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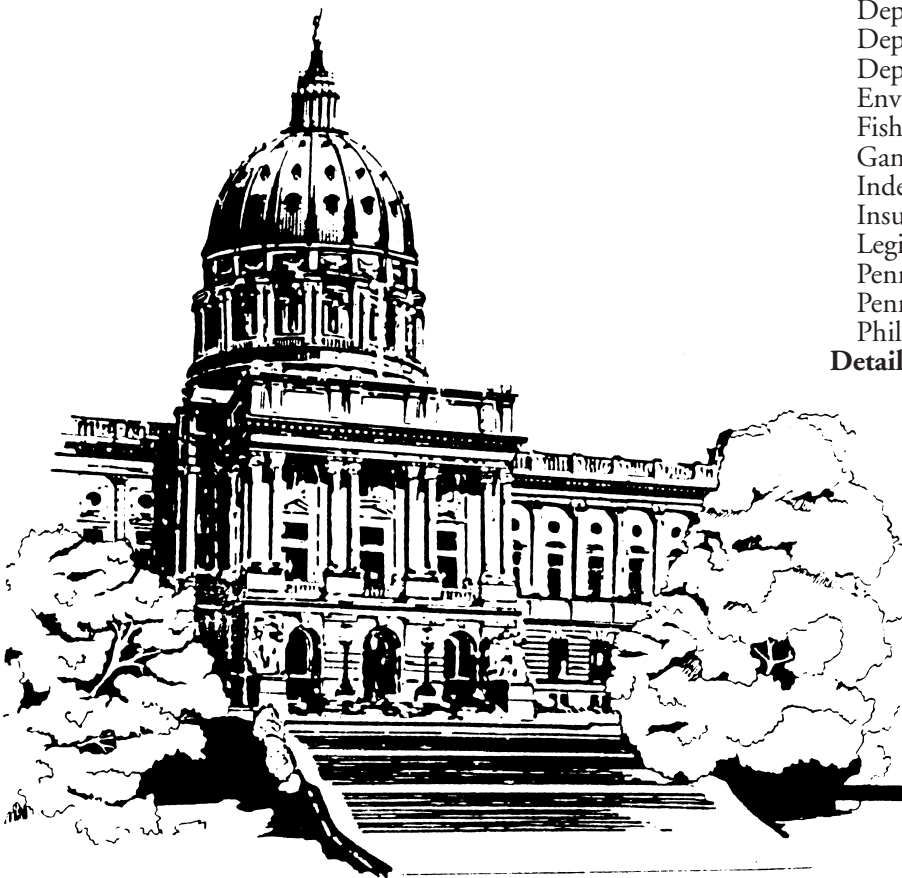
# PENNSYLVANIA BULLETIN

Volume 46  
Saturday, March 19, 2016 • Harrisburg, PA  
Number 12  
Pages 1405—1520

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Philadelphia Parking Authority

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

**No. 496, March 2016**

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

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

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

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

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

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

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

### **Citation to the *Pennsylvania Bulletin***

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

### ***Pennsylvania Code***

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

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

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

### **How to Find Documents**

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

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

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

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised. A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2016.

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1412, 1414, 1415, 1416



# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1915 ]

#### Amendment to Rule 1915.4-1 of the Rules of Civil Procedure; No. 635 Civil Procedural Rules Doc.

#### Order

*Per Curiam*

And Now, this 4th day of March, 2016, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1915.4-1 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective April 1, 2016.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

#### Rule 1915.4-1. Alternative Hearing Procedures for Partial Custody Actions.

(a) A custody action shall proceed as prescribed by [ Rule ] Pa.R.C.P. No. 1915.4-3 unless the court, by local rule, adopts the alternative hearing procedure authorized by [ Rule ] Pa.R.C.P. No. 1915.4-2 pursuant to which an action for partial custody may be heard by a hearing officer, except as provided in subdivision (b) [ below ].

(b) Promptly after the parties' initial contact with the court as set forth in [ Rule ] Pa.R.C.P. No. 1915.4(a), a party may move the court for a hearing before a judge, rather than a hearing officer, in an action for partial custody where:

(1) there are complex questions of law, fact or both [ , ]; or

(2) the parties certify to the court that there are serious allegations affecting the child's welfare.

(c) The president judge or the administrative judge of the family division of each county shall certify that custody proceedings generally are conducted in accordance with either [ Rule ] Pa.R.C.P. No. 1915.4-2 or [ Rule ] Pa.R.C.P. No. 1915.4-3. The certification shall be filed with the Domestic Relations Procedural Rules Committee of the Supreme Court of Pennsylvania and shall be substantially in the following form:

I hereby certify that \_\_\_\_\_ County conducts its custody proceedings in accordance with [ Rule ] Pa.R.C.P. No. \_\_\_\_\_ .

\_\_\_\_\_  
(President Judge)

\_\_\_\_\_  
(Administrative Judge)

*Note:* Pursuant to [ Rule ] Pa.R.C.P. No. 1915.4-1, the following counties have certified to the Domestic Relations Procedural Rules Committee that their custody proceedings generally are conducted in accordance with the rule specified below:

COUNTY	RULE
	* * * * *
Northumberland	[ 1915.4-2 ] 1915.4-3
	* * * * *

[Pa.B. Doc. No. 16-449. Filed for public inspection March 18, 2016, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DELAWARE COUNTY

#### Bail Bonds Posted by Corporate Surety; No. MD 29-2016

And Now, this 2nd day of March, 2016, It is hereby Ordered and Decreed that the existing Rule 531(e) is amended and shall be entirely replaced by New Rule 531(e) in accordance with the following language effective 30 days after publication.

**New Rule 531(e). Corporate Surety.** Pennsylvania Rule of Criminal Procedure 528(D)(5) recognizes the surety bond of a surety company authorized to do business in the Commonwealth of Pennsylvania as an acceptable form of security to satisfy the full amount of the monetary condition of a defendant's release on bail. Rule 531 of the Pennsylvania Rules of Criminal Procedure permits, by local rule of Court, additional requirement to be imposed on surety companies approved by the Court. This Regulation sets forth the additional requirement imposed by this Judicial District on corporate sureties and their agents.

1. *Applicability.* This Regulation applies to any corporate surety and its agents seeking to post a bond in satisfaction of the full amount of the monetary condition of a defendant's release on bail.

2. *Definitions.* For purposes of this Regulation:

A "Corporate Surety" is any corporation, limited liability corporation or partnership which engages in the business of providing bail, providing or soliciting bail undertakings, or providing or soliciting indemnity or court indemnity to others on bail undertakings.

3. *Requirements for Approval.* To become qualified to act as a corporate surety, or agent thereof, with respect to the posting of bail bonds in the Thirty Second Judicial District of Pennsylvania, a corporate surety and its agents must:

a) Present satisfactory proof that the corporate surety is licensed by the Pennsylvania Department of Insurance to do business in the Commonwealth of Pennsylvania, registered with the Department of State, and in full compliance with 42 Pa.C.S. § 5743.1.

b) Every corporate surety shall keep at its office the usual and customary records pertaining to transactions authorized by its license and/or the license of any of its agents, including, but not limited to, such records of bail bonds executed or countersigned by the corporate surety to enable the court to obtain all necessary information concerning such bail bonds for at least 3 years after the liability of the surety has been terminated. Such records must be open at all times to examination, inspection, and copying by the court or its representative, and the court may at any time require the corporate surety to furnish it, in such manner or form as the court requires, any information concerning the bail bond business of the corporate surety;

c) Certify that neither the corporate surety, nor its employees or agents, have been convicted of any criminal offense. The certification must be based on a criminal history search conducted by the Pennsylvania State Police for each employee or agent, and a copy of the search results must be attached to the list of employees or agents and certification submitted with the petition required by Section 5 of this Regulation. The on-line quick search/background check is not acceptable. Conviction of a corporate surety, or any of its employees or agents, will render the corporate surety ineligible to conduct business in the 32nd Judicial District.

d) Post with the Office of Judicial Support as security the minimum sum of \$50,000 in United States currency or unencumbered securities of the United States Government, which will entitle the corporate surety to post bond in the aggregate sum of \$500,000 or post \$75,000 in US currency or unencumbered securities of the US Government, which will entitle the corporate surety to post bond in the amount of \$1,000,000, and by further posting the sum required for each individual bond or undertaking with the bail authority. Provided, however, that the corporate surety must post additional security with the Office of Judicial Support in the event the corporate surety intends to post bond in excess of \$1,000,000. The additional security to be posted with the Office of Judicial Support must be in units of \$50,000 which will entitle the corporate surety to post bond in the additional sum of \$1,000,000 per unit. No interest will be paid on any deposits;

e) Provide a financial statement certified by a Certified Public Accountant which verifies that the corporate surety has sufficient assets to satisfy all bail obligations undertaken by or on behalf of the corporate surety in the Delaware County and in other jurisdictions in which the corporate surety conducts business. A current certified statement must be filed with the petition required in Section 5 of this Regulations;

f) Certify that only the corporate surety, which is approved by the President Judge of the Delaware County Court of Common Pleas, or his designee, upon petition as provided in this Regulation, may post bail for criminal defendant, in the name exactly as it appears on the surety's license, and not in the name of any agent or other business entity;

g) Certify full compliance with the training and education requirements set forth in Section 6 of this Regulation;

h) Upon approval of the petition required in Section 5 of this Regulation, register with Delaware County and pay to the Office of Judicial Support an initial registration fee of \$400 plus any applicable filing fee, or such amount as may be established from time to time by the 32nd Judicial District, and County Council;

i) Certify that neither the corporate surety nor any agent or employee of such surety, will represent itself, directly or indirectly, as an employee or agent of the Commonwealth of Pennsylvania or Delaware County. The employees and agents of the corporate surety must not wear clothing or present badges or any other form of law enforcement credentials that create the impression of employment of the Commonwealth of Pennsylvania, Delaware County or any of its units, including the Pretrial Services Unit or the Warrant Unit of Delaware County;

j) Each applicant or licensee shall provide to the District Attorney such information as may be required concerning its business practices or business methods, or proposed business practices or methods, as a Corporate Surety. The Solicitor of Delaware County shall also be served with a copy of this information.

k) Certify that the corporate surety, its agents and employees are in compliance with all applicable laws, regulations, rules of court and procedures and that neither the corporate surety nor any of its agents or employees are under suspension or revocation in any jurisdiction.

