61</sup> 47 CFR §§ 54.101(a)(2) and (c).

<sup>62</sup> 47 CFR § 54.101(a)(2).

<sup>63</sup> ATI's April 24, 2019 supplement at 9.

<sup>64</sup> The statutory and regulatory requirement to provide supported Lifeline service through a combination of a carrier's own facilities and those of another carrier has in certain instances been obviated through forbearance by the FCC. See, e.g., Virgin Mobile Order. That forbearance is not at issue in this Petition.

certificated as a CAP, CLEC and IXCR in the service territories of Verizon PA, Verizon North and Windstream in Pennsylvania. Moreover, ATI will provide voice service in its Designated Area through its own facilities by extending its fiber network to additional service locations in its Designated Area.<sup>65</sup> As such, ATI is a common carrier under 47 U.S.C. §§ 214(e)(1) and 214(e)(6) for purposes of ETC designation.<sup>66</sup>

ATI will advertise the availability of its Lifeline services on its website and using media of general distribution.<sup>67</sup> ATI's Lifeline service page will show the Lifeline service options available, and ATI will seek input and approval from the Bureau of Consumer Services (BCS) before placing this page into service. ATI staffs a local operations center that is open to the public to field calls and assist existing and new subscribers with completing paper applications or the online National Verifier applications.<sup>68</sup>

### 3. 47 CFR § 54.202

#### *Additional Requirements*

ATI also meets the additional requirements for ETC designation as outlined in the Commission's Policy Statement at 52 Pa. Code § 69.2501 and set forth in Section 54.202, as discussed below.

#### a. 47 CFR § 54.202(a)(1)

##### *Compliance with Service Requirements*

In order to satisfy these criteria, an ETC applicant must demonstrate its commitment and ability to provide supported services throughout the Designated Area: (1) by providing services to all customers making a reasonable request for service within the ETC's designated service area; and (2) by submitting a formal network improvement plan that demonstrates how universal service funds will be used to improve coverage, signal strength, or capacity that would not otherwise occur absent the receipt of high-cost support.

To satisfy the first prong and ensure that an ETC serves requesting customers in its designated service area and demonstrates its capability and commitment to provide service throughout its designated service area to all customers who make a reasonable request for service, the FCC requires an ETC to make specific commitments to provide services to requesting customers in the service area for which it is designated. If the ETC's network already passes or covers the potential customer's premises, the ETC should provide service immediately. In those instances where a request comes from a potential customer within the petitioner's certificated service area but outside its existing network coverage, the petitioner should provide service within a reasonable period of time if service can be provided at reasonable cost.

ATI certifies that it will comply with all applicable requirements related to receipt of high-cost support, consistent with 47 CFR § 54.202(a)(1)(i). ATI commits to providing voice and broadband service, including all of the supported services, throughout its Designated Area to all customers making a reasonable request for services, as required by 47 CFR § 54.202(a)(1)(i).<sup>69</sup> ATI will also offer Lifeline services as required by the FCC's rules at all locations where it has been awarded support in accordance with 47 CFR 54.101(d).<sup>70</sup>

For supported locations in the eligible census blocks, ATI certifies in its Petition that it will satisfy the FCC's deployment obligations at 47 CFR § 54.310(c) applicable to recipients of CAF Phase II support monies awarded through Auction 903. Specifically, ATI's Designated Area in Pennsylvania is throughout the CAF II census blocks in the areas of Mercer, Crawford and Erie Counties listed in its Petition at Exhibit A, identified for location more broadly by local exchange above, and included in the appendix to this Order.<sup>71</sup>

The "five-year plan" requirement set forth in 47 CFR § 54.202(a)(1)(ii) is inapplicable to ATI. The FCC has eliminated the five-year improvement plan requirement for price cap carriers, rate-of-return carriers and petitioners seeking ETC designation to become eligible to receive Auction 903 support.<sup>72</sup> Therefore, since ATI is a winning bidder in Auction 903, it is not required to file a five-year improvement plan with this Commission.

#### b. 47 CFR § 54.202(a)(2)

##### *Functionality in Emergency Situations*

An ETC applicant is required to demonstrate its ability to remain functional in emergency situations. In order to satisfy this criterion, an applicant must demonstrate it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.

ATI certifies that it intends to design the network with redundancy to enable continuous service.<sup>73</sup> ATI states that the options that are currently contemplated include various batteries and fixed and portable generators.<sup>74</sup> This will ensure that ATI is capable of rerouting traffic around damaged facilities. Additionally, the ONTs installed at the customers' premises also will have battery back-up for up to eight hours when fully charged.<sup>75</sup>

#### c. 47 CFR § 54.202(a)(3)

##### *Customer Service and Service Quality Standards*

For applicants seeking ETC designation for the purposes of becoming authorized to receive Auction 903 high-cost support, the FCC waived the requirement to submit proof of compliance with consumer protection and service quality standards—finding that the need for such requirements is obviated by specific service quality standards applicable to Auction 903 winning bid areas and specific reporting obligations relating to such standards.<sup>76</sup> Nonetheless, under independent Pennsylvania law, ATI must still demonstrate that it will satisfy applicable consumer protection and service quality standards. ATI has certified that as a jurisdictional facilities-based CLEC and IXCR carrier in Pennsylvania, it will remain subject to the consumer protection and service quality standards and regulations promulgated by the Commission.<sup>77</sup>

<sup>71</sup> See Order at pp. 7-8.

<sup>72</sup> See Connect America Fund et al., Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, 31 FCC Rcd 3087, 3166, 3168, paras. 216, 220 (2016) (eliminating five-year plan and related progress reports for federal rate-of-return and price cap carriers) (2016 Rate-of-Return Reform Order); see also Notice, WCB Reminds Connect America Fund Phase II Auction Applicants of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier, WC Docket Nos. 09-197 and 10-90, Public Notice, 33 FCC Rcd 6696, 6699-6700 (WCB 2019) (Auction 903 ETC Public Notice).

<sup>73</sup> ATI's April 24, 2019 supplement at 9.

<sup>74</sup> See Petition at 4.

<sup>75</sup> ATI's April 24, 2019 supplement at 5. Under independent Pennsylvania law, ATI remains subject to Pennsylvania's state emergency service mandates, including the VoIP Freedom Act at 75 P.S. §§ 2251.1—2251.6. See also *Eileen Floyd v. Verizon Pennsylvania LLC*, Docket No. C-2012-2333157 (Order entered April 30, 2013).

<sup>76</sup> See Auction 903 ETC Public Notice.

<sup>77</sup> See Petition at 5.

<sup>65</sup> ATI's April 24, 2019 supplement at 9.

<sup>66</sup> 47 U.S.C. § 214(e)(1), (e)(6).

<sup>67</sup> Petition at 2; April 24, 2019 supplement at 2.

<sup>68</sup> April 24, 2019 supplement at 2.

<sup>69</sup> Petition at 3.

<sup>70</sup> Id.

d. 47 CFR § 54.202(a)(4)

*Financial and Technical Ability*

Generally, a carrier seeking only low-income support under Subpart E, 47 CFR §§ 54.400—54.422, must demonstrate that it possesses the financial and technical ability to provide Lifeline service. A carrier seeking only low-income support also must submit information describing the terms and conditions of any voice telephone service plans and the terms and conditions of any broadband Internet access service plans offered to Lifeline subscribers.

ATI is not seeking an ETC designation for purposes of receiving only Lifeline support. However, ATI must participate in the federal Lifeline program as a condition of receiving an ETC designation to receive high-cost support, and ATI is required to offer Lifeline service to low-income eligible customers or households in its Designated Area. Therefore, the Commission determines that ATI must still demonstrate financial and technical ability to provide Lifeline service.

We find ATI fit to provide Lifeline service in Pennsylvania. As part of our granting its applications to operate as a CAP, CLEC and IXCR in Pennsylvania, we have previously concluded that ATI has demonstrated it is technically, managerially, and financially fit to offer the proposed services. Moreover, we are administratively aware that ATI was one of the successful bidders in the FCC’s CAF II Auction 903 that is aiding with the construction of the planned network facilities in Pennsylvania, and that the FCC’s CAF II bidding process required the substantive demonstration of managerial, technical, and financial fitness elements for the participation of the successful bidders.<sup>78</sup>

We also find that ATI has provided the requisite information about its Lifeline service plan offerings. Upon review, ATI in its Petition commits to offering Lifeline services, consistent with the FCC’s rules and the Commission’s rules and guidelines. And ATI’s supplements include the requisite description of its voice and Internet access service offerings for Lifeline subscribers.<sup>79</sup> Accordingly, we find that ATI meets the requirements of 47 CFR § 54.202(a)(5) and 47 CFR § 54.202(a)(6) as well.

e. 47 CFR §§ 54.202(a)(5) and 54.202(a)(6)

*Terms and Conditions of Lifeline Plans*

Consistent with our prior determination regarding Section 54.202(a)(4) above, we believe these sections are also applicable to ATI’s ETC designation request. Pursuant to Sections 54.202(a)(5) and 54.202(a)(6), ATI commits to offering Lifeline discounts to qualifying low-income consumers, consistent with the FCC’s rules and the Commission’s rules and guidelines, in all high-cost areas where it is authorized to receive support. ATI’s supplements include the requisite description of the service offerings for Lifeline subscribers.<sup>80</sup> Accordingly, we find that ATI meets the requirements of 47 CFR § 54.202(a)(5) and 47 CFR § 54.202(a)(6).

<sup>78</sup> See, e.g., FCC Public Notice, Instructions for Short-Form Application to Participate in the Connect America Fund Phase II Auction Scheduled to Begin on July 24, 2018, AU Docket No. 17-182, (FCC Rel. March 8, 2018), DA 18-182; FCC Public Notice, Technical Guide on Proposed Bidding Procedures for the Connect America Fund Phase II Auction, AU docket No. 17-182, WC Docket No. 10-90, (FCC Rel. August 4, 2018), DA 17-733.

<sup>79</sup> See April 24, 2019 supplement.

<sup>80</sup> ATI supplements dated January 9, 2019, February 19, 2019 and April 24, 2019.

f. 47 CFR § 54.202(b)

*Public Interest Standard*

When making a public interest determination for an ETC designation, the FCC historically has considered the benefits of increased consumer choice and the unique advantages and disadvantages of the petitioner’s service offering.<sup>81</sup> In particular, granting an ETC designation may serve the public interest by providing a choice of service offerings in rural and high-cost areas. However, the value of increased competition, by itself, may not satisfy the public interest test.