4. *Standards of Conduct.* To remain qualified to post bond in Delaware County, the corporate surety and its agents must:

a) Maintain compliance with the requirements specified in Section 3 of this Regulation;

b) Provide quarterly statements certified by the corporate surety that it is in compliance with the security posting requirements specified in Section 3 of this regulation;

c) Provide, on a quarterly basis, or as often as requested by the Common Pleas Court President Judge, or his designee, a financial statement certified by a Certified Public Accountant which verifies that the corporate surety has sufficient assets to satisfy all bail obligations undertaken by the corporate surety and all agents acting on its behalf in Delaware County and in other jurisdictions in which the corporate surety conducts business;

d) Immediately notify, in writing, the Common Pleas President Judge, or his designee, and the Office of Judicial Support, if the corporate surety, or any of its employees or agents, has been charged with any criminal offense, or if its license or the license of any of its agents has been revoked, suspended or not renewed in the Commonwealth of Pennsylvania or any other jurisdiction;

e) Certify continued full compliance with the training and education requirements set forth in Section 6 of this Regulation;

f) Annually renew their registration with Delaware County, provide all certifications required by this Regulation and pay to the Office of Judicial Support an annual renewal registration fee of \$200, on or before the anniversary date of the initial authorization to post bail, or such amount as may be established from time to time by the 32nd Judicial District and County Council.

g) Each applicant or licensee shall provide to the District Attorney such information as may be required concerning its business practices or business methods, or proposed business practices or methods, as a Corporate Surety. The Solicitor of Delaware County shall also be served with a copy of this information.

h) Fully comply with all statutes, laws, regulations, rules of court and procedures as may be established from time to time.

*5. Process to be Utilized in Seeking Approval as a Corporate Surety.*

Any corporate surety which is licensed by the Pennsylvania Department of Insurance may seek approval to post bail in Delaware County by filing a petition and paying the filing fee with the Office of Judicial Support. The petition must provide the information, documents and certifications set forth in Section 4 of this Regulation. Upon filing, the petition shall be assigned to the President Judge, or his designee for determination.

*6. Training and Continuing Education.*

To register as a corporate surety desiring to post bail in Delaware County, the corporate surety must certify that all employees and agents who will write any bail on its behalf in Delaware County, not less than thirty (30) hours of education in subjects pertinent to the duties and responsibilities of corporate sureties, including, but not limited to, all laws and regulations relating thereto, the criminal justice system, rights of the accused, bail bond industry ethics, prohibited conduct and apprehension of bail fugitives. Additionally, a corporate surety desiring to post bail in Delaware County must certify that all employees and agents who will write any bail on its behalf in Delaware County have satisfactorily completed not less than eight (8) hours of continuing education in these subjects during the year preceding any renewal of its registration in Delaware County.

*7. Bail Piece Procedure.* Whenever a bail piece is used pursuant to Pa.R.Crim.P. 536(B)(2) and the defendant is apprehended by or on behalf of the corporate surety or its agents, the defendant must be brought to the George W. Hill Correctional Facility or such other location as designated by a Common Pleas Judge of the 32nd Judicial District after the filing of a petition or presentation of a warrant.

*8. Review and Monitoring.* The District Attorney of Delaware County shall be served with a copy of any petition filed pursuant to this Joint General Court Regulation and shall have the continuing power to investigate the qualification, training, character, and integrity of any Corporate Surety that seeks leave of Court to post bail for criminal defendants as provided in this Regulation, as well as the business practices and business methods of any corporate surety and its Agents who have been approved to post bail as Corporate Surety of as an Agent for the Corporate Surety in Delaware County and may, as appropriate, request, for good cause, denial or revocation of permission to post bail for criminal defendants in Delaware County. The Solicitor of Delaware County shall also be served with a copy of the petition.

Failure to comply with any provision of this rule may result in suspension and the freezing of the surety account.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 16-450. Filed for public inspection March 18, 2016, 9:00 a.m.]

**DELAWARE COUNTY**  
**Bail Conditions; No. MD 29-2016**

*And Now*, this 2nd day of March, 2016, It is hereby Ordered and Decreed that the existing Rule 526(d) is amended and shall be entirely replaced by New Rule 526(d) in accordance with the following language effective 30 days after publication.

**New Rule 526(d). Bail Conditions.**

(1) The person for whom bail has been set or a private third party surety shall, with the approval of the court or Magisterial District Judge, execute the bail bond and deliver to the Office of Judicial Support (O.J.S.) for deposit in an account designated by order of the President Judge of the Court of Common Pleas, Delaware County, a sum of money equal to 10 percent of the bail, but in no event shall such deposit be less than \$75. Corporate sureties are expressly prohibited from posting the deposit for bail set under this section.

(2) When the conditions for the bail bond have been performed and the defendant discharged from all obligations in the case for which bail was set, the Office of Judicial Support shall return to the defendant or surety 60 percent of the amount deposited. The balance to be retained by the court shall be applied as an administrative cost for this program and the sum retained shall not in any case be less than \$100. The monies retained shall be considered as earned at the time the bail is set and a sum equal to 10 percent posted by the defendant or third party surety.

(3) In the event that bail is ordered either increased or decreased at any time during the proceedings, the fee set forth under Rule 526(d)(2) shall be computed on the basis of the last bail set and posted in the case. The phrase "last bail set" is intended to include post-conviction and/or post-sentence bail.

(4) When a defendant has failed to comply with the rules and regulations of the bail bond or any additional conditions of his release, he may be brought before the court to determine if additional bail shall be set in his case.

(5) The following fee schedule shall be implemented:

(a) The administrative fee for percentage bail shall be forty percent (40%).

(b) The cash bail fee shall be four percent (4%) of the first \$1,000. All amounts above \$1,000 shall be two percent (2%).

(c) An administrative fee of \$75 shall be charged whenever a corporate surety posts a bail piece.

(d) If the defendant appears and surrenders to the court within 48 hours after a breach of the condition of bail and issuance of a bench warrant, an administrative fee of \$50 may be imposed as a bail reinstatement fee.

(e) If the defendant appears after 48 hours of a bench warrant, a \$100 administrative fee may be imposed as a bail reinstatement fee.

(f) The Court of Common Pleas may waive such fee if the defendant can satisfy the court that his appearance or surrender was impossible or with good cause.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 16-451. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DELAWARE COUNTY

### Establishing Uniform Rules Regarding Taking of Photographs, Video or Motion Pictures of Judicial Proceedings or in the Hearing Room, Courtroom or Its Environs; MD-29-2016

#### Administrative Order

*And Now*, this 2nd day of March, 2016,

*It is Ordered:*

1) No sound recording, photograph, video recording or motion picture may be made or taken of any judicial proceeding or in any hearing room or courtroom, without the prior permission of the President Judge, the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer.

2) All electronic devices, including cell phones, tablets, laptops, and cameras, shall be powered off (not simply muted) in all hearing rooms, and courtrooms unless permission to activate such device has been first obtained from the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer.

3) No photograph, video recording or motion picture of any witness, juror or police officer connected to a pending judicial proceeding may be taken or made in the courthouse or in any building housing a courtroom or hearing room, whether or not the court is actually in session, without the prior permission of the presiding judge, the presiding hearing officer or the designee of the presiding judge or the presiding hearing officer.

4) The transmission of any conversation or testimony taken by any electronic means during any judicial proceeding without the prior permission of the presiding judge, or the presiding hearing officer is strictly prohibited.

5) Violation of this Order may constitute contempt of court and result in the confiscation of such device, the deletion of any offending data or material on such device, the imposition of a fine of up to \$1,000.00 and/or imprisonment of up to six (6) months.

6) The presiding judge or the presiding hearing officer or his/her designee, are authorized to enforce this Order, including taking immediate possession of any offending device.

7) Any device confiscated pursuant to this Order that is not claimed by its lawful owner within seven (7) business days of such confiscation shall be deemed forfeited to the County of Delaware.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 16-452. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DELAWARE COUNTY

### Realty as Bail; No. MD 29-2016

*And Now*, this 2nd day of March, 2016, It is hereby Ordered and Decreed that the existing Rule 528(f) is amended and shall be entirely replaced by New Rule 528(f) in accordance with the following language effective 30 days after publication.

#### New Rule 528(f). Realty as Bail.

1. If realty is offered to satisfy the bail set for an individual defendant, the following must be provided to the Office of Judicial Support (O.J.S.)—the Bail Agency:

a) A written appraisal by a reputable licensed real estate broker in the county in which the property is situated.

b) Proof of entry of the bail bond as a lien in favor of the County of Delaware in the Prothonotary's Office of the county in which the property is situated.

c) If the property is mortgaged, a letter from the mortgage indicating any unpaid balance due.

d) A current lien and judgment search by a reputable title insurance company.

e) Affidavit of justification of surety as provided in paragraph (4).

2. Upon review of the above documents, a determination must be made by the Office of Judicial Support (O.J.S.)—Bail Agency, that the actual net value of the property is equal to the amount of the bond. Only after the information requested above is supplied and a determination is made that actual net value is at least equal to the amount of the bond, will realty be accepted as consideration for bail.

3. A given piece of realty shall only be used as bail if it has not been posted or is not presently being used for bail for any other charges or defendants, unless allowed by court order.

4. If realty is offered as surety, the owner shall present justification for such by filing an affidavit containing the following information for such surety:

a) Owner's name, address, age and occupation.

b) A general description of the real estate which is offered as surety.

c) A statement of the manner in which title is obtained, including the deed or will book reference of the recording of such instrument of title.

d) A statement for all encumbrances, including taxes, upon said real estate.

e) A statement of any and all other surety undertakings.

f) A statement of the assessed market and rental value of the real estate.

g) A statement that the real estate is not being contemplated or actually negotiated for in any sale.