In this case, we believe the public interest standard has been met through ATI’s participation in the CAF II process. Such participation will allow ATI to offer voice and broadband data services to areas in Pennsylvania that currently do not have broadband service. ATI was a winning bidder in Auction 903 in the following manner:

<i>Bidder</i>	<i>State</i>	<i>Total Assigned Support for 10-year period</i>	<i>Locations Assigned</i>
Armstrong Telephone Company—Northern Division <sup>82</sup>	PA	\$2,642,412.90	1,949

ETC designations in areas where a winning bidder is authorized to receive Auction 903 support serve the public interest. That arises, in part, because approving an ETC designation for ATI permits it to secure the release of the total 10-year support by the FCC from Auction 903 to deploy broadband-capable networks in rural underserved areas in Pennsylvania that might otherwise prove more expensive or longer to deploy.

Receipt of Auction 903 CAF Phase II federal funds is a considerable benefit to Pennsylvania, which is otherwise a net-contributor state to federal USF funding. It will facilitate the provision of additional access to voice and broadband service to Pennsylvania consumers in rural areas that are expensive and difficult to serve. Recipients of CAF Phase II support are required to offer broadband service at modern speeds with latency suitable for real-time applications, including VoIP, usage capacity that is reasonably comparable to comparable offerings in urban areas. ATI certifies that it will abide by the FCC’s rules for broadband services in accordance with 47 CFR § 54.309.<sup>83</sup>

Certifying ATI as an ETC is in the public interest, pursuant to 47 CFR § 54.202(b), because it will permit ATI to obtain over \$2.6 million in federal high-cost support to provide voice and broadband service to areas that currently do not have modern broadband service.<sup>84</sup> By selecting ATI as a recipient of CAF II funds, the FCC has recognized that the services that ATI intends to offer will advance the goal of universal service and provide needed broadband service to currently underserved areas. ETC designation will allow ATI to fulfill the requirements of the CAF II and apply the high cost support in Pennsylvania for the purposes it was intended.

<sup>81</sup> Federal-State Joint Board on Universal Service, Highland Cellular, Inc. Petition for Designation as an Eligible Telecommunications Carrier for the Commonwealth of Virginia, Memorandum Opinion and Order, 19 FCC Red. 6422, 6424, para. 4 (2004); Federal-State Joint Board on Universal Service, Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia, Memorandum Opinion and Order, 19 FCC Red 1563, 1565, para. 4 (2004).

<sup>82</sup> ATI is the CLEC and the entity petitioning for ETC status. Armstrong Telephone Company—Northern Division is an RLEC. Both companies are part of the Armstrong Group of Companies.

<sup>83</sup> See Petition at 5.

<sup>84</sup> Id.

Moreover, ATI may possibly replace current federal price cap ETCs as the only carrier receiving federal USF high-cost support in these local exchanges.<sup>85</sup> In the December 2014 Connect America Order, the FCC determined that federal price cap carriers can remove their ETC status via the Section 214 process if (1) the census block is determined to be low cost; (2) the census block is served by an unsubsidized competitor offering voice and broadband at speeds of 10/1 Mbps or better to all eligible locations; or (3) the census block is served by a subsidized competitor (another ETC) receiving federal high-cost support to deploy modern networks capable of providing voice and broadband to fixed locations.<sup>86</sup> While Section 214(e)(4) of the Act enables a price cap ETC to seek relinquishment of its ETC designation, it also requires states (or the FCC if it designated the ETC) to “ensure that *all* customers served by the relinquishing carrier will continue to be served.”<sup>87</sup> Hence, if all other ETCs in ATI’s Designated Area relinquish their ETC designations, ATI, as the competitive ETC, may be required to ensure that all customers served by the relinquishing carriers in their respective designated service areas will continue to be served.<sup>88</sup>

Since an ETC designation will assist ATI to secure federal universal service high-cost support funding under CAF Phase II in various census blocks in specific local exchanges and also provide voice services while promoting the deployment of advanced telecommunications and BIAS in the relevant areas and locations of the Commonwealth addressed in the Petition, the Commission determines that ETC designation for ATI is in the public interest. It promotes both the FCC’s and the Pennsylvania General Assembly’s goals of preserving and advancing universal service and ensuring the availability of quality telecommunications services at just, reasonable, and affordable rates within rural and high-cost areas. See 66 Pa.C.S. § 3011(2).

g. *47 CFR § 54.202(c)*

*Tribal Lands*

ETC designation to serve any tribal lands is inapplicable in Pennsylvania, making Section 54.202(c) inapplicable to ATI’s Petition.

h. *47 CFR §§ 54.202(d) and (e)*

*Designation as Lifeline Broadband Provider*

A Lifeline Broadband Provider (LBP) is a service provider that will provide only Lifeline-supported broad-

band service, and not Lifeline-supported voice service. ATI is not seeking designation as an LBP but as a federal high-cost ETC. Therefore, Sections 54.202(d) and (e) are inapplicable to ATI’s Petition.

4. *47 CFR § 54.203*

*ETCs for Unserved Areas*

Because ATI’s Petition does not involve service to an unserved area, Section 54.203 is not applicable.

5. *47 CFR § 54.205*

*Relinquishment of Universal Service*

If at some point in the future ATI seeks to relinquish its ETC designation, ATI agrees to comply with the requirements of Section 54.205 as well as independent state law.

6. *47 CFR § 54.207*

*Service Areas*

Generally, once an entity is designated an ETC in a service area, it must offer the supported services throughout that entire service area.<sup>89</sup> The term service area generally means the overall geographic area for which the carrier shall receive support from federal universal service support mechanisms.<sup>90</sup> A service area is established by a state commission for the purpose of determining universal service obligations and support mechanisms.

ATI was a winning bidder in specific eligible census blocks in Pennsylvania located in local exchanges within the service areas of Verizon PA, Verizon North, Windstream and CenturyLink. Consequently, in its Petition, ATI is seeking ETC designation only in those CAF-eligible census blocks located in local exchanges where it was awarded CAF Phase II support funding via Auction 903. In the ETC Designation Order, the FCC adopted one set of criteria for evaluating the public interest for ETC designations for both rural and non-rural areas.<sup>91</sup> The FCC noted in the ETC Designation Order that the same factors may be analyzed differently or may warrant a different outcome depending on the specifics of the proposed service area and whether it is rural or non-rural.<sup>92</sup> The Commission notes that ATI is seeking ETC designation below the study (or service) area level of both rural and non-rural ILECs.

A portion of the Designated Area in ATI’s Petition is for specific CAF-eligible census blocks located in local exchanges served by Verizon PA and Verizon North, which are non-rural ILECs in Pennsylvania. Based on our analysis of ATI’s Petition and the applicable law, we conclude that a redefinition analysis is not required and approve ATI’s request for an ETC designation below the study area levels of Verizon PA and Verizon North.<sup>93</sup>

Conversely, if an area is served by a rural ILEC, the Act defines the service area for the purpose of designating an ETC to be the rural ILEC’s entire study (or service) area for federal universal service support purposes. Generally, when a competitive ETC seeks to serve an area already served by a rural ILEC, Section 214(e)(5) of the Act imposes an additional requirement that the competitive ETC’s service area must conform to the rural ILEC’s service area.<sup>94</sup> Thus, it is only when an ETC applicant

<sup>85</sup> Notwithstanding Pennsylvania state law, a state commission must allow an ETC to relinquish its designation in any area served by more than one ETC pursuant to Section 214(e)(4) of the Act if conditions are met. See 47 U.S.C. § 214(e)(2). The relinquishing ETC must provide advance notice of such relinquishment to the state commission. Prior to allowing the relinquishing carrier to cease providing universal service, the state commission must require the remaining ETC or ETCs to ensure that all customers served by the relinquishing carrier will continue to be served. The state commission also must require sufficient notice to the remaining ETC or ETCs to permit the purchase or construction of adequate facilities, with such purchase occurring within a specific time period. See 47 U.S.C. § 214(e)(4).

<sup>86</sup> See December 2014 Connect America Order, Report and Order, 29 FCC Red 15644, 15663-71, paras. 50–70.

<sup>87</sup> 47 U.S.C. § 214(e)(4) (emphasis added).

<sup>88</sup> 2005 ETC Designation Order, 20 FCC Red at 6386, para 36. The FCC stated that under Section 214(e)(4) of the Act, the state commission or, in the case of a common carrier not subject to state commission jurisdiction, the FCC “shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier.” However, prior to allowing the carrier to cease providing universal service in the area, the remaining ETC or ETCs will be required to ensure that all customers served by the relinquishing carrier will continue to be served. Furthermore, under Section 251(h)(2) of the Act, the Commission may treat another carrier as the incumbent LEC if that carrier occupies a position in the market that is comparable to the position occupied by the incumbent LEC, if such carrier has substantially replaced an incumbent LEC, and if such treatment is consistent with the public interest, convenience and necessity. Moreover, applicable Pennsylvania law notwithstanding, ILECs seeking to relinquish their ETC designations will remain obligated, however, to maintain existing voice service unless and until they receive authority under 47 U.S.C. § 214(a) to discontinue that service. They also will remain subject to the obligation to offer Lifeline service to qualifying low-income consumers or households throughout their service territory.

<sup>89</sup> 47 U.S.C. § 254(e) (stating that only an ETC is “eligible to receive specific Federal universal service support”).

<sup>90</sup> 47 CFR § 54.207(a).

<sup>91</sup> ETC Designation Order, 20 FCC Red at 6389-90, paras. 42-43.

<sup>92</sup> *Id.*

<sup>93</sup> See Connect America Fund et al., Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Red 5949, 6005-09, paras. 157–168 (2016) (Phase II Auction Order).

<sup>94</sup> See ETC Designation Order, 20 FCC Red at 6392-95, paras. 48–53.

seeks designation below the study (service) area level of a rural ILEC that redefinition comes into play. If a state commission seeks to designate a competitive ETC in a rural ILEC's service area that differs from the rural ILEC's existing service area, that rural service area must first be redefined under the process set forth under the Act, and the Commission would be required to conduct a cream-skimming analysis to compare the population density of the wire centers in which the ETC applicant seeks designation against that of the wire centers in the study area in which the ETC applicant does not seek designation.<sup>95</sup>

Portions of ATI's requested Designated Area are in two rural ILEC (RLEC) service territories: Windstream PA and CenturyLink. However, instead of seeking an ETC designation throughout the entire RLECs' service territories, ATI is requesting to be designated an ETC below those full-service areas. In particular, ATI seeks an ETC designation only in the CAF-eligible census blocks within these Windstream PA and CenturyLink local exchanges:

- Windstream PA: Cochranon, Conneaut Lake, Conneautville, Guys Mills, Jamestown, Linesville, Meadville, Saegertown, Townville, Westford, Fredonia, Sandy Lake and Sheakleyville.
- CenturyLink: Blacktown.

Under standard ETC requests, the Commission would have to undergo a redefinition analysis of the particular RLEC service territory since the Petitioner requests to serve only portions of the RLECs' service areas and Section 214(e)(5) of the Act, 47 U.S.C. § 214(e)(5), requires conformance of a competitive ETC's and an RLEC's service areas. However, the FCC has waived its rules regarding the redefinition process for Auction 903 recipients.<sup>96</sup>

In its Phase II Auction Order, the FCC held that for those entities that were seeking to obtain ETC designations solely as a result of being selected as winning bidders for the Auction 903 support, it was best to forbear from applying Section 214(e)(5) of the Act and Section 54.207(b) of the FCC's rules insofar as those sections require that the service area of such an ETC conform to the service area of any RLEC serving an area eligible for Phase II support.<sup>97</sup> The FCC noted that since price cap ETCs had declined the offer of model-based support and another entity is now receiving that declined support through Auction 903, the incumbent ETC's service area is no longer a relevant consideration in determining the geographic scope of a winning bidder's ETC designation.

Pennsylvania-specific carrier of last resort obligations notwithstanding, the FCC expressly noted that “[i]f the rural telephone affiliate of a [federal] price cap carrier declines the offer of support and another entity is selected as the winning bidder to serve a portion of its area through the competitive bidding process, the incumbent will be replaced by the Phase II competitive bidding recipient in those areas, and the incumbent's legacy service area will no longer be a relevant consideration in determining where the winning bidder should be designated as an ETC.”<sup>98</sup>

Additionally, the FCC noted that forbearing from the service area conformance requirement eliminated the need for redefinition of any RLECs' service areas in the context of the Phase II competitive bidding process.<sup>99</sup> The FCC directly addressed its previously required “cream-skimming analysis,” an analysis triggered out of the concern that an ETC serving only a relatively low-cost portion of an RLEC's service area might skim only the cream of customers by receiving per line support based on the RLECs' cost of serving the entire service area. The FCC determined that such an analysis is irrelevant since a winning bidder will be the only carrier receiving support to serve a bid area and must serve areas the marketplace would not otherwise serve absent the Auction 903 support.<sup>100</sup> Thus, past “cream-skimming” concerns are not relevant to the CAF II support awarded through a competitive process.<sup>101</sup>

Here, ATI was a winning bidder in specific eligible census blocks in Windstream and CenturyLink's service areas, and ATI is only seeking ETC designation in those specific census blocks. Even though ATI is seeking ETC designation below the study area level of those RLECs, as explained above, applicable law concerning petitioners seeking ETC designations for the purpose of becoming authorized to receive Auction 903 support dictates that the analysis that the relevant state and the FCC historically undertook when deciding whether to redefine an RLEC's service area is not applicable to this Phase II competitive bidding process.<sup>102</sup>

Based on our analysis of ATI's Petition and the applicable law, we conclude that redefinition is not required and approve ATI's request for an ETC designation below the study area level for each of these RLECs.<sup>103</sup>

#### *B. Certification of Eligibility for Benefits under the Anti-Drug Abuse Act*

Petitioners must certify that neither the petitioner nor any party to the petition is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, as implemented in Section 1.2002 of the FCC's rules.<sup>104</sup> ATI certifies that no party to its Petition is subject to denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>105</sup>

#### *C. ATI Satisfies the FCC's Rules and Federal Requirements Governing High-Cost ETC Designations*

Based upon our review of ATI's Petition, as supplemented, we determine that ATI satisfies all the applicable and relevant FCC rules and federal requirements necessary to obtain an ETC designation for the purpose of receiving Auction 903 high-cost support. We understand that ATI specifically stated in its Petition that it is seeking ETC designation in PA only in the CAF-eligible census blocks within the thirty-three local exchanges located throughout the Verizon Pa, Verizon North, Windstream PA and CenturyLink service territories.<sup>106</sup> This limited

<sup>95</sup> Id. at 6006-09, paras. 162–68.

<sup>100</sup> Id. at 6008, para. 165. It does not appear to us that the high-cost census blocks where ATI was a successful bidder are the low cost/high density areas that historically have been the focus of the FCC's cream skimming analysis. Rather, by virtue of their inclusion in Auction 903, these are high-cost or extremely high-cost areas.

<sup>101</sup> Id.

<sup>102</sup> Cf. Petition of Tri-Co Connections, LLC for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Pennsylvania, docket No. P-2018-3005127 (Order entered April 11, 2019) (Tri-Co Connections).

<sup>103</sup> Id.

<sup>104</sup> See 47 CFR § 1.2002.

<sup>105</sup> See Petition, Exhibit B.

<sup>106</sup> January 14, 2019 Supplement at 9.

<sup>95</sup> Id.

<sup>96</sup> See Connect America Fund et al., Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949, 6005-09, ¶¶ 157–168 (2016) (Phase II Auction Order).

<sup>97</sup> See Connect America Fund et al., Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949, 6005-09, paras. 157–168 (2016) (Phase II Auction Order).

<sup>98</sup> Id. at 6006, para. 159.

designation of ATI as a federal high-cost ETC in the high-cost CAF-eligible census blocks in Pennsylvania is in the public interest.<sup>107</sup>

Consumers will benefit from the Commission's decision to designate ATI an ETC in the census blocks specified in its Petition and this Order, which will allow ATI to receive the CAF Phase II support to expand voice and broadband-capable networks with service quality that meets the FCC's and Pennsylvania's requirements. As an ETC receiving federal high-cost support, ATI is obligated to ensure that the support it receives is being used only for the provision, maintenance, and upgrading of facilities and services in the areas where it is designated an ETC. Additionally, because ATI will also be providing voice and BIAS to non-Lifeline customers, we require ATI to comply with applicable Commission and FCC requirements governing the delivery of voice and BIAS to non-Lifeline consumers.

ATI is being designated a federal high-cost ETC only in the CAF-eligible census blocks covered by ATI's award in Auction 903 that are located in Verizon Pa, Verizon North, Windstream and CenturyLink's service territory. The Commission cautions ATI that it may replace the current incumbent ETCs in the future as the only carrier receiving federal high-cost support in the local exchanges where it has received an ETC designation. The Commission acknowledges that an incumbent ETC in ATI's Designated Area may seek and be granted relinquishment by the Commission of its respective ETC designations under 47 U.S.C. § 214(e)(4). If such relinquishment occurs, ATI, as the competitive ETC, will be required to ensure that all customers served by a relinquishing carrier in ATI's Designated Area will continue to be served.

## II. Federal Requirements of Eligible Telecommunications Carriers for Universal Service Support for Low-Income Consumers

Upon receipt of a federal high-cost ETC designation, a winning CAF bidder is required to offer Lifeline services and is required to comply with the rules and requirements of the federal Lifeline program. These rules and requirements have now been amended by the FCC's Lifeline Reform Orders and are codified at 47 CFR §§ 54.101, et seq.

The major goal of the FCC's Lifeline Reform Orders was to implement procedures designed to preserve federal USF resources and prevent waste, fraud and abuse. To that end, the FCC codified rules governing the entire process of Lifeline reimbursement from the USF. These changes established defined terms governing the provision of low-income support and established parameters governing a carrier's duties and eligibility for USF low-income support. Specifically, revised Section 54.400 establishes relevant terms and definitions for provision of Lifeline; Section 54.401 defines Lifeline as a non-transferrable retail service; Section 54.403 establishes the Lifeline support amounts that ETCs may seek from the federal USF; and Section 54.404 requires the creation of

the National Lifeline Accountability Database (NLAD),<sup>108</sup> which intends to provide a national database for ETCs to cross-check subscriber eligibility as a means to eliminate the federal USF support for duplicative or otherwise ineligible subscribers.

Further, the Lifeline Reform Orders instituted substantial changes which have impacted consumer qualification for Lifeline, including: Section 54.410 (Subscriber Eligibility Determination); Section 54.416 (Annual Certifications by ETCs); Section 54.417 (Record Keeping Requirements); and Section 54.422 (Annual Reporting for ETCs that Receive Low-income Support). These regulations govern the prerequisite duties of an ETC seeking low-income support from the federal USF.

All current and future ETCs must meet the minimum standards set forth in the FCC's Lifeline Reform Orders. All minimum federal requirements of the FCC's Lifeline Reform Order not expressly discussed herein, are nonetheless applicable to ETC designation requests in Pennsylvania. This includes any subsequent developments in those federal requirements. However, ATI is required to offer Lifeline-supported services only in the high-cost eligible census blocks for which it will receive CAF Phase II high-cost support via Auction 903 support—its Designated Area.<sup>109</sup>

### A. The FCC's Rules Governing Lifeline

#### 1. 47 CFR § 54.410

##### *Subscriber Eligibility Determination and Annual Certifications*

The requirements for subscriber eligibility determination and annual certification requirements in Section 54.410 of the FCC's rules are the major requirements established to prevent waste, fraud, and abuse. These requirements pertain to consumer eligibility factors for Lifeline and the corresponding obligation for continued verification of that eligibility. Thus, every Lifeline consumer's eligibility is to be recertified annually.