*By the Court*

CHAD F. KENNEY,  
*President Judge*

[Pa.B. Doc. No. 16-453. Filed for public inspection March 18, 2016, 9:00 a.m.]

### WASHINGTON COUNTY

**Local Criminal Rules: L-529—Modification of Bail Order Prior to Verdict; L-530—Designation of Bail Agency; No. 2016-1**

#### Order

*And Now*, this 29th day of February, 2016; *It Is Hereby Ordered* that the previously-stated Washington County Local Criminal Rules are adopted as follows.

These rules will become effective thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

KATHERINE B. EMERY,  
*President Judge*

**Rule 529. Modification of Bail Order Prior to Verdict.**

(a) All motions concerning bail before verdict pursuant to Pa.R.Crim.P. 529(C) shall be heard by the designated judge in open court and on the record.

(b) Notice of hearing concerning bail before verdict must be given to the Attorney for the Commonwealth, defense counsel of record and the Adult Probation and Parole Office and no hearing shall be conducted unless the Attorney for the Commonwealth and a representative of the Adult Probation and Parole Office are present.

(c) In cases of emergency, if defense counsel of record could not be notified of the bail hearing, defense counsel shall be promptly notified by the Adult Probation and Parole office of the judge's disposition on the motion, and,

if upon such notification, defense counsel requests an opportunity to be heard, another hearing will be scheduled by the Court.

**Rule 530. Designation of Bail Agency.**

The Adult Probation and Parole Office, Pre-Trial Services Unit, is designated as the bail agency of the Court of Common Pleas of Washington County.

[Pa.B. Doc. No. 16-454. Filed for public inspection March 18, 2016, 9:00 a.m.]

## SUPREME COURT

**Extension of Pilot Program for Electronic Filing and Service of Motions and Other Legal Papers in the First Judicial District Court of Common Pleas, Trial Division—Criminal Section and the Philadelphia Municipal Court—Criminal Section; No. 470 Criminal Procedural Rules Doc.**

#### Order

*Per Curiam*

*And Now*, this 29th day of February, 2016, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the pilot program for electronic filing in the First Judicial District Court of Common Pleas, Trial Division—Criminal Section and the Philadelphia Municipal Court—Criminal Section, as initially authorized by Order No. 424, Criminal Procedural Rules Docket (February 6, 2013) and its accompanying local rule, shall be extended until further Order of Court.

During the pilot program, the provisions of the local rule shall control to the extent that the local rule's provisions conflict with the Pennsylvania Rules of Criminal Procedure, the Electronic Case Record Public Access Policy and the Records Retention and Disposition Schedule With Guidelines.

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

Justice Eakin did not participate in the consideration or decision of this matter.

[Pa.B. Doc. No. 16-455. Filed for public inspection March 18, 2016, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

### DELAWARE RIVER BASIN COMMISSION

[ 25 PA. CODE CH. 901 ]

#### Amendments to the Rules of Practice and Procedure to Allow Each Signatory Party and the Commission to Administer a Single Process for the Review and Adjudication of Projects

*Proposed:* Pennsylvania Bulletin (45 Pa.B. 2611 (May 30, 2015)).

*Adopted:* December 9, 2015 by the Delaware River Basin Commission, Pamela M. Bush, Esq., Commission Secretary.

*Filed:* February 16, 2016 as a final regulation.

*Effective:* March 4, 2016 (thirty days after publication in the *Federal Register*, which occurred on February 3, 2016).

*Summary:* By Resolution No. 2015-9 on December 9, 2015, the Delaware River Basin Commission (“DRBC” or “Commission”) approved amendments to the Commission’s *Administrative Manual Part II—Rules of Practice and Procedure* to provide for the One Process/One Permit Program. The Program is intended to promote inter-agency cooperation and collaboration on shared mission objectives, achieve regulatory program efficiencies, avoid unnecessary duplication of effort, and reduce the potential for confusion on the part of regulated entities and the public regarding regulatory requirements applicable to projects.

*Contacts:* For technical information, David Kovach, 609-477-7264. For legal information, Pamela Bush, 609-477-7203.

*Supplementary Information:* The Delaware River Basin Commission is a federal-interstate compact agency charged with managing the water resources of the Delaware River Basin on a regional basis without regard to political boundaries. Its members are the governors of the four basin states—Delaware, New Jersey, New York and Pennsylvania—and the North Atlantic Division Commander of the U. S. Army Corps of Engineers, representing the federal government. The purpose of this notice is to advise the public that duly adopted regulations of the Commission have been filed with the state in accordance with Section 14.2 of the *Delaware River Basin Compact*.

*Background.* This final rule amends the *Administrative Manual Part II—Rules of Practice and Procedure* by the addition of a new section 2.3.11 (18 CFR 401.42), providing for DRBC and each of the parties to the *Delaware River Basin Compact* (United States Public Law 87-328, Approved September 27, 1961, 75 U. S. Statutes at Large 688; 53 Delaware Laws, Chapter 71, Approved May 26, 1961; New Jersey Laws of 1961, Chapter 13, Approved May 1, 1961; New York Laws of 1961, Chapter 148, Approved March 17, 1961; and Pennsylvania Acts of 1961, Act No. 268, Approved July 7, 1961 (“the Compact”))—Delaware, New Jersey, New York, Pennsylvania and the federal government (“Signatory Parties”)—to coordinate and collaborate in the administration of a single process

for the review and adjudication of certain projects, including, where appropriate, issuance of a single permit or other approval instrument.

Currently, the sponsors of many water resource-related projects in the Delaware River Basin are required to apply to both the DRBC and a state agency, among others, for approvals. New § 2.3.11 (18 CFR 401.42) of the Commission’s *Rules of Practice and Procedure* provides for the DRBC and the administrative agencies of the Signatory Parties to identify regulatory programs that by mutual agreement will be managed through a single process that may result in one decision or approval. The program, known as One Process/One Permit (hereinafter, “the Program” or “One Permit”) is intended to promote interagency cooperation and collaboration on shared mission objectives, achieve regulatory program efficiencies, avoid unnecessary duplication of effort, and reduce the potential for confusion on the part of regulated entities and the public regarding regulatory requirements applicable to projects. Importantly, the rule expressly preserves the authorities of the DRBC and each of its Signatory Parties and effects no change to federal, state or DRBC substantive standards and requirements.

In accordance with this final rule, administrative agreements between DRBC and Signatory Party agencies to implement the Program may be approved by the Commission after each such agreement undergoes a duly noticed public hearing. Notably, each Signatory Party may choose whether and when to initiate an agreement or agreements with DRBC under the Program.

In accordance with Resolution No. 2015-4 of the Commission, which was adopted on March 11, 2015 following a public hearing on March 10, 2015, an administrative agreement between the DRBC and the New Jersey Department of Environmental Protection (NJDEP) was executed, in part to demonstrate how the Program would operate in New Jersey. With adoption of the final rule, DRBC and NJDEP will fully implement their March 2015 agreement. A draft agreement between DRBC and the New York State Department of Environmental Conservation (NYSDEC) was published on January 29, 2016. The earliest date on which the Commission could approve the agreement with NYSDEC is at its next scheduled public meeting on March 16, 2016.

*Procedural background.* The Commission introduced One Permit to the basin community during meetings with regulated entities, environmental organizations and other stakeholders on February 12 and March 3, 2015 and through publication on the DRBC website of a press release and a set of FAQs on February 27, 2015. During the Commission’s quarterly public meeting on March 10-11, 2015, the Commission approved Resolution No. 2015-4, in part authorizing and directing the Executive Director to initiate rulemaking to amend DRBC’s *Rules of Practice and Procedure* to provide specific authorization for and define the scope of the Program. A notice of proposed rulemaking was published on the Commission’s web site on May 17, 2015.

Notice of the proposed amendments appeared in the *Federal Register* at 80 FR 28567, May 19, 2015; *Delaware Register of Regulations*, 18 DE Reg. 1002, June 1, 2015; *New Jersey Register*, 47 N.J.R. 1256, June 1, 2015; *New York State Register*, May 27, 2015 (page 4); and *Pennsylvania Bulletin*, 45 Pa.B. 2611, May 30, 2015. The Com-

mission held a public hearing on the proposed rule on June 9, 2015 and accepted written comments on the rule through July 1, 2015.

*Changes to the draft rule.* In its action adopting the final rule, the Commission also adopted a detailed comment and response document identifying the commenters and comments received during the comment period and setting forth the Commission’s responses, including changes to the rule to address concerns and respond to recommendations submitted by stakeholders.

Revisions to the draft rule include the following:

- Paragraph B (18 CFR 401.42(b)) was clarified to provide that applications for approvals required by the Compact and Commission regulations, but not within the scope of the Program, must continue to be submitted to the Commission. This clarification makes express the intent of the draft rule.

- To ensure continued public access to information on the status of all projects under review pursuant to the *Delaware River Basin Compact*, including those administered under One Permit, a new paragraph D.2. (18 CFR 401.42(d)(2)) was added, establishing that participating Signatory Party agencies will notify DRBC at least once monthly of applications received under the Program; and paragraph D.5 (18 CFR 401.42(d)(5)) was revised to establish that the list that the Commission will maintain of projects being administered under One Permit will be posted on the Commission’s website. Additional benefits of these changes are described in the comment and response document.

- Paragraph H (18 CFR 401.42(h)) of the draft rule was revised to clarify that DRBC’s current Project Review Fee Schedule as set forth in Resolution No. 2009-2 will be the operative fee schedule for projects reviewed under the Program, unless and until the Commission replaces it.