In its 2016 Lifeline Order, the FCC established the National Verifier as the entity designated to make eligibility determinations and perform a variety of other functions necessary to enroll eligible subscribers into the Lifeline Program. As outlined in the 2016 Lifeline Order, "[t]he [FCC's] key objectives for the National Verifier are to protect against and reduce waste, fraud, and abuse; to lower costs to the Fund and Lifeline providers through administrative efficiencies; and to better serve eligible beneficiaries by facilitating choice and improving the enrollment experience."<sup>110</sup> The National Verifier is a centralized system that determines whether subscribers are eligible for Lifeline. The Universal Service Administrative Company (USAC) manages the National Verifier and its customer service department, the Lifeline Support Center. Service providers can help Lifeline consumers obtain an eligibility decision from the National Verifier

<sup>107</sup> In its ETC Petition, ATI's ETC designation request was limited only to those CAF-eligible census blocks for which it had been awarded Auction 903 funding support. We note that this specific request is unlike other Pennsylvania Auction 903 winning bidders that may have included in their ETC designation request certain areas that are adjacent to the CAF-eligible census blocks where they submitted a winning bid. In those instances, the petitioners are not eligible to receive CAF Phase II high-cost support funding via Auction 903 in those adjacent areas and, thus, can only receive a Lifeline-only designation in those areas. Cf. Tri-Co Connections.

<sup>108</sup> NLAD is a national database that allows service providers to check on a real-time, nationwide basis whether a consumer is already receiving a Lifeline Program-supported service. Thus, the NLAD is used to prevent duplicative Lifeline enrollments. In 2016, the FCC established the National Verifier to make eligibility determinations to enroll eligible subscribers into the Lifeline Program. There are a variety of criteria by which an applicant can demonstrate Lifeline eligibility, including income eligibility or participation in various federal assistance programs. USAC, the federal USF administrator, manages both the National Verifier and NLAD. As to ATI's de-enrollment processes, however, as stated *infra*, ATI's ongoing Lifeline requirement remains subject to future developments for Lifeline service in general under state and federal law.

<sup>109</sup> As previously noted, ATI's request for ETC designation was limited to its Designated Area—the census blocks for which it was awarded Auction 903 support. Therefore, ATI is not seeking a Lifeline-only ETC designation for any census blocks outside its Designated Area and is not authorized to offer Lifeline service beyond its Designated Area.

<sup>110</sup> 2016 Lifeline Order, 31 FCC Rcd at 4007, para. 128.

through the service provider portal, or consumers can apply on their own by mail or online. USAC will determine if the applicant is eligible for Lifeline.

The National Verifier was fully launched in Pennsylvania in March of 2019 and is the only means used for eligibility determination. New and potential Lifeline consumers will receive their initial income-based eligibility determination by signing into CheckLifeline.org from any computer or mobile device to create an account, receive an eligibility decision, and use the list of service providers in their area to contact one to enroll. ATI must use the National Verifier to verify eligibility for its potential Lifeline customers given USAC's implementation of the National Verifier in Pennsylvania.<sup>111</sup>

Additionally, section 54.410(f) of the federal rules provides for an annual recertification process by which each subscriber's eligibility for Lifeline service must be recertified. 47 CFR § 54.410(f). In Pennsylvania, service providers must use the National Verifier to recertify their Lifeline subscribers. Accordingly, Lifeline subscribers will be recertified either automatically through the National Verifier's state/federal data sources or receive a recertification request from USAC.

The FCC modified Sections 54.410(b)(2)(ii), (c)(2)(ii), and (e) of its rules to clarify that where use of the National Verifier determines the consumer's initial eligibility determination or recertification, the National Verifier is not required to deliver copies of those source documents to the ETC. The FCC determined that this amendment to the rules was consistent with its goals that the National Verifier ease burdens on Lifeline service providers while improving privacy and security for consumers applying to participate in the program.

Further, this amendment brings Section 54.410 of the rules in line with the FCC's stated intent in the 2016 Lifeline Order that Lifeline providers would not be required to retain eligibility documentation for eligibility determinations made by the National Verifier as it presents unnecessary risk to the privacy and security of subscriber information. Thus, ATI is not required to retain documentation of eligibility criteria determinations by the Lifeline National Verifier.<sup>112</sup>

ATI must comply with the federal policy for de-enrolling an account from Lifeline support for non-use is consistent with the FCC rules. ATI must certify that if it receives notification from USAC, the administrator of universal service, that a subscriber is receiving Lifeline service from another ETC or if another member of the household is receiving Lifeline service, it will de-enroll that subscriber in accordance with Section 54.405(e)(2) of the FCC's rules. Additionally, if ATI has a reasonable basis to believe that a Lifeline subscriber is no longer eligible to receive Lifeline service, it will notify that subscriber of impending termination of service utilizing a combination of communication methods including calling the subscriber. The subscriber will then have 30 days to demonstrate appropriate eligibility for Lifeline service via NLAD that it is eligible for Lifeline.

Additionally, ATI must certify that it will de-enroll Lifeline customers for non-usage and failure to recertify in accordance with Sections 54.405(e)(3) and (4), respectively, of the FCC's rules. Furthermore, ATI must certify

<sup>111</sup> For low-income consumers residing in group facilities or at an address shared by multiple households, the FCC's "One Per-Household rule" establishes that a "household" is defined as "any individual or group of individuals who are living at the same address as one economic unit." 47 CFR § 54.400(h). Lifeline applicants may demonstrate at the time of enrollment that another Lifeline recipient resides at their address as part of a separate household.

<sup>112</sup> 47 CFR § 54.410(c) and (d).

that it will de-enroll subscribers who have not used their Lifeline service for a period of 30 days. Pursuant to procedures outlined in the FCC's rules, following 30 days of non-usage by a Lifeline subscriber, ATI must send a notice to that subscriber stating that failure to use the service within the next 15 days will result in de-enrollment from Lifeline service. However, where a carrier bills on a monthly basis and collects or makes a good faith effort to collect any money owed within a reasonable amount of time, the Lifeline service provider will not be subject to the non-usage requirements.

ATI agrees it will comply with the National Verifier's consumer eligibility determinations per the applicable FCC rules. This includes the FCC's Lifeline Reform Orders' amendment to the minimum eligibility criteria for consumers to receive Lifeline support, the revision to the eligibility determination process through the use of the National Verifier, and the modification of the annual recertification process as the National Verifier will also recertify subscribers each year.

#### 2. 47 CFR §§ 54.416, 54.417 and 54.422

##### *Annual Certifications, Recordkeeping and Reporting*

As previously noted, the FCC's rules contain certain annual certification, recordkeeping, and reporting requirements for ETCs participating in the Lifeline program. For one, a service provider must annually certify in FCC Form 555 that is submitted to USAC that it complies with all applicable federal Lifeline certification procedures. The ETC certifies that it has policies and procedures in place to ensure that the Lifeline subscribers are eligible to receive Lifeline services.<sup>113</sup> Consistent with our prior discussion related to Section 54.410(f), ATI's Lifeline subscribers will be recertified either automatically through the National Verifier's state/federal data sources, or receive a recertification request from USAC. In any event, ATI in its Petition represents that it will establish procedures to comply with these provisions.

##### *B. ATI Satisfies All the Federal Requirements Regarding Lifeline*

As a CAF II winning bidder and high-cost ETC, ATI is obligated to offer Lifeline-supported services in its Designated Area. ATI also is obligated to comply with the rules and requirements of the federal Lifeline program, including, inter alia, compliance with the FCC's updated rules for determining subscriber eligibility and annual recertification. Based upon our review of ATI's Petition, as supplemented, we determine that ATI satisfies all the applicable and relevant FCC rules and federal requirements regarding Lifeline.

### **III. Pennsylvania-Specific Requirements for ETC Designation**

In addition to the minimum federal standards above, through our ETC Guidelines, ATI must comply with Pennsylvania statutory law and Commission orders which govern Pennsylvania's Lifeline program.<sup>114</sup> 52 Pa. Code § 69.2501(b).

#### *A. Section 3019(f) Requirements*

Section 3019(f) of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. § 3019(f), and the Commission's PA Lifeline Order set forth the minimum Pennsylvania requirements for ETCs seeking low income support from the federal Lifeline Program. Section 3019(f) includes the following requirements for ETCs:

<sup>113</sup> 47 CFR § 54.416.

<sup>114</sup> Because the FCC's Lifeline Reform Order discontinued the Link-Up support from the federal USF, all references to Link-Up programs are now inapplicable.

(1) All eligible telecommunications carriers certificated to provide local exchange telecommunications service shall provide Lifeline service to all eligible telecommunications customers who subscribe to such service.

(2) All eligible telecommunications customers who subscribe to Lifeline service shall be permitted to subscribe to any number of other eligible telecommunications carrier telecommunications services at the tariffed rates for such services.

(3) Whenever a prospective customer seeks to subscribe to local exchange telecommunications service from an eligible telecommunications carrier, the carrier shall explicitly advise the customer of the availability of Lifeline service and shall make reasonable efforts where appropriate to determine whether the customer qualifies for such service and, if so, whether the customer wishes to subscribe to the service.

(4) Eligible telecommunications carriers shall inform existing customers of the availability of Lifeline services twice annually by bill insert or message. The notice shall be conspicuous and shall provide appropriate eligibility, benefits and contact information for customers who wish to learn of the Lifeline service subscription requirements.

(5) Eligible telecommunications carriers shall provide the Department of Public Welfare with Lifeline service descriptions and subscription forms, contact telephone numbers, and a listing of the geographic area or areas they serve, for use by the Department of Public Welfare in providing the notifications required by this paragraph.

(6) No eligible telecommunications carrier shall be required to provide after the effective date of this section any new Lifeline service discount that is not fully subsidized by the federal universal service fund.

ATI certifies that it will comply with the requirements for ETC designation contained in Section 3019(f) of the Code and the Pennsylvania Lifeline Order.<sup>115</sup> ATI will provide its Lifeline service to all eligible telecommunications customers who wish to subscribe to such service. ATI will also agree to permit eligible customers to subscribe to such service and who reside within its Designated Area. The company also will agree to permit eligible customers to subscribe to any number of its other telecommunications services at the standard rates for such services. ATI will establish protocols so that whenever a prospective customer in its Designated Area seeks to subscribe to ATI's service, ATI will explicitly advise the customer of the availability of Lifeline service and shall meet federal requirements to determine whether the customer qualifies for such service and, if so, whether the customer wishes to subscribe to the service.

Furthermore, ATI will inform existing customers of the availability of Lifeline service twice annually by text or email message. To comply with Section 3019(f)(4), ATI must inform existing customers of the availability of Lifeline service twice annually by conspicuous bill insert or message that provides eligibility, benefit and contact information. Finally, ATI will provide the Commonwealth's DHS its Lifeline service descriptions and subscription forms, contact telephone numbers and a listing of the geographic area or areas it serves for use by DHS in providing notification under Section 3019(f)(5).

#### *B. Other Pennsylvania Requirements and Relevant Reporting Requirements*

In addition to the Pennsylvania statutory requirements, the Commission has established Lifeline eligibility criteria,

as well as procedures for certification and verification of a consumer's initial and continuing eligibility.<sup>116</sup> We note that many Pennsylvania-specific requirements set forth in our PA Lifeline Order such as the requirements for certification and verification of a customer's initial and continued eligibility for Lifeline services have been impacted by Lifeline developments at the federal level. For example, the creation of the NLAD at 47 CFR § 54.404, has led to changes in the Pennsylvania-specific requirements for eligibility verification.

Additionally, ETCs are further ordered to report to the Commission annual changes in Pennsylvania Lifeline enrollment.<sup>117</sup> The Commission continues to reserve our right to impose separate state-specific requirements where necessary for the protection of the Commonwealth's consumers. As shown below, ATI commits to complying with relevant requirements set forth in the Pennsylvania Lifeline Order, Tracking Report Order,<sup>118</sup> and Policy Statement<sup>119</sup> that are applicable to a facilities-based provider.

#### *1. Compliance with Eligibility Certification and Verification*

As a condition of its ETC designation, ATI must query the NLAD to ascertain a potential Lifeline applicant's eligibility for service. Compliance with the Lifeline eligibility verification requirements are essential for prevention of waste, fraud and abuse. In particular, all ETCs designated by this Commission are required to take the necessary steps to ensure that Lifeline support paid by the federal USF to the carrier is remitted only for eligible low-income consumers or households.

As stated above, ATI must use the National Verifier when helping consumers apply to the Lifeline Program. In addition, ATI must include a public education component as part of its Lifeline outreach program to ensure that consumers are aware of and can participate in, the eligibility determination from the National Verifier.

By our PA Lifeline Order we also required eligibility be confirmed annually and required "[t]hat LECs offering Lifeline . . . services are directed to recertify their Lifeline . . . customers at least annually in accordance with FCC procedures established at 47 CFR § 54.410 (relating to certification and verification of consumer qualifications for Lifeline).]"<sup>120</sup>

ATI is directed, as a condition of receiving an ETC designation, to ensure all of its Lifeline subscribers are recertified. ATI's Lifeline subscribers will be recertified either automatically through the National Verifier's state/federal data sources or receive a recertification request from USAC.

Prior to recertification, however, we note that the FCC has adopted a reverification process that must occur to determine the continued eligibility of existing Lifeline subscribers. Reverification is the one-time process by the National Verifier to confirm that all existing Lifeline subscribers meet the eligibility standards. Reverification will be performed in groups based on subscribers' enrollment.

<sup>116</sup> In Re: Lifeline and Link-up Programs, Docket No. M-00051871 (Order entered May 23, 2005) (PA Lifeline Order).

<sup>117</sup> Re: Section 3015(f) Review Regarding Lifeline Tracking Report, Accident Report, and Services Outage Report, 100 Pa. P.U.C. 553 (Dec. 30, 2005) (Tracking Report Order).

<sup>118</sup> Re: Section 3015(f) Review Regarding Lifeline Tracking Report, Accident Report, and Services Outage Report, 100 Pa. P.U.C. 553 (Dec. 30, 2005).

<sup>119</sup> Final Policy Statement on Commonwealth of Pennsylvania Guidelines for Designation and Annual Recertification as an Eligible Telecommunications Carrier (ETC) for Purposes of Federal Universal Service Support, Docket No. M-2010-2164741, Final Policy Statement Order (Aug. 2, 2010).

<sup>120</sup> Pennsylvania Lifeline Order at 27. Both Pennsylvania and the FCC eliminated the Lifeline's subscriber ability to self-certify annually.

<sup>115</sup> Petition at 5.

ment dates. Reverification will reset a subscriber's anniversary date. Subscribers will then be recertified one year after the date that they are successfully reverified.<sup>121</sup> Thereafter, Lifeline subscribers will be recertified either automatically through the National Verifier's state/federal data sources or receive a recertification request from USAC. Because ATI has no existing Lifeline subscribers, we note that reverification likely will not be required since all ATI's Lifeline customers will be newly certified.

## 2. Compliance with the Tracking Report Order

As a condition of ETC designation, ETCs are required under Pennsylvania law to report to the Commission annual changes in Lifeline enrollment, per our Tracking Report Order. ATI certifies that it will comply with this requirement to the extent applicable. Consistent with requirements imposed on other ETCs, ATI will provide the Commission's BCS a copy of its annual Lifeline verification results that it files with USAC each year, as well as the FCC Form 497 Lifeline customer reporting worksheet (or any successor form) filed quarterly with USAC.<sup>122</sup>

The Commission also has imposed the requirement on other Lifeline ETCs that they provide operator services, directory assistance and interexchange access (long distance) to Lifeline subscribers. ATI's customers have the ability to reach directory assistance and operator services. Additionally, given that all of ATI's Lifeline voice offerings would include long distance, all Lifeline customers are afforded such access.<sup>123</sup>

Further, in order to ensure the Pennsylvania Lifeline program advances the Commonwealth's universal service policy, ATI shall be required to provide to BCS a copy of its annual Lifeline Eligible Telecommunications Carrier Certification Form, FCC Form 555, that it files with USAC.<sup>124</sup> The FCC Form 555 reports the results of the annual recertification process and includes data accuracy certifications.

## 3. Chapter 64 Requirements for Standards and Billing Practices

As a condition of designation, ATI agrees to comply with the standards and billing practices set forth in Commission regulations at 52 Pa. Code §§ 64.1—64.213. Compliance with Chapter 64 will ensure that ATI customers receive the same protections as other Pennsylvania telecommunications services customers.

## 4. Consumer Lifeline-Related Complaints Processed by the Bureau of Consumer Services

As a final condition of designation, ATI agrees to work with BCS to resolve informal complaints and to submit to Commission jurisdiction on formal complaints filed by ATI Lifeline customers on Lifeline and other related issues.

Consistent with conditions imposed on other Lifeline ETCs, ATI is amenable to cooperating with BCS in resolving any-consumer-related complaints concerning any Lifeline service that ATI offers in Pennsylvania.<sup>125</sup> ATI will provide BCS with copies of all advertising, promotional and general Lifeline program-related customer notices and communications on an annual basis or

upon request.<sup>126</sup> Specifically, BCS will address Lifeline-related issues which pertain to the consumers' rights under ATI's Residential Service Agreement, including (1) eligibility disputes; (2) program offering issues; and (3) limited equipment-related issues.

Additionally, ATI agrees to engage in advertising that is directed at promoting the availability of Lifeline service in its Designated Service Area.

Adherence to these Pennsylvania-specific requirements applicable to ETCs designated by the Commission will assure uniformity among Lifeline services offered by different ETCs, will provide consumer protection for low-income consumers, and will enable BCS to monitor Lifeline Program effectiveness in Pennsylvania.

## 5. Change in Corporate Control and Renewed ETC Designation

In the event of a change of or transfer in corporate control, as defined in Pennsylvania statutory law, case law, and the Commission's regulations at 52 Pa. Code § 63.322, ATI will have to petition this Commission for a renewal of its ETC status. Corporate changes of control may also be accompanied with changes in ETC status of a particular telecommunications entity with reference to the various and evolving support mechanisms of the federal USF. In this respect, this Commission is lawfully entitled to timely re-examine any such changes and ascertain whether a particular telecommunications entity should continue with an ETC designation. For this reason, we shall require ATI to file for renewal of its ETC designation at the same time it files or is implicated in the filing of any application for a change or transfer of control under Pennsylvania law.

## 6. Provision of ETC Application, Annual Certification and Promotional Materials to the Bureau of Consumer Services

All ETCs are required to supply the Commission's BCS with copies of subscriber Lifeline applications, annual certifications, promotional/advertising materials, and Lifeline-related customer notices to review for current information, consistency with eligibility determination criteria and annual certification requirements, and plain language requirements. Accordingly, as a condition of receiving ETC designation, ATI is directed to provide the Commission with copies of any and all reports submitted to USAC, and, upon request, provide BCS with copies of subscriber Lifeline applications, promotional/advertising materials, annual certifications reports, and Lifeline-related customer notices. Any failure of ATI to comply with these requirements will be a basis for revocation of its ETC designation or other enforcement action.

## 7. Reporting Requirements for State-Designated ETCs Receiving High-Cost Support

In its 2016 Rate-of-Return Reform Order, the FCC eliminated many of the related reporting obligations for ETCs set forth in Form 481. However, the FCC amended the rules to require ETCs to provide additional detail regarding their broadband deployment during each year. Specifically, ETCs are now required to provide location and speed information of newly-served locations.<sup>127</sup> Additionally, those ETCs electing to receive CAF Phase II support they were required to provide information for the geo-coded locations where they have newly-deployed voice and broadband services. Additionally, as a condition of receiving high-cost universal service support, ETCs must

<sup>121</sup> See generally PA Lifeline Order and 47 CFR § 54.410.

<sup>122</sup> April 24, 2019 supplement at 8.

<sup>123</sup> Id.

<sup>124</sup> As previously stated in the discussion of Section 54.410 of the FCC regulations, ETCs designated in Pennsylvania must provide our BCS copies of the reports submitted to USAC for purposes of low-income USF support, these reports include, among others, those listed in our PA Lifeline and Tracking Report Orders.

<sup>125</sup> In its January 14, 2019 supplement, ATI expressly provided BCS with direct contact information for ATI staff to resolve Lifeline related issues.

<sup>126</sup> Id.