- Paragraph I (18 CFR 401.42(i)) was revised to provide more efficient mechanisms for the disposition of Commission dockets during the transition to One Permit. A new paragraph I.1 (18 CFR 401.42(i)(1)) provides that for projects covered by the Program, the most recent docket will be deemed administratively continued when a renewal application is timely submitted to the Signatory Party Agency. A new paragraph I.2 (18 CFR 401.42(i)(2)) eliminates the need for separate Executive Director action to terminate provisions of each docket by providing that unless the Executive Director or the Commission otherwise directs, upon the Signatory Party Agency’s final action on an application for a project subject to the Program, (a) any existing or administratively continued docket will terminate as to all of its provisions and conditions within the scope of the Signatory Party Agency

approval; and (b) such docket will continue in effect as to any provisions and conditions outside the scope of the Signatory Party Agency approval, including for example, addition of a project to the Comprehensive Plan.

- The rule as proposed authorizes Signatory Party agencies, in accordance with an applicable administrative agreement, to issue in their approvals for projects to be administered under the Program the finding and determination required by section 3.8 of the Compact that a project subject to section 3.8 review does not substantially impair or conflict with the Commission’s Comprehensive Plan (“the finding”). Paragraph D.4 (18 CFR 401.42(d)(4)) of the draft rule was revised to clarify that where in accordance with an applicable administrative agreement implementing One Permit the finding continues to be made by the Commission, the Signatory Party agency may include the Commission’s finding in the agency’s approval, together with any conditions identified by the Commission as necessary to support it, thereby achieving a unified permit.

Minor additional revisions to the rule text were made as deemed necessary for clarity or accuracy. In particular, changes were made to underscore two aspects of the rule that have been part of One Permit from the start: (1) that participation in the program by Signatory Party agencies is voluntary; and (2) that the scope of a Signatory Party Agency’s participation is defined by an administrative agreement between DRBC and the agency that has been duly adopted in accordance with paragraph D (18 CFR 401.42(d)) of the rule.

*Related Materials:* Related materials can be found on the Commission’s web site at [www.drbc.net](http://www.drbc.net). These include DRBC Resolution No. 2015-9 approving the final rule, at [http://www.nj.gov/drbc/library/documents/Res2015-09\\_OPOPwith-final-rule-text.pdf](http://www.nj.gov/drbc/library/documents/Res2015-09_OPOPwith-final-rule-text.pdf); and the Commission’s detailed comment and response document, which identifies commenters, summarizes comments received on the proposed rule, and sets forth the Commission’s responses, at [http://www.nj.gov/drbc/library/documents/OPOP/comment-and-response\\_OPOP.pdf](http://www.nj.gov/drbc/library/documents/OPOP/comment-and-response_OPOP.pdf).

The version of the *Rules of Practice and Procedure* that is currently posted on DRBC’s website at [http://www.nj.gov/drbc/library/documents/admin\\_manual.pdf](http://www.nj.gov/drbc/library/documents/admin_manual.pdf) uses DRBC’s original numbering system, which is different from that of the *Code of Federal Regulations*. In the DRBC codification, the One Permit Program rules are set forth at new section 2.3.11. A list of the CFR units and corresponding DRBC units follows. A complete stand-alone version of the *Rules of Practice and Procedure* using the CFR system will be available on the DRBC website shortly.

<i>CFR Unit</i>	<i>DRBC Unit</i>	<i>Title or Caption</i>
Title 18	—	—
Conservation of Power and Water Resources	—	—
Chapter III—Delaware River Basin Commission	—	—
Subchapter A—Administrative Manual	Administrative Manual [Part II]	—
Part 401—Rules of Practice and Procedure	Rules of Practice and Procedure	—
Subpart C—Project Review Under Section 3.8 of the Compact	Article 3—Project Review Under Section 3.8 of the Compact	—

<i>CFR Unit</i>	<i>DRBC Unit</i>	<i>Title or Caption</i>
401.42	2.3.11	One Permit Program
401.42(a)	2.3.11 A.	Purpose
401.42(b)	2.3.11 B.	Scope
401.42(c)	2.3.11 C.	Regulatory programs
401.42(d)	2.3.11 D.	Procedure
401.42(e)	2.3.11 E.	Comprehensive Plan projects
401.42(f)	2.3.11 F.	Retention of Commission review and enforcement authorities
401.42(g)	2.3.11 G.	Exhaustion of Signatory Party administrative remedies prerequisite to appeal
401.42(h)	2.3.11 H.	Fees
401.42(i)	2.3.11 I.	Effect of One Permit Program on Commission dockets
401.42(j)	2.3.11 J.	Modification of Rules of Practice and Procedure to conform to this section
401.42(k)	2.3.11 K.	No interference with Supreme Court decree

*Dated:* February 16, 2016

PAMELA M. BUSH, Esq.,  
*Secretary*

**Fiscal Note:** Fiscal Note 68-58 remains valid for the final adoption of the subject regulation.

The rule text, shown with the CFR numbering system, follows:

Effective March 4, 2016, the Commission’s rule adoption amends the *Pennsylvania Administrative Code*, Title 25, Part V, Chapter 901, as set forth below. New text is denoted by bold face type. Deleted text is denoted by bold face type in brackets:

**§ 901.1. Rules of Practice and Procedure.**

The rules of practice and procedure as set forth in 18 CFR 401 (2016 [ 2002 ]) are hereby incorporated by reference and made a part of this title.

The text of the new section as it will appear in the *Code of Federal Regulations* is printed in its entirety below.

**§ 401.42. One Permit Program.**

(a) *Purpose.* The purpose of the One Permit Program set forth in this section is to provide the opportunity for the environmental agency and/or other administrative agency of a Signatory Party (“Signatory Party Agency”) and the Commission to coordinate and collaborate in the administration of a single process for the review and adjudication of projects. The One Permit Program allows the Signatory Party Agency and Commission to incorporate requirements and determinations of both entities in a single permit or other approval instrument, pursuant to a duly adopted Administrative Agreement under paragraph (d) of this section.

(b) *Scope.* This section applies to all projects that:

- (1) Are reviewable under the Compact;
- (2) Meet the thresholds for review set forth in § 401.35 of these *Rules of Practice and Procedure*;
- (3) Are subject to review by a Signatory Party Agency under its own statutory authorities; and

(4) Are within regulatory programs that have been identified in a duly adopted Administrative Agreement between the Commission and a Signatory Party Agency under this section. For any project that requires an approval under the Compact that is outside the scope of the Signatory Party Agency’s approval issued in accordance with an Administrative Agreement under this section, the project sponsor shall apply to the Commission in accordance with procedures established by the Commission.

(c) *Regulatory programs.* Regulatory programs eligible for administration under the One Permit Program may include but are not limited to those concerning: Basin discharges, Basin water withdrawals, and Basin flood plain requirements.

(d) *Procedure.* The categories of projects covered and the procedures for processing applications under the One Permit Program shall be set forth in one or more Administrative Agreements between the Commission and the Signatory Party Agency that have been adopted by the Commission following a duly noticed public hearing and are in form and substance acceptable to the Commission and the Signatory Party Agency, consistent with the following:

- 1. Except as provided in paragraphs (b) and (e) of this section or in an Administrative Agreement that has been duly executed by the Commission and the Signatory Party Agency under this section, an application for initial approval, renewal or revision of any project subject to the One Permit Program shall be filed only with the Signatory Party Agency.
- 2. To enable the Commission to compile and make available to the public a current list of pending applications for projects within the Basin subject to Commission jurisdiction, the Signatory Party Agency shall notify the Commission at least monthly of applications the Signatory Party has received during the preceding month that may be eligible for review under the One Permit Program.
- 3. For those categories of projects identified in the Administrative Agreement as requiring Commission input, the Commission staff shall provide the Signatory



Party Agency with such input, including where specified by the Administrative Agreement, a recommendation as to any conditions of approval that may be necessary or appropriate to include in the project review determination under Section 3.8 of the Compact as to those regulatory programs identified in an Administrative Agreement in accordance with paragraph (b) of this section.

4. Unless the Signatory Party Agency disapproves the project or the Administrative Agreement provides for separate Commission action under Section 3.8 of the Compact, the Signatory Party Agency shall make the project review determination under Section 3.8 of the Compact, as specified in the Administrative Agreement, as to the regulatory program covered by the Signatory Party Agency's approval and include the determination and any associated conditions of approval within the permit or other approval instrument that it issues to the project sponsor. If in accordance with the applicable Administrative Agreement the determination under Section 3.8 of the Compact is made by the Commission, the Signatory Party Agency may include the determination together with any associated conditions of approval in its permit or other approval instrument covering the project.

5. The Commission will maintain on its website a list of all projects being administered pursuant to the Program.

(e) *Comprehensive Plan projects.* Articles 11 and 13 of the Compact require certain projects to be included in the Comprehensive Plan. To add a project not yet included in the Comprehensive Plan, the project sponsor shall submit a separate application to the Commission. If following its review and public hearing the Commission approves the addition of the project to the Comprehensive Plan, the Commission's approval will include such project requirements as are necessary under the Compact and Commission regulations. All other project approvals that may be required from the Signatory Party Agency or the Commission under regulatory programs administered pursuant to this section may be issued through the One Permit Program. An application for renewal or modification of a project in the Comprehensive Plan that does not change the project so substantially as to render it a new and different project may be submitted only to the Signatory Party Agency unless otherwise specified in the Administrative Agreement.

(f) *Retention of Commission review and enforcement authorities.* Notwithstanding any other provision of this section, any Commissioner or the Executive Director may designate for Commission review any project that is reviewable under the Compact. Nothing in this section shall limit the authority of the Commission to exercise its review authority under the Compact and applicable Commission regulations. Similarly, although Administrative Agreements executed pursuant to this section may include collaborative and cooperative compliance and enforcement procedures, nothing in this section shall limit the authority of the Commission to exercise its enforcement authority under the Compact and applicable regulations.

(g) *Exhaustion of Signatory Party administrative remedies prerequisite to appeal.* Before commencing an action in a court of appropriate jurisdiction challenging any final action taken by a Signatory Party Agency under this section, the appellant must first exhaust its administrative remedies under the law of the Signatory Party whose agency issued the decision at issue.