<sup>127</sup> See Connect America Fund, Order, 33 FCC Rcd 6509 (2018).

offer broadband service in their Designated Area that meets certain basic performance requirements and submit testing results as part of their annual compliance certification.<sup>128</sup> Carriers that do not comply with the FCC's speed and latency requirements will be subject to a reduction in support, commensurate with their level of noncompliance. In addition, providers will be subject to audit of all testing data.<sup>129</sup>

ATI must comply with the following reporting requirements. ATI must submit to USAC the geocoded locations to which they have newly deployed broadband. This data will provide an objective metric showing the extent to which ETCs receiving high-cost support are using funds to advance as well as preserve universal service in rural areas, demonstrating the extent to which they are upgrading existing networks to connect rural consumers to broadband. ATI will also be required to report the number of locations at the minimum speeds required by the FCC's rules. The location and speed data will be used to determine compliance with the FCC's associated deployment obligations. The geocoded location information should reflect those locations that are broadband-enabled where ATI is prepared to offer service within ten business days that meets the FCC's minimum requirements for high-cost recipients subject to broadband public interest obligations. Additionally, ATI must meet the specific speed and latency performance obligations to these fixed locations and are also required to submit testing results as part of their annual compliance certification.

ATI must provide annual reports and certifications regarding specific aspects of their compliance with public interest obligations to the FCC, USAC, and this Commission as the relevant state commission. These annual reporting requirements will provide the factual basis underlying this Commission's annual Section 254(e) certification by October 1st of every year that support is being used for the intended purposes.

*C. ATI Satisfies All Pennsylvania-Specific Requirements for Lifeline*

In addition to the minimum federal standards mentioned above, all ETCs are required to comply with Pennsylvania law and Commission orders which govern Pennsylvania's Lifeline programs. 52 Pa. Code § 69.2501(b). As already determined above, ATI commits to: (1) abide by the applicable eligibility certification and verification requirements set forth in the Commission's PA Lifeline Order; (2) abide by the applicable requirements set forth in the Commission's Tracking Report Order; (3) abide by the Commission's Chapter 64 regulations regarding standards and billing practices, 52 Pa. Code §§ 64.1—64.213; and (4) have consumer Lifeline-related complaints which are unresolved by ATI's customer service, handled by BCS as appropriate and, if not, be resolved through formal or informal Commission processes.

*Conclusion*

In consideration of the ATI Petition for ETC designation, as supplemented, we conclude ATI satisfies all federal and Pennsylvania-specific requirements for ETC designation. As a federal high-cost ETC designee, ATI must meet the minimum standards set forth in the FCC's Lifeline Reform Orders, reporting and performance metrics set forth in the USF/ICC Transformation Order, and all related regulations. Further, in Pennsylvania, ATI must satisfy the Commission's requirements in the Public

Utility Code, our ETC Guidelines, and all related orders. Designation of ATI as a federal high-cost ETC to secure the federal high-cost support from Auction 903 in the Designated Area's discrete census blocks in its tariffed service area in Pennsylvania is in accord with Section 214 of the Act, the FCC's regulations and orders related to ETC designation, Section 3019(f) of the Code, and the Commission's orders on ETC designation. 47 U.S.C. § 214; 47 CFR §§ 54.201, et seq.; and 66 Pa.C.S. § 3019(f); *Therefore,*

*It Is Ordered:*

1. The Petition of Armstrong Telecommunications, Inc. for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Pennsylvania is granted, subject to the terms and conditions set forth in this order.

2. That the Commission grants Armstrong Telecommunications, Inc. a designation as a federal high-cost Eligible Telecommunications Carrier only in the Connect America Fund Phase II-eligible census blocks in the service territories of Verizon Pennsylvania LLC; Verizon North LLC; United Telephone Company of Pennsylvania d/b/a CenturyLink; and Windstream Pennsylvania, LLC as set forth in the body of this Order.

3. That the rules of the Federal Communications Commission regarding the redefinition process as it relates to Armstrong Telecommunications, Inc.'s designation as a federal high-cost Eligible Telecommunications Carrier below the study area level of Verizon Pennsylvania LLC, Verizon North LLC, United Telephone Company of Pennsylvania d/b/a CenturyLink and Windstream Pennsylvania, LLC is inapplicable for the reasons set forth in this Order.

4. That Armstrong Telecommunications, Inc. shall provide updated tariff pages, including Lifeline tariff pages within 30 days of the entry of this Order.

5. That Armstrong Telecommunications, Inc. is required to offer Lifeline service to eligible low-income consumers or households only in those census blocks in its service area for which it will be receiving Connect America Fund Phase II Auction 903 high-cost support as described in this Order.

6. That, upon request, Armstrong Telecommunications, Inc. shall provide the Bureau of Consumer Services with copies of subscriber Lifeline applications and annual certification and promotional materials to review for current information, consistency with eligibility determination criteria and annual certification requirements, and plain language requirements.

7. That Armstrong Telecommunications, Inc. is hereby directed to work with the Bureau of Consumer Services to resolve informal complaints and to submit to Commission jurisdiction on formal complaints filed by Armstrong Telecommunications, Inc. Lifeline customers on Lifeline and other related issues.

8. That the failure of Armstrong Telecommunications, Inc. to comply with any of the provisions of this Order may result in revocation of its ETC designation(s) for the purposes of receiving federal Universal Service Fund high-cost support and the federal Lifeline support or be subject to further Commission process.

9. That Armstrong Telecommunications, Inc. shall petition this Commission for any future change to the basic Lifeline service offerings provided through this ETC designation as described herein which represents a limitation or reduction of Lifeline services/equipment provided free of charge, and shall provide notice to this

<sup>128</sup> Id.

<sup>129</sup> Id.

Commission of any addition, change or new offering which is in addition to the basic Lifeline offering.

10. That Armstrong Telecommunications, Inc. shall petition this Commission for renewal of its Eligible Telecommunications Carrier status at the same time it files or is implicated in the filing of any application for a change or transfer of control as defined in Pennsylvania law.

11. That the Secretary shall serve a copy of this Order on Armstrong Telecommunications, Inc., on the Office of Consumer Advocate, and the Office of Small Business Advocate.

12. That a copy of this Order shall be published in the *Pennsylvania Bulletin*.

13. That this docket shall be marked closed.

ROSEMARY CHIAVETTA,  
*Secretary*

**Exhibit A**

**List of Census Blocks in which Armstrong Telecommunications, Inc. Seeks Eligible Telecommunications Carrier Designation**

<i>Census Blocks</i>	<i>Block Groups</i>	<i>County</i>
420391105011010	420391105011	Crawford
420391105011035	420391105011	Crawford
420391106002000	420391106002	Crawford
420391106002004	420391106002	Crawford
420391108003027	420391108003	Crawford
420391108004053	420391108004	Crawford
420391120011041	420391120011	Crawford
420391120022077	420391120022	Crawford
420490103012034	420490103012	Erie
420490103012035	420490103012	Erie
420490103012036	420490103012	Erie
420490103012041	420490103012	Erie
420490103012042	420490103012	Erie
420490103012044	420490103012	Erie
420490112014004	420490112014	Erie
420490112014013	420490112014	Erie
420490112014015	420490112014	Erie
420490112014019	420490112014	Erie
420490112014027	420490112014	Erie
420490112014030	420490112014	Erie
420490112014031	420490112014	Erie
420490112014034	420490112014	Erie
420490112014035	420490112014	Erie
420490112014036	420490112014	Erie
420490112014037	420490112014	Erie
420490112014039	420490112014	Erie
420490112014042	420490112014	Erie
420490112014043	420490112014	Erie
420490112014045	420490112014	Erie
420490112014046	420490112014	Erie
420490112014047	420490112014	Erie

<i>Census Blocks</i>	<i>Block Groups</i>	<i>County</i>
420490112014048	420490112014	Erie
420490112014049	420490112014	Erie
420490115071021	420490115071	Erie
420490115071022	420490115071	Erie
420490115071024	420490115071	Erie
420490115071025	420490115071	Erie
420490117021019	420490117021	Erie
420490117021022	420490117021	Erie
420490117021023	420490117021	Erie
420490117021027	420490117021	Erie
420490117021028	420490117021	Erie
420490117021029	420490117021	Erie
420490117021033	420490117021	Erie
420490117024000	420490117024	Erie
420490117024001	420490117024	Erie
420490117024003	420490117024	Erie
420490117024004	420490117024	Erie
420490117024005	420490117024	Erie
420490117024006	420490117024	Erie
420490117024009	420490117024	Erie
420490117024013	420490117024	Erie
420490117024028	420490117024	Erie
420490117024039	420490117024	Erie
420490117024041	420490117024	Erie
420490117025000	420490117025	Erie
420490117025002	420490117025	Erie
420490117025006	420490117025	Erie
420490117025007	420490117025	Erie
420490117025015	420490117025	Erie
420490117025016	420490117025	Erie
420490117025017	420490117025	Erie
420490117025018	420490117025	Erie
420490117025019	420490117025	Erie
420490117025023	420490117025	Erie
420490117025028	420490117025	Erie
420490117025029	420490117025	Erie
420490117025030	420490117025	Erie
420490117025032	420490117025	Erie
420490117025035	420490117025	Erie
420490117025037	420490117025	Erie
420490118011000	420490118011	Erie
420490118011001	420490118011	Erie
420490118011002	420490118011	Erie
420490118011003	420490118011	Erie
420490118011004	420490118011	Erie
420490118011005	420490118011	Erie
420490118011006	420490118011	Erie
420490118011007	420490118011	Erie

<i>Census Blocks</i>	<i>Block Groups</i>	<i>County</i>
420490118011008	420490118011	Erie
420490118011009	420490118011	Erie
420490118011012	420490118011	Erie
420490118011013	420490118011	Erie
420490118011014	420490118011	Erie
420490118011015	420490118011	Erie
420490118011016	420490118011	Erie
420490118011017	420490118011	Erie
420490118011019	420490118011	Erie
420490118011020	420490118011	Erie
420490118011024	420490118011	Erie
420490118011033	420490118011	Erie
420490118011034	420490118011	Erie
420490118011035	420490118011	Erie
420490118011036	420490118011	Erie
420490118013004	420490118013	Erie
420490118013010	420490118013	Erie
420490118013011	420490118013	Erie
420490118013014	420490118013	Erie
420490118013016	420490118013	Erie
420490118013017	420490118013	Erie
420490118013019	420490118013	Erie
420490118013021	420490118013	Erie
420490118013033	420490118013	Erie
420490118013034	420490118013	Erie
420490118013035	420490118013	Erie
420490118013037	420490118013	Erie
420490118013039	420490118013	Erie
420490118013040	420490118013	Erie
420490120011005	420490120011	Erie
420490120011011	420490120011	Erie
420490120011014	420490120011	Erie
420490120011017	420490120011	Erie
420490120011018	420490120011	Erie
420490120011019	420490120011	Erie
420490120011020	420490120011	Erie
420490120011021	420490120011	Erie
420490120011022	420490120011	Erie
420490120011023	420490120011	Erie
420490120011024	420490120011	Erie
420490120011025	420490120011	Erie
420490120011026	420490120011	Erie
420490120011033	420490120011	Erie
420490120011034	420490120011	Erie
420490120011035	420490120011	Erie
420490120011036	420490120011	Erie
420490120011039	420490120011	Erie
420490120011041	420490120011	Erie