(h) *Fees.* The Commission shall establish and maintain a schedule of fees for any or all of the services it renders

pursuant to this section. The applicable fee(s) for Commission services rendered pursuant to this section shall be those set forth in DRBC Resolution No. 2009-2 (available at <http://www.nj.gov/drbc/library/documents/Res2009-2.pdf>) for the review and renewal of project approvals. Project sponsors shall pay such fees, if any, directly to the Commission in accordance with the current schedule and applicable rules.

(i) *Effect of One Permit Program on Commission dockets.*

(1) Unless the Executive Director or Commission otherwise directs, if a docket holder submits, or has submitted, a timely application to a Signatory Party Agency for a project subject to review under an Administrative Agreement duly adopted under paragraph (d) of this section, the most recent docket for the project shall, upon expiration, be deemed administratively continued until final action is taken in accordance with paragraph (i)(2) of this section.

(2) Unless the Executive Director or Commission otherwise directs, upon a Signatory Party Agency's final action on an application for a project subject to the One Permit Program:

(i) Any existing or administratively continued docket for such project shall terminate as to all of its provisions and conditions that pertain to regulatory programs administered by the Signatory Party Agency under the Administrative Agreement ("the Covered Programs"); and

(ii) The docket shall continue in effect as to any provisions and conditions not pertaining only to Covered Programs, including, as applicable, the incorporation of the project in the Commission's Comprehensive Plan.

(j) *Modification of rules of practice and procedure to conform to this section.* Any project subject to review under an Administrative Agreement duly adopted under paragraph (d) of this section, shall be governed by this section and not §§ 401.4, 401.5, 401.6, 401.8, 401.34(a), (c) and (e), 401.37, 401.38 and 18 CFR part 401, subpart F, where they are inconsistent with the procedures provided in this section.

(k) *No interference with Supreme Court decree.* In accordance with Sections 3.3(a) and 3.5 of the Compact, nothing in this section shall grant the authority to any Signatory Party Agency to impair, diminish or otherwise adversely affect the diversions, compensating releases, rights, conditions, obligations and provisions for administration thereof provided in the United States Supreme Court decree in *New Jersey v. New York*, 347 U.S. 995 (1954) ("Decree"). Any such action shall be taken only by the Commission with the unanimous consent of the parties to the Decree or upon unanimous consent of the members of the Commission following a declaration of a state of emergency in accordance with Section 3.3(a) of the Compact.

## Annex A

### TITLE 25. ENVIRONMENTAL PROTECTION

#### PART V. DELAWARE RIVER BASIN COMMISSION

##### CHAPTER 901. GENERAL PROVISIONS

##### § 901.1. Rules of Practice and Procedure.

The rules of practice and procedure as set forth in 18 CFR Part 401 (2016) are hereby incorporated by reference and made a part of this title.

[Pa.B. Doc. No. 16-456. Filed for public inspection March 18, 2016, 9:00 a.m.]

# PROPOSED RULEMAKING

## BOARD OF COAL MINE SAFETY

[ 25 PA. CODE CH. 208 ]

### Proximity Detection Systems

The Board of Coal Mine Safety (Board) proposes to add §§ 208.500—208.504 (relating to proximity detection systems) to read as set forth in Annex A. The proposed rulemaking implements existing Federal regulations, thereby making certain Federal provisions independently enforceable by the Commonwealth.

This proposed rulemaking was adopted by the Board at its meeting of December 8, 2015.

#### A. *Effective Date*

This proposed rulemaking will be effective upon final form publication in the *Pennsylvania Bulletin*.

#### B. *Contact Persons*

For further information, contact Craig Carson, Director, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672, (724) 404-3154 or cocarson@pa.gov; or Joseph Iole, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-9376 or jirole@pa.gov.

#### C. *Statutory Authority*

Sections 106 and 106.1 of the Bituminous Coal Mine Safety Act (BCMSA) (52 P. S. §§ 690-106 and 690-106.1) authorize the adoption of regulations to implement the BCMSA. The BCMSA further authorizes the Board to promulgate necessary or appropriate regulations to implement the requirements of the BCMSA and to protect the health, safety and welfare of miners and other individuals in and about mines.

#### D. *Background and Purpose*

On July 7, 2008, the General Assembly enacted the BCMSA, which was the first significant update of the Commonwealth's underground bituminous coal mine safety laws since 1961. See section 103(a) of the BCMSA (52 P. S. § 690-103(a)). The BCMSA provides broad authority to promulgate regulations that are necessary or appropriate to implement the BCMSA and to protect the health, safety and welfare of miners and other individuals in and about mines. See section 106.1(a) of the BCMSA. Regulations consistent with Federal standards may also be promulgated under section 106.1(c) of the BCMSA. Under section 106 of the BCMSA, the Board consists of three members representing mine workers, three members representing underground bituminous coal mine operators and the Secretary of the Department of Environmental Protection (Department) who serves as the Board's chairperson.

This proposed rulemaking implements existing Federal regulations in 30 CFR Part 75 (relating to mandatory safety standards—underground coal mines) that require underground bituminous coal mine operators to equip continuous mining machines, except full-face continuous mining machines, with proximity detection systems. Conditions in underground bituminous coal mines, including low visibility, limited space and uneven ground, present hazards that contribute to machine-related accidents that

can cause injury or death. Proximity detection systems, which use electronic sensors to detect motion or the location of one object relative to another, can be used to provide warning and stop mining machines before the machine pins, crushes or strikes a miner.

The Federal Mine Safety and Health Administration promulgated rules regarding proximity detection systems to reduce potential for pinning, crushing or striking accidents.

Adopting these regulations ensures that operations at underground bituminous coal mine sites are safely conducted and maintained. Although underground bituminous coal mine operators are already required to comply with these Federal regulations, implementing them in Chapter 208 (relating to underground coal mine safety) provides the Department with the independent authority to enforce the Federal requirements when Commonwealth inspectors observe violations, improving efficiency and increasing Commonwealth autonomy regarding enforcement efforts.

#### E. *Summary of Proposed Regulatory Requirements*

##### *Proximity detection systems*

##### § 208.500. *Proximity detection systems*

This section requires operators to install proximity detection systems on certain mobile machines.

##### § 208.501. *Machines covered*

This section incorporates by reference 30 CFR 75.1732(a) (relating to proximity detection systems). This provision describes the types of machines that must be equipped with a proximity detection system and provides the schedule by when certain machines must be in compliance with the rule.

##### § 208.502. *Requirements*

This section incorporates by reference 30 CFR 75.1732(b). This provision describes certain technical specifications required in a proximity detection system.

##### § 208.503. *System checks*

This section incorporates by reference 30 CFR 75.1732(c). This provision requires a manual inspection of the system at specified intervals, and requires defects to be corrected.

##### § 208.504. *Certifications and records*

This section incorporates by reference 30 CFR 75.1732(d). This provision describes the certifications and records related to a proximity detection system an operator shall maintain, and requires the operator to make records available for inspection to the Department.

#### F. *Benefits, Costs and Compliance*

##### *Benefits*

The proposed rulemaking makes certain Federal regulations independently enforceable by the Commonwealth. This improves safety by providing enforcement authority to the Commonwealth and maintaining consistency between Federal and State safety requirements.

##### *Compliance costs*

The proposed rulemaking does not add compliance costs since it implements existing Federal regulations with which mining operators in this Commonwealth must already comply.

*Paperwork requirements*

The proposed rulemaking does not generate additional paperwork because mining operators must comply with the existing Federal regulations that will be implemented by this proposed rulemaking.

*G. Pollution Prevention*

The Federal Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) establishes a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance. This proposed rulemaking has minimal impact on pollution prevention since it is focused on mine safety.

*H. Sunset Review*

The regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

*I. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 9, 2016, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

*J. Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Board. Comments, suggestions or objections must be received by the Board by April 18, 2016. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by the Board by April 18, 2016. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final rulemaking will be considered.

Comments including the submission of a one-page summary of comments may be submitted to the Board online, by e-mail, by mail or express mail as follows. If an

acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Comments may be submitted to the Board by accessing eComment at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Comments may be submitted to the Board by e-mail at [RegComments@pa.gov](mailto:RegComments@pa.gov). A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

Written comments should be mailed to the Board of Coal Mine Safety, P. O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Board of Coal Mine Safety, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

JOHN QUIGLEY,  
*Chairperson*

**Fiscal Note:** 7-526. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION**  
**PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart D. ENVIRONMENTAL HEALTH AND SAFETY**

**ARTICLE IV. OCCUPATIONAL HEALTH AND SAFETY**

**CHAPTER 208. UNDERGROUND COAL MINE SAFETY**

**PROXIMITY DETECTION SYSTEMS**

**§ 208.500. Proximity detection systems.**

Operators shall install proximity detection systems on certain mobile machines.

**§ 208.501. Machines covered.**

The provisions of 30 CFR 75.1732(a) (relating to proximity detection systems) are incorporated by reference.

**§ 208.502. Requirements.**

The provisions of 30 CFR 75.1732(b) (relating to proximity detection systems) are incorporated by reference.

**§ 208.503. System checks.**

The provisions of 30 CFR 75.1732(c) (relating to proximity detection systems) are incorporated by reference.

**§ 208.504. Certifications and records.**

The provisions of 30 CFR 75.1732(d) (relating to proximity detection systems) are incorporated by reference, with the following alteration to subsection (d)(5):

Retain records for at least one year and make them available for inspection by authorized representatives of the Department and representatives of miners.

[Pa.B. Doc. No. 16-457. Filed for public inspection March 18, 2016, 9:00 a.m.]