<i>Census Blocks</i>	<i>Block Groups</i>	<i>County</i>
420490120011043	420490120011	Erie
420490120011044	420490120011	Erie
420490120011045	420490120011	Erie
420490120011046	420490120011	Erie
420490120011047	420490120011	Erie
420490120011048	420490120011	Erie
420490120011050	420490120011	Erie
420490120011051	420490120011	Erie
420490120011052	420490120011	Erie
420490120011055	420490120011	Erie
420490120011056	420490120011	Erie
420490120011057	420490120011	Erie
420490120011058	420490120011	Erie
420490120011061	420490120011	Erie
420490120011062	420490120011	Erie
420490120011064	420490120011	Erie
420490120011066	420490120011	Erie
420490121002000	420490121002	Erie
420490121002002	420490121002	Erie
420490121002003	420490121002	Erie
420490121002004	420490121002	Erie
420490121002010	420490121002	Erie
420490121002011	420490121002	Erie
420490121002024	420490121002	Erie
420490121002033	420490121002	Erie
420490121002036	420490121002	Erie
420490121002037	420490121002	Erie
420490121002038	420490121002	Erie
420490121002040	420490121002	Erie
420490121002041	420490121002	Erie
420490121002045	420490121002	Erie
420490121002046	420490121002	Erie
420490121002052	420490121002	Erie
420490121002053	420490121002	Erie
420490121002056	420490121002	Erie
420490121002071	420490121002	Erie
420490121002072	420490121002	Erie
420490121002077	420490121002	Erie
420490121002085	420490121002	Erie
420490121002087	420490121002	Erie
420490121002088	420490121002	Erie
420490121004005	420490121004	Erie
420490121004006	420490121004	Erie
420490121004007	420490121004	Erie
420490121004008	420490121004	Erie
420490121004010	420490121004	Erie
420490121004011	420490121004	Erie
420490121004013	420490121004	Erie

<i>Census Blocks</i>	<i>Block Groups</i>	<i>County</i>
420490121004024	420490121004	Erie
420490121004025	420490121004	Erie
420490121004026	420490121004	Erie
420490121004029	420490121004	Erie
420490121004031	420490121004	Erie
420490121004036	420490121004	Erie
420490121004039	420490121004	Erie
420490121004052	420490121004	Erie
420490121004053	420490121004	Erie
420490121004055	420490121004	Erie
420490121004058	420490121004	Erie
420490121004062	420490121004	Erie
420490121004063	420490121004	Erie
420490121004064	420490121004	Erie
420490121004067	420490121004	Erie
420490121004078	420490121004	Erie
420490121004081	420490121004	Erie
420490121004085	420490121004	Erie
420490122013000	420490122013	Erie
420490122013001	420490122013	Erie
420490122013010	420490122013	Erie
420490122013012	420490122013	Erie
420490122013013	420490122013	Erie
420490122013014	420490122013	Erie
420490122013015	420490122013	Erie
420490122013016	420490122013	Erie
420490122013018	420490122013	Erie
420490122013019	420490122013	Erie
420490122013033	420490122013	Erie
420850318002034	420850318002	Mercer
420850318002045	420850318002	Mercer
420850318003139	420850318003	Mercer
420850318003141	420850318003	Mercer
420850318004004	420850318004	Mercer

[Pa.B. Doc. No. 20-278. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be

filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by March 9, 2020. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

### **Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2020-3015760. Brown-Fleming Marketing & Consulting GP, LLC, t/a Brown-Fleming Couriers** (1924 State Street, # 2A, Harrisburg, Dauphin County, PA 17103) in paratransit service, from points in the Mechanicsburg Borough, Cumberland County, to points in Pennsylvania, and return.

**A-2020-3017606. Precious Cargo Transportation, LLC** (6958 Ogontz Avenue, Philadelphia, PA 19138) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, and the Counties of Bucks and Montgomery, to points in Pennsylvania, and return.

**A-2020-3018067. Frank's Limo Service, LLC, t/a Frank's Limo Service** (106 Allen Drive, Exton, Chester County, PA 19341) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

### **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-2020-3016028. On the Go Movers, Inc., t/a Two Men and a Truck 0554** (10228 Governor Lane Boulevard, Suite 3011, Williamsport, MD 21795) household goods in use between points in Pennsylvania.

### **Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.***

**A-2020-3017707. Betterchoice Limo & Car Service, Inc.** (2904 Walnut Ridge Estate, Pottstown, Montgomery County, PA 19464) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6415119, persons in limousine service, from points in the Counties of Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2020-3017865. MTR Transportation, Inc., t/a K-Cab Co.** (P.O. Box 274, Mifflinville, PA 18631) for the discontinuance of service and cancellation of its certificate, at A-00116855, as a common carrier, by motor vehicle, authorizing the transportation of persons in paratransit service, between points in the Town of

Bloomsburg; the Borough of Catawissa; and the Townships of Catawissa, Franklin, Greenwood, Hemlock, Madison, Main, Montour, Mount Pleasant and Scott, Columbia County; and the Borough of Danville; and the Townships of Cooper, Derry, Mahoning, Valley and West Hemlock, Montour County; and the Borough of Riverside, Northumberland County; and from points in said town, boroughs and townships, to points in Pennsylvania, and return.

**A-2020-3017876. MTR Transportation, Inc., t/a K-Cab Co.** (P.O. Box 274, Mifflinville, PA 18631) for the discontinuance of service and cancellation of its certificate, at A-00116855, as a common carrier, by motor vehicle, authorizing the transportation of persons in call or demand service, between points in the Town of Bloomsburg, Columbia County; in the Townships of Catawissa, Franklin, Hemlock, Main, Montour, Mount Pleasant and Scott, Columbia County; in the Borough of Catawissa, Columbia County; in the Borough of Berwick, Columbia County and within an airline distance of 15 statute miles of the limits of said borough; in the Townships of Cooper and Mahoning, Montour County; in the Borough of Danville, Montour County; in the Borough of Riverside, Northumberland County; and from points in said town, boroughs and townships, to points in Pennsylvania, and return.

**A-2020-3017942. Bryan A. Hall** (3395 Business Route 220 North, P.O. Box 248, Bedford, PA 15222) discontinuance of service and cancellation of its certificate to transport, as a common carrier, by motor vehicle, household goods in use, from points in the County of Bedford to points in Pennsylvania; subject to the following conditions:

*First:* That no right, power or privilege is granted to render any service originating at points within 25 miles by the usually traveled highways of the limits of the Borough of Stoystown, Somerset County, except as presently authorized,

*Second:* That no right, power or privilege is granted to render any service to the City of Johnstown and the Boroughs of Ebensburg and Scalp Level, Cambria County, and points within 10 miles by the usually traveled highways of the limits of said city and boroughs, nor to points in the City of Altoona, Blair County, and within 15 miles by the usually traveled highways of the limits of said city,

*Third:* That no right, power or privilege is granted to render any service from points in the City of Bedford to points in the Counties of Allegheny and Westmoreland.

**A-2020-3018123. Monarca Express, LLC** (217 East Centre Street, Shenandoah, PA 17976) for the discontinuance of service and cancellation of its certificate, at A-6418784, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Schuylkill County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 20-279. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due March 9, 2020, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. My JVC Transport, Inc.; Docket No. C-2020-3015256

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to My JVC Transport, Inc., (respondent) is under suspension effective December 24, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 900 Mickley Rd., Apt. D1-2, Whitehall, PA 18052.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 15, 2019, at A-8921673.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8921673 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 01/03/20

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Todd Barnes; Docket No. C-2020-3015295**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Todd Barnes, (respondent) is under suspension effective December 27, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 7046 Mentzer Gap Road, Waynesboro, PA 17268.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 31, 2018, at A-8921326.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8921326 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 01/06/2020

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. James Hughes, Jr., t/a J. Hughes, Jr. Paving & Excavating; Docket No. C-2019-3015181**

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to James Hughes, Jr., t/a J. Hughes, Jr. Paving & Excavating, (respondent) is under suspension effective December 21, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 23 Yaletsko Ln., Harding, PA 18643.

3. That respondent was issued a Certificate of Public Convenience by this Commission on July 26, 2019, at A-8914526.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8914526 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/31/2019

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Kindred Oilfield Services, LLC; Docket No. C-2020-3015253**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Kindred Oilfield Services, LLC, (respondent) is under suspension effective December 24, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 163, Cortland, OH 44410.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 13, 2018, at A-8921051.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8921051 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 01/03/20

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 400 North Street  
 Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 400 North Street  
 Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. TL Manning Trucking, LLC; Docket No. C-2020-3016292**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to TL Manning Trucking, LLC, (respondent) is under suspension effective January 09, 2020 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1175 Beaver Dam Road, Friedens, PA 15541.
3. That respondent was issued a Certificate of Public Convenience by this Commission on August 04, 2015, at A-8917854.
4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission.