# GAME COMMISSION

[ 58 PA. CODE CH. 143 ]

## Hunting and Trapping; Antlerless Deer Licenses

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its February 2, 2016, meeting to amend § 143.50 (relating to procedure for nonresidents of this Commonwealth) to allow nonresidents to submit applications for antlerless deer licenses on the third Monday in July, 1 week after resident applicants.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the February 2, 2016, meeting of the Commission. Comments can be sent until April 1, 2016, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

### 1. Purpose and Authority

The Commission has been asked to review the preference given to resident license holders in the timing that antlerless deer applications can be submitted to county treasurers. Currently, resident license holders can apply 2 weeks sooner than nonresident license holders. While this timing does not affect the availability of antlerless deer licenses for nonresident license holders in most wildlife management units (WMU), it often eliminates the availability of antlerless deer licenses in a number of low quota, highly preferred WMUs. The Commission reviewed the resident license holder preference policy and determined that the nonresidents most impacted by this negative preference are former residents of this Commonwealth who annually return to hunt. Therefore, in an effort to narrow the gap, the Commission is proposing to amend § 143.50 to allow nonresidents to submit applications for antlerless deer licenses on the third Monday in July, 1 week after resident applicants.

Section 2722(g) of the code (relating to authorized license-issuing agents) directs the Commission to adopt regulations for the administration, control and performance of license issuing activities. The amendments to § 143.50 are proposed under this authority.

### 2. Regulatory Requirements

The proposed rulemaking will amend § 143.50 to allow nonresidents to submit applications for antlerless deer licenses on the third Monday in July, 1 week after resident applicants.

### 3. Persons Affected

Persons wishing to hunt antlerless deer within this Commonwealth will be affected by the proposed rulemaking.

### 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

### 5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

### 6. Contact Person

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-394. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 143. HUNTING AND FURTKAKER LICENSES

#### Subchapter C. ANTLERLESS DEER LICENSES

#### § 143.50. Procedure for nonresidents of this Commonwealth.

Nonresidents may apply for unsold licenses on the [ last ] third Monday in July and thereafter in compliance with § 143.45 (relating to completing and submitting applications).

[Pa.B. Doc. No. 16-458. Filed for public inspection March 18, 2016, 9:00 a.m.]

[ 58 PA. CODE CH. 141 ]

## Hunting and Trapping; Hunting Hours

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its February 2, 2016, meeting to amend Chapter 141, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2016-2017 hunting license year.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the February 2, 2016, meeting of the Commission. Comments can be sent until April 1, 2016, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

### 1. Purpose and Authority

Each year there is a shift in calendar days for each month. As a result of this occurrence, the time tables in Appendix G must be amended and updated on an annual basis to accurately reflect the upcoming year's dates and hours for legal hunting. The Commission is proposing to amend Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2016-2017 hunting license year.

Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting

hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to Appendix G are proposed under this authority.

2. *Regulatory Requirements*

The proposed rulemaking will amend Appendix G by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2016-2017 hunting license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2016-2017 hunting license year will be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The effective dates of the proposed rulemaking are July 1, 2016, to June 30, 2017.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-390. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Appendix G. HUNTING HOURS**

*(Editor’s Note: As part of this proposed rulemaking, the Commission is proposing to delete the text of the tables which appear in 58 Pa. Code pages 141-34—141-36, serial pages (376936)—(376938) and replace them with the following tables.)*

**HUNTING HOURS TABLE  
FOR JULY 1, 2016 THROUGH JUNE 30, 2017**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1—2	5:06	9:03
July 3—9	5:11	9:00
July 10—16	5:16	8:57
July 17—23	5:21	8:52
July 24—30	5:28	8:46
July 31—Aug. 6	5:34	8:38
Aug. 7—13	5:41	8:29
Aug. 14—20	5:48	8:19
Aug. 21—27	5:54	8:06
Aug. 28—Sept. 3	6:01	7:58
Sept. 4—10	6:07	7:47
Sept. 11—17	6:14	7:35

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Sept. 18—24	6:21	7:24
Sept. 25—Oct. 1	6:27	7:12
Oct. 2—8	6:34	7:00
Oct. 9—15	6:42	6:50
Oct. 16—22	6:49	6:40
Oct. 23—29	6:57	6:31
Oct. 30—Nov. 5	7:05	6:23
Nov. 6—12 **Ends	6:13	5:16
Nov. 13—19	6:21	5:11
Nov. 20—26	6:28	5:07
Nov. 27—Dec. 3	6:36	5:06
Dec. 4—10	6:42	5:05
Dec. 11—17	6:47	5:06
Dec. 18—24	6:50	5:08
Dec. 25—31	6:52	5:11
Jan. 1—7	6:52	5:17
Jan. 8—14	6:52	5:23
Jan. 15—21	6:50	5:30
Jan. 22—28	6:47	5:38
Jan. 29—Feb. 4	6:41	5:47
Feb. 5—11	6:35	5:55
Feb. 12—18	6:27	6:03
Feb. 19—25	6:18	6:12
Feb. 26—Mar. 4	6:08	6:19
Mar. 5—11	5:57	6:27
Mar. 12—18 *Begins	6:46	7:35
Mar. 19—25	6:35	7:42
Mar. 26—Apr. 1	6:24	7:49
Apr. 2—8	6:13	7:56
Apr. 9—15	6:02	8:03
Apr. 16—22	5:51	8:10
Apr. 23—29	5:41	8:17
Apr. 30—May 6	5:32	8:24
May 7—13	5:23	8:31
May 14—20	5:16	8:38
May 21—27	5:10	8:45
May 28—June 3	5:06	8:50
June 4—10	5:03	8:55
June 11—17	5:02	9:02
June 18—24	5:03	9:02
June 25—July 1	5:06	9:03

\*Daylight Saving Time

**MIGRATORY GAME BIRD HUNTING HOURS TABLE**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Aug. 28—Sept. 3	6:01	7:28
Sept. 4—10	6:07	7:17
Sept. 11—17	6:14	7:05

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Sept. 18—24	6:21	6:54
Sept. 25—Oct. 1	6:27	6:42
Oct. 2—8	6:34	6:30
Oct. 9—15	6:42	6:20
Oct. 16—22	6:49	6:10
Oct. 23—29	6:57	6:01
Oct. 30—Nov. 5	7:05	5:53
Nov. 6—12 *Ends	6:13	4:46
Nov. 13—19	6:21	4:41
Nov. 20—26	6:28	4:37
Nov. 27—Dec. 3	6:36	4:36
Dec. 4—10	6:42	4:35
Dec. 11—17	6:47	4:38
Dec. 18—24	6:50	4:38
Dec. 25—31	6:52	4:41
Jan. 1—7	6:52	4:47
Jan. 8—14	6:52	4:53
Jan. 15—21	6:50	5:00
Jan. 22—28	6:47	5:08
Jan. 29—Feb. 4	6:41	5:17
Feb. 5—11	6:35	5:25
Feb. 12—18	6:27	5:33
Feb. 19—25	6:18	5:42
Feb. 26—Mar. 4	6:08	5:49
Mar. 5—11	5:57	5:57
Mar. 12—18 *Begins	6:46	7:05
Mar. 19—25	6:35	7:12
Mar. 26—Apr. 1	6:24	7:19
Apr. 2—8	6:13	7:26
Apr. 9—15	6:02	7:33

\*Daylight Saving Time

[Pa.B. Doc. No. 16-459. Filed for public inspection March 18, 2016, 9:00 a.m.]

**[ 58 PA. CODE CH. 141 ]**  
**Hunting and Trapping; Permitted Devices**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its February 2, 2016, meeting to amend § 141.18 (relating to permitted devices) to add hand-held rangefinders and those contained within a scope or archery sight to the list of approved devices that may be used to hunt or take wildlife.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the February 2, 2016, meeting of the Commission. Comments can be sent until April 1, 2016, to the Director, Informa-

tion and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

*1. Purpose and Authority*

Each year the Commission is asked to review the prospective use of certain devices for hunting or trapping purposes that are otherwise prohibited by statute or regulation. As part of the review process, the Commission generally reviews to what degree use of a given device might negatively impact principles of resource conservation, equal opportunity, fair chase or public safety. The Commission has recently been requested to formally review the use of electronic rangefinders, including hand-held devices and those contained within a scope or archery sight. The Commission has determined that use of these devices for hunting purposes has no or negligible negative impacts to the previously mentioned principles. While the Commission has historically maintained an open use policy towards these electronic devices due to their ubiquitous use, their use could be construed as technically contrary to the Commission's restriction on the use electronic contrivances while hunting. Therefore, in an effort to more formally approve their use, the Commission is proposing to amend § 141.18 to add hand-held rangefinders and those contained within a scope or archery sight to the list of approved devices that may be used to hunt or take wildlife.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to "promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used." The amendments to § 141.18 are proposed under this authority.

*2. Regulatory Requirements*

The proposed rulemaking will amend § 141.18 to add hand-held rangefinders and those contained within a scope or archery sight to the list of approved devices that may be used to hunt or take wildlife.

*3. Persons Affected*

Persons wishing to utilize hand-held rangefinders and those contained within a scope or archery sight to hunt or take wildlife within this Commonwealth will be affected by the proposed rulemaking.

*4. Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

*5. Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

*6. Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-392. No fiscal impact; (8) recommends adoption.

**Annex A**  
**TITLE 58. RECREATION**  
**PART III. GAME COMMISSION**  
**CHAPTER 141. HUNTING AND TRAPPING**  
**Subchapter A. GENERAL**

**§ 141.18. Permitted devices.**

The following devices may be used to hunt or take wildlife:

\* \* \* \* \*

(5) Electronic crow decoys used solely for harvesting crows.

**(6) Electronic rangefinders, including hand-held devices and those contained within a scope or archery sight. This authorization may not be construed to permit a device that emits a light beam, infrared beam, ultraviolet light beam, radio beam, thermal beam, ultrasonic beam, particle beam or other beam that is visible outside of the device or on the target.**

[Pa.B. Doc. No. 16-460. Filed for public inspection March 18, 2016, 9:00 a.m.]