The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917854 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
 David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 400 North Street  
 Harrisburg, PA 17120

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 01/21/2020

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 400 North Street  
 Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: RA-PCCmpltResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 20-280. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer of Control

**A-2020-3018169. Logan Parent, LLC and LogMeIn, Inc.** Joint application by Logan Parent, LLC and LogMeIn, Inc. for approval of the transfer of control of Grasshopper Group, LLC to Logan Parent, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 9, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicants:* Logan Parent, LLC; LogMeIn, Inc.; Grasshopper Group, LLC

*Through and By Counsel for Joint Applicants:* Amy Blumenthal, Esquire, Kutak Rock LLP, 1760 Market Street, Suite 1100, Philadelphia, PA 19103-4101

*For Logan Parent, LLC:* Andrew Kowal, Esquire, Christine Wang, Esquire, c/o Francisco Partners V. L.P., One Letterman Drive, Building C, Suite 410, San Francisco, CA 94129; Sherrese Smith, Esquire, Andrew Erber, Esquire, Paul Hastings, LLP, 875 15th Street, NW, Washington, DC 20005; Luke C. Platzer, Esquire, David M. Didion, Esquire, Allison M. Tjemsland, Esquire, Jenner & Block, LLP, 1099 New York Avenue, NW, Suite 900, Washington, DC 20001

*For LogMeIn, Inc. and Grasshopper Group, LLC:* Michael P. Donahue, Esquire, Marshlian & Donahue, PLLC, 1420 Spring Hill Road, Suite 401, Tysons, VA 22102; Michael Donahue, Esquire, SVP, General Counsel and Secretary, 320 Summer Street, Boston, MA 02210; Matthew A. Brill, Esquire, Elizabeth R. Park, Esquire, Michael H. Herman, Esquire, Latham & Watkins LLP, 555 Eleventh Street, NW, Suite 1000, Washington, DC 20004

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 20-281. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer by Sale; Wastewater Service and Assets

**A-2019-3014248. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company, under 66 Pa.C.S. §§ 1102(a) and 1329 (relating

to enumeration of acts requiring certificate; and valuation of acquired water and wastewater systems), for approval of: (1) the transfer, by sale, of substantially all of the Borough of Kane Authority's assets, properties and rights related to its wastewater collection and treatment system to Pennsylvania-American Water Company; (2) the rights of Pennsylvania-American Water Company to begin to offer or furnish wastewater service to the public in the Borough of Kane, and in a portion of Wetmore Township, McKean County; and (3) for approval of the use for ratemaking purposes of the lesser fair market value or the negotiated purchase price of the Borough of Kane Authority's assets related to its wastewater collection and treatment system.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 9, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Pennsylvania-American Water Company

*Through and By Counsel for:* Elizabeth Rose Triscari, Esquire, 852 Wesley Drive, Mechanicsburg, PA 17055; David P. Zambito, Esquire, Jonathan P. Nase, Esquire, Cozen O'Connor, 17 North Second Street, Suite 1410, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-282. Filed for public inspection February 21, 2020, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Transfer by Sale; Wastewater Service and Assets;  
Prehearing Conference**

**Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company, under 66 Pa.C.S. §§ 1102(a) and 1329 (relating to enumeration of acts requiring certificate; and valuation of acquired water and wastewater systems), for approval of: (1) the transfer, by sale, of substantially all of the Borough of Kane Authority's assets, properties and rights related to its wastewater collection and treatment system to Pennsylvania-American Water Company; (2) the rights of Pennsylvania-American Water Company to begin to offer or furnish wastewater service to the public in the Borough of Kane, and in a portion of Wetmore Township, McKean County; and (3) for approval of the use for ratemaking purposes of the lesser fair market value or the negotiated purchase price of the Borough of Kane Authority's assets related to its wastewater collection and treatment system.

**Fixed Utility Application  
Prehearing Conference**

An initial prehearing conference on the previously-captioned case will be held as follows:

<i>Date:</i>	Wednesday, March 11, 2020
<i>Time:</i>	1 p.m.
<i>Location:</i>	Hearing Room 5 Plaza Level Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120
<i>Presiding:</i>	Administrative Law Judge Joel Cheskis 400 North Street 2nd Floor West Harrisburg, PA 17120 (717) 787-1399 Fax: (717) 787-0481

*Attention:* Individuals may lose the case if they do not come to this prehearing conference and present facts on the issues raised.

Individuals must serve the presiding officer with a copy of any document they file in this case.

For individuals who intend to file exhibits, two copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the presiding officer. A copy must also be provided to each party of record.

Individuals representing themselves are not required to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing an individual should file a notice of appearance before the scheduled hearing date.

For persons with a disability who wish to attend the hearing, the Pennsylvania Public Utility Commission (Commission) may be able to make arrangements for their special needs. If appropriate, the Commission may be able to provide those persons with a telephonic hearing instead of an in-person hearing. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearing the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free eFiling Subscription Service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission's web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at [http://www.puc.pa.gov/Documentation/eFiling\\_Subscriptions.pdf](http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-283. Filed for public inspection February 21, 2020, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than March 9, 2020. 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-20-02-03. JR Taxi, LLC** (4413 Fairmount Avenue, Philadelphia, PA 19104): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-20-02-04. Atika Taxi, LLC** (542 South 69th Street, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-20-02-05. Farhana Taxi, LLC** (4411 Walnut Street, Apartment 3C, Philadelphia, PA 19104): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 20-284. Filed for public inspection February 21, 2020, 9:00 a.m.]

## STATE BOARD OF NURSING

### Automatic Suspension of the License to Practice Practical Nursing of Brian D. Mikesell, LPN; Case No. 18-51-012516

*Notice to Brian D. Mikesell, LPN:*

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted formal administrative action against you by filing a Petition for Automatic Suspension before the

State Board of Nursing (Board) alleging that your license to practice practical nursing is subject to automatic suspension under section 23(c) of the Controlled Substance, Drug, Device and Cosmetic Act ("Drug Act"). This notice is being published pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing service of process upon you by publication.

Your license to practice practical nursing in the Commonwealth of Pennsylvania was AUTOMATICALLY SUSPENDED under the authority of Section 23(c) of the Drug Act, EFFECTIVE July 31, 2019.

If you wish to defend against the charges in the Petition or request a hearing you must do so within twenty days from the date of publication of this Notice. The procedure for doing so is explained in the Petition, Notice and Order of Automatic Suspension. You may obtain a copy of the Petition, Notice and Order online or by contacting the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the assistance of an attorney. All proceedings before the Board are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedure. If a response and request for a hearing are not filed within 20 days of publication of this Notice, an order making the suspension of your license final will be issued by the State Board of Nursing. The response and any pleadings or other documents related to this matter must be filed with the Prothonotary for the Department of State at the above address. A copy of the response and request for hearing shall also be served on the prosecuting attorney identified in the Petition.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 20-285. Filed for public inspection February 21, 2020, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Norma Joniec, RN; Case No. 17-51-07511

On April 10, 2019, Norma Joniec, RN, license No. RN166334L, of Conroe, TX, had her registered nurse license indefinitely suspended based on being disciplined in another state.

Individuals may obtain a copy of the adjudication at [www.pals.pa.gov](http://www.pals.pa.gov).

This order represents the final State Board of Nursing (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.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 20-286. Filed for public inspection February 21, 2020, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Commission Meeting

The Susquehanna River Basin Commission (Commission) will hold its regular business meeting on Friday, March 13, 2020, at 9 a.m. at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice. The Commission also published a document at 85 FR 1189 (January 9, 2020) concerning its public hearing on February 6, 2020, in Harrisburg, PA.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, fax (717) 238-2436.

#### *Supplementary Information*

The business meeting will include actions or presentations on the following items: (1) informational presentation of interest to the lower Susquehanna River region; (2) Resolution 2020-01 adopting the Commission's Fiscal Year 2021 budget reconciliation; (3) ratification/approval of contracts/grants; (4) Resolution 2020-02 adopting final rulemaking regarding consumptive use mitigation and adopting Consumptive Use Mitigation Policy; (5) Resolution 2020-03 adopting Guidance for the Preparation of a Metering Plan and A Groundwater Elevation Monitoring Plan for Water Withdrawals, Consumptive Uses and Diversions (Metering Plan Guidance); and (6) Regulatory Program projects.

This agenda is complete at the time of issuance, but other items may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, notice of these actions will be published in the *Federal Register* after the meeting. Any actions specific to projects will also be provided in writing directly to project sponsors.

The Metering Plan Guidance and Regulatory Program projects listed for Commission action were those that were the subject of public hearings conducted by the Commission on February 6, 2020, and identified in the notice for the hearings, which was published at 85 FR 1189.

The public is invited to attend the Commission's business meeting. Comments on the Metering Plan Guidance and Regulatory Program projects are subject to a deadline of February 17, 2020. Written comments pertaining to other items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through [www.srbc.net/about/meetings-events/business-meeting.html](http://www.srbc.net/about/meetings-events/business-meeting.html). The comments are due to the Commission on or before March 10, 2020. Comments will not be accepted at the business meeting noticed herein.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* February 6, 2020

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 20-287. Filed for public inspection February 21, 2020, 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 806, Subpart E (relating to registration of grandfathered projects) from January 1, 2020, through January 31, 2020.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, [joyler@srbc.net](mailto: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 806, Subpart E for the time period previously specified:

#### *GF Registration Under 18 CFR Part 806, Subpart E*

1. Duncansville Municipal Authority—Public Water Supply System; GF Certificate No. GF-202001075; Borough of Duncansville and Allegheny Township, Blair County, PA; Well 2; Issue Date: January 24, 2020.

2. Leatherstocking Corporation, d/b/a Otesaga Hotel—Leatherstocking Golf Course; GF Certificate No. GF-202001076; Town of Otsego, Otsego County, NY; Otsego Lake and consumptive use; Issue Date: January 24, 2020.

3. Millersburg Area Authority—Public Water Supply System; GF Certificate No. GF-202001077; Millersburg Borough and Upper Paxton Township, Dauphin County, PA; Wells 1—5 and Springs 1—7; Issue Date: January 24, 2020.

4. Village of New Berlin—Public Water Supply System; GF Certificate No. GF-202001078; Town of New Berlin, Chenango County, NY; Sheffield Creamery Well; Issue Date: January 24, 2020.

5. Town of Owego—Water District # 4; GF Certificate No. GF-202001079; Town of Owego, Tioga County, NY; Wells 1 and 2; Issue Date: January 24, 2020.

6. Shawville Power, LLC—Shawville Station; GF Certificate No. GF-202001080; Bradford Township, Clearfield County, PA; West Branch Susquehanna River and consumptive use; Issue Date: January 24, 2020.

7. West Cocalico Township Authority—Public Water Supply System; GF Certificate No. GF-202001081; West Cocalico Township, Lancaster County, PA; Well 1; Issue Date: January 24, 2020.

8. Northern Cambria Municipal Authority—Public Water Supply System; GF Certificate No. GF-202001082; Northern Cambria Borough, Cambria County, PA; Hazeltine Mine and Miller Hollow; Issue Date: January 24, 2020.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* February 6, 2020

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 20-288. Filed for public inspection February 21, 2020, 9:00 a.m.]