[ 58 PA. CODE CH. 131 ]

**Preliminary Provisions; Police Powers by Wildlife Conservation Officers**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its February 2, 2016, meeting, to amend § 131.6 (relating to administration of police powers by wildlife conservation officers) to redirect the extent and manner in which it authorizes wildlife conservation officers to engage in the administration of police powers.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the February 2, 2016, meeting of the Commission. Comments can be sent until April 1, 2016, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

*1. Purpose and Authority*

The exercise of general police powers by wildlife conservation officers has proven a unique challenge for the Commission over the past few years. On one hand the Commission asserts its preference to focus the primary responsibilities of wildlife conservation officers to be the enforcement of the code and related environmental concerns. On the other hand the Commission is challenged by the public's expectation that it remain adaptive and capable to address the spectrum of circumstances that wildlife conservation officers face on a daily basis. Increasingly, the Commission is identifying significant overlap and interconnectivity between its investigations into wildlife, habitat and other environmental crime, and other types of general crime. The Commission's policy to attempt to sever and transfer all general crime matters to

other State or local law enforcement agencies has largely proven unsuccessful. Not only does this process often create significant procedural complications for both organizations, but, more importantly, these other agencies have consistently rejected their adoption of cases that they did not initiate. In an effort to reduce legal challenges, reduce potential civil liability and provide recognition of the importance of the relevant competing interests on this issue, the Commission is proposing to amend § 131.6 to redirect the extent and manner in which it authorizes wildlife conservation officers to engage in the administration of police powers.

Section 901(a)(17) of the code (relating to powers and duties of enforcement officers) states in relevant part "[a]ll powers as provided for in this paragraph will be limited by such administrative procedure as the director, with the approval of the commission, shall prescribe." Section 322(c)(12) of the code (relating to powers and duties of commission) specifically empowers the Commission to "[t]ake any necessary action to accomplish and assure the purposes of this title." The amendments to § 131.6 are proposed under this authority.

*2. Regulatory Requirements*

The proposed rulemaking will amend § 131.6 to redirect the extent and manner in which the Commission authorizes salaried wildlife conservation officers to engage in the administration of police powers.

*3. Persons Affected*

Persons within the jurisdictional limits of this Commonwealth may be affected by the proposed rulemaking.

*4. Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

*5. Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

*6. Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-391. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**  
**PART III. GAME COMMISSION**  
**CHAPTER 131. PRELIMINARY PROVISIONS**  
**§ 131.6. Administration of police powers by Wildlife Conservation Officers.**

*(a) General.*

(1) Section 901(a)(17) of the act (relating to powers and duties of enforcement officers) authorizes wildlife conservation officers, when acting within the scope of their employment, to pursue, apprehend or arrest any individual suspected of violating any provision of 18 Pa.C.S. (relating to [ **the** ] Crimes Code) or any other offense

classified as a misdemeanor or felony and, in addition, to serve and execute warrants and subpoenas for these offenses.

(2) For the purposes of enforcement of the authority granted by section 901(a)(17) of the act, “when acting within the scope of their employment” means that period of time that a wildlife conservation officer is currently engaged in any activity the officer is employed to perform at the time and places the officer is authorized to perform the activity.

**[ (b) Procedures.**

**(1) A wildlife conservation officer shall arrest or take other appropriate enforcement action pursuant to the authority vested by section 901(a)(17) of the act only to the degree necessary to protect life and property in any one or more of the following circumstances: ]**

**(b) Limitation. A wildlife conservation officer shall arrest or take other appropriate enforcement action pursuant to the authority vested by section 901(a)(17) of the act only in one or more of the following circumstances:**

- [ (i) ] (1) The offense occurs in the officer’s presence.**
- [ (ii) ] (2) The offense occurs on lands or waters owned, leased or otherwise controlled by the Commission.**
- [ (iii) ] (3) The offense arises out of Commission operations.**
- [ (iv) ] (4) Another law enforcement agency has reasonably requested the assistance.**

**[ (2) A wildlife conservation officer who exercises any authority vested by section 901(a)(17) of the act shall do the following, without unreasonable delay:**

- (i) Notify the appropriate State or local law enforcement agency of the enforcement action.**
- (ii) Secure and maintain onsite information and evidence as deemed appropriate.**
- (iii) Transmit secured information and evidence to the appropriate State or local law enforcement agency for further investigation or prosecution, or both.**
- (iv) Prosecute violations, as may be reasonably necessary if the appropriate State or local law enforcement agency declines further action. ]**

[Pa.B. Doc. No. 16-461. Filed for public inspection March 18, 2016, 9:00 a.m.]

**[ 58 PA. CODE CH. 139 ]  
Seasons and Bag Limits**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its February 2, 2016, meeting to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2016-2017 hunting/trapping license year.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the February 2, 2016, meeting of the Commission. Comments can be sent until April 1, 2016, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

*1. Purpose and Authority*

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 to provide updated seasons and bag limits for the 2016-2017 license year. The 2016-2017 seasons and bag limits have been amended to reflect currently available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

Proposed changes to small game seasons includes making youth and regular seasons for squirrels and rabbits concurrent to simplify regulations and to expand rabbit hunting opportunities and also making snowshoe hare season dates consistent Statewide to simplify regulations, facilitate species monitoring programs and reflect the fact that harvest mortality is not a major driver of population trends for this species.

Proposed changes to wild turkey seasons include a reduction in the length of the fall season in four wildlife management units (WMU) that have exhibited declining trends in turkey population indices. Specifically, seasons would decrease from 2 weeks + 3 days to 1 week + 3 days in WMUs 1A and 2A, from 1 week + 3 days to 1 week in WMU 1B and from 3 weeks + 3 days to 2 weeks + 3 days in WMU 4C.

Proposed changes to black bear seasons include the addition of a 4-day extended firearms season (concurrent with the Wednesday-Saturday of the first week of firearms deer season) in WMU 1B. This season is intended to prevent further expansion of bears into the western portion of this WMU where potential for bear-human conflicts is high.

Proposed changes to furbearer seasons include an increase in the length of the fisher trapping season from the current 6 days to 12 days in the 13 WMUs with open fisher seasons.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking. . . .” The amendments to § 139.4 are proposed under this authority.

*2. Regulatory Requirements*

The proposed rulemaking will amend § 139.4 by establishing when and where it is lawful to hunt and trap



various game species and also place limits on the numbers that can be legally taken during the 2016-2017 hunting/trapping license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2016-2017 hunting/trapping license year will be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The effective dates of the proposed rulemaking are July 1, 2016, to June 30, 2017.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** 48-388. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 139. SEASONS AND BAG LIMITS**

*(Editor's Note:* As part of this proposed rulemaking, the Commission is proposing to replace the table which appears in 58 Pa. Code pages 139-3—139-15, serial pages (376905)—(376917) with the following table.)

**§ 139.4. Seasons and bag limits for the license year.**

**2016-2017 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,  
FIELD POSSESSION LIMIT AND SEASON LIMIT  
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrels—(Combined species) Eligible Junior Hunters only, with or without the required junior license	Oct. 1	Oct. 15	6	18
Squirrels—(Combined species)	Oct. 15	Nov. 26	6	18
	and			
	Dec. 12	Dec. 24		
	and			
	Dec. 26	Feb. 28, 2017		
Ruffed Grouse	Oct. 15	Nov. 26	2	6
	and			
	Dec. 12	Dec. 24		
	and			
	Dec. 26	Jan. 21, 2017		
Rabbits, Cottontail— Eligible Junior Hunters only, with or without the required junior license	Oct. 1	Oct. 15	4	12
Rabbits, Cottontail	Oct. 15	Nov. 26	4	12
	and			
	Dec. 12	Dec. 24		
	and			
	Dec. 26	Feb. 28, 2017		
Ring-necked Pheasant—There is no open season for the taking of pheasants in any area designated as a wild pheasant recovery area within any wildlife management unit.				

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Ring-necked Pheasant Eligible Junior Hunters only, with or without the required junior license	Oct. 8	Oct. 15	2	6
WMUs 2A, 2C, 4C, 4E, 5A and 5B—Male only				
WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D—Male or female				
Ring-necked Pheasant	Oct. 22	Nov. 26	2	6
	and			
WMUs 2A, 2C, 4C, 4E, 5A and 5B—Male only	Dec. 12	Dec. 24		
	and			
WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D—Male or female	Dec. 26	Feb. 28, 2017		
Bobwhite Quail—The hunting and taking of bobwhite quail is permitted in all WMUs except in WMU 5A where the season is closed.	Oct. 22	Nov. 26	4	12
Hares (Snowshoe Rabbits) or Varying Hares	Dec. 26	Dec. 31	1	3
Woodchucks (Groundhog)	No closed season except during the regular firearms deer seasons. Hunting on Sundays is prohibited.		Unlimited	
Porcupines	Sept. 1	Mar. 31, 2017	3	Season limit 10
<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Fall—Male or Female			1	1
WMU 2B (Shotgun, Bow and Arrow only)	Oct. 29	Nov. 18		
	and			
	Nov. 24	Nov. 26		
WMU 1B	Oct. 29	Nov. 5		
WMUs 1A and 2A	Oct. 29	Nov. 5		
	and			
	Nov. 24	Nov. 26		
WMUs 2D, 2E, 2F, 2G, 2H 3A, 3B, 3C, 3D, 4A, 4B, 4C and 4D	Oct. 29	Nov. 12		
	and			
	Nov. 24	Nov. 26		
WMUs 2C and 4E	Oct. 29	Nov. 18		
	and			
	Nov. 24	Nov. 26		
WMU 5A	Nov. 3	Nov. 5		
WMUs 5B, 5C and 5D	Closed to fall turkey hunting			
Turkey, Spring <sup>1</sup> Bearded Bird only, Eligible Junior Hunters only, with the required junior license	Apr. 22, 2017	Apr. 22, 2017	1	1
Turkey, Spring <sup>1</sup> Bearded Bird only	Apr. 29, 2017	May 13, 2017	1	2
	and		May be hunted 1/2 hour before sunrise to 12 noon	
	May 15, 2017	May 31, 2017	1	2
			May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	

## PROPOSED RULEMAKING

## MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about February 28 of each year.

## Exceptions:

(a) Hunting hours in § 141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Crow (Hunting permitted on Friday, Saturday and Sunday only)	July 1	Apr. 9, 2017	Unlimited	
Starling and English Sparrow	No closed season except during the regular firearms deer seasons.		Unlimited	

## FALCONRY

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrels—(Combined species)	Sept. 1	Mar. 31, 2017	6	18
Quail	Sept. 1	Mar. 31, 2017	4	12
Ruffed Grouse	Sept. 1	Mar. 31, 2017	2	6
Cottontail Rabbits	Sept. 1	Mar. 31, 2017	4	12
Snowshoe or Varying Hare	Sept. 1	Mar. 31, 2017	1	3
Ring-necked Pheasant—Male and Female—(Combined)	Sept. 1	Mar. 31, 2017	2	6

Migratory Game Birds—Seasons and bag limits shall be in accordance with Federal regulations.

## WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Archery (Antlered and Antlerless) <sup>2</sup> With the required archery license WMUs 2B, 5C and 5D	Sept. 17	Nov. 26	One antlered deer, and an antlerless deer with each required antlerless license.
	Dec. 26	Jan. 28, 2017	
Deer, Archery (Antlered and Antlerless) <sup>2</sup> With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Oct. 1	Nov. 12	One antlered deer, and an antlerless deer with each required antlerless license.
	Dec. 26	Jan. 14, 2017	
Deer, Muzzleloading (Antlerless only) With the required muzzleloading license	Oct. 15	Oct. 22	An antlerless deer with each required antlerless license.
Deer, Special firearms (Antlerless only) Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or United States Coast Guard	Oct. 20	Oct. 22	An antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 2B, 5A, 5B, 5C and 5D	Nov. 28	Dec. 10	One antlered deer, and an antlerless deer with each required antlerless license.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Regular firearms (Antlered only) <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Nov. 28	Dec. 2	One antlered deer.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 3	Dec. 10	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26	Jan. 14, 2017	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26	Jan. 28, 2017	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 28, 2017	An antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

**BLACK BEAR**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Bear, Archery <sup>4</sup> WMUs 2B, 5C and 5D	Sept. 17	Nov. 18	1
Bear, Archery <sup>4</sup> WMU 5B	Oct. 1	Nov. 18	1
Bear, Archery <sup>4</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Nov. 14	Nov. 18	1
Bear, Muzzleloader <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Oct. 15	Oct. 22	1
Bear, Special Firearms <sup>4</sup> Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces, or in the United States Coast Guard, with required antlerless license WMUs 2B, 5B, 5C and 5D	Oct. 20	Oct. 22	1
Bear, Regular Firearms <sup>4</sup> (Statewide)	Nov. 19	Nov. 23	1
Bear, Extended Firearms <sup>4</sup> WMUs 3B, 3C and 3D	Nov. 28	Dec. 3	1
Bear, Extended Firearms <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Nov. 28	Dec. 10	1
Bear, Extended Firearms <sup>4</sup> WMUs 1B, 2C, 4B, 4C, 4D and 4E	Nov. 30	Dec. 3	1

## PROPOSED RULEMAKING

## ELK

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Elk, Special Conservation Tag <sup>5</sup> (Antlered and Antlerless)	Sept. 1	Nov. 5	1
Elk, Regular firearms <sup>5</sup> (Antlered and Antlerless)	Oct. 31	Nov. 5	1
Elk, Extended firearms <sup>5</sup> (Antlered and Antlerless)	Nov. 7	Nov. 12	1

## FURTAKING—TRAPPING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Minks and Muskrats	Nov. 19	Jan. 8, 2017	Unlimited	
Beaver	Dec. 26	Mar. 31, 2017		
WMUs 1A, 1B and 3C (Combined)			20	40
WMUs 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
Coyotes, Foxes, Opossums, Raccoons, Skunks and Weasels	Oct. 23	Feb. 19, 2017	Unlimited	
Coyotes and Foxes Use of cable restraint devices authorized with required certification	Dec. 26	Feb. 19, 2017	Unlimited	
Bobcat, with required bobcat permit WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Dec. 17	Jan. 8, 2017	1	1
Fisher, with required fisher permit WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3C, 3D, 4D and 4E	Dec. 17	Dec. 28	1	1
River Otter, with required otter permit WMUs 3C and 3D	Feb. 20, 2017 (or until harvest quota is reached)	Feb. 22, 2017	1	1

## FURTAKING—HUNTING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyotes—(Outside of any big game season)	May be taken with a hunting license or a furtaker's license.		Unlimited	
Coyote—(During any big game season)	May be taken while lawfully hunting big game or with a furtaker's license.		Unlimited	
Opossums, Striped Skunks, Weasels	No closed season.			
Raccoons and Foxes	Oct. 22	Feb. 18, 2017	Unlimited	
Bobcat, with required bobcat permit WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Jan. 14	Feb. 8, 2017	1	1

No open seasons on other wild birds or wild mammals.

<sup>1</sup> Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of two spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>2</sup> Only one antlered deer (buck) may be taken during the hunting license year.

<sup>3</sup> Includes residents and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

<sup>4</sup> Only one bear may be taken during the hunting license year with the required bear license.

<sup>5</sup> Only one elk may be taken during the hunting license year with the required elk license.

[Pa.B. Doc. No. 16-462. Filed for public inspection March 18, 2016, 9:00 a.m.]

# PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CH. 681a ]

## 21 Baccarat; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to add Chapter 681a (relating to 21 Baccarat) to read as set forth in Annex A.

### *Purpose of the Proposed Rulemaking*

This proposed rulemaking will add a new table game to the compliment of games available for play in this Commonwealth.

### *Explanation*

Section 681a.1 (relating to definitions) contains the definitions used throughout Chapter 681a. Section 681a.2 (relating to 21 Baccarat table; physical characteristics) contains the table physical characteristics. Section 681a.3 (relating to cards; number of decks; value of cards) details the number of cards and decks used to play the game. Section 681a.4 (relating to opening of the table for gaming) addresses the opening of the table for gaming. Section 681a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut. Section 681a.6 (relating to wagers) outlines the permissible wagers. Section 681a.7 (relating to procedure for dealing the cards; completion of each round of play) addresses how the cards are to be dealt and the round of play is to be completed. Section 681a.8 (relating to payout odds) outlines the permissible payout odds for winning wagers. Section 681a.9 (relating to irregularities) addresses irregularities in play.

In 21 Baccarat, depending on the number of decks used for play of the game, the hold percentage for the optional Tie Wager is either 5.4% or 5.9% and between 5.8% and 8.0% for the optional Bonus Wager.

### *Fiscal Impact*

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

*Political subdivisions.* This proposed rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

*Private sector.* This proposed rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer 21 Baccarat within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

*General public.* This proposed rulemaking will not have fiscal impact on the general public.

### *Paperwork Requirements*

If a certificate holder selects different options for the play of table games, the certificate holder will be required

to submit an updated Rules Submission form reflecting the changes. These forms are available and submitted to Board staff electronically.

### *Effective Date*

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

### *Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Susan A. Yocum, Senior Counsel, Attention: Regulation #125-198 Public Comment, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060.

### *Contact Person*

The contact person for questions about this proposed rulemaking is Susan Yocum, Senior Counsel, (717) 346-8300.

### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 9, 2016, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

DAVID M. BARASCH,  
*Chairperson*

**Fiscal Note:** 125-198. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

### PART VII. GAMING CONTROL BOARD

### Subpart K. TABLE GAMES

### CHAPTER 681a. 21 BACCARAT

- Sec. 681a.1. Definitions.
- 681a.2. 21 Baccarat table; physical characteristics.
- 681a.3. Cards; number of decks; value of cards.
- 681a.4. Opening of the table for gaming.
- 681a.5. Shuffle and cut of the cards.
- 681a.6. Wagers.
- 681a.7. Procedure for dealing the cards; completion of each round of play.
- 681a.8. Payout odds.
- 681a.9. Irregularities.

### § 681a.1. Definitions.

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

*Hard total*—The total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

*Natural*—A two-card hand containing two aces or one ace and one 10 value card.

*Soft total*—The total point count of a hand containing an ace when the ace is counted as 11 in value.

**§ 681a.2. 21 Baccarat table; physical characteristics.**

(a) 21 Baccarat shall be played at a table having betting positions for no more than eight players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a 21 Baccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area for each player designated for the placement of a wager on the Player's Hand.
- (3) A separate betting area for each player designated for the placement of a wager on the Banker's Hand.
- (4) A separate betting area for each player designated for the placement of the Bonus Wager on the Player's Hand.
- (5) A separate betting area for each player designated for the placement of the Bonus Wager on the Banker's Hand.
- (6) A separate betting area for each player designated for the placement of the Tie Wager.

(7) The following inscriptions:

(i) Hands shall draw to 16 and stand on all 17s or other similar language approved by the Executive Director in accordance with § 601a.10(a).

(ii) The payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each 21 Baccarat table.

(c) Each 21 Baccarat table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each 21 Baccarat table must have a discard rack securely attached to the top of the dealer's side of the table.

**§ 681a.3. Cards; number of decks; value of cards.**

(a) 21 Baccarat shall be played with four or eight decks of cards.

(b) If an automated card shuffling device is utilized, other than a continuous shuffler, 21 Baccarat shall be played with two batches of four or eight decks of cards in accordance with the following requirements:

(1) An equal number of decks shall be included in each batch.

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

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

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

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

(c) The decks of cards opened for use at a 21 Baccarat table shall be changed at least once every 24 hours.

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

- (1) Any card from 2 to 10 shall have its face value.
- (2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give the Player's Hand or Banker's Hand a score in excess of 21, in which case the ace shall have a value of 1.

(e) For purposes of the Bonus Wager, the hands eligible for a payout shall be:

- (1) Three 7s, which is a hand containing three 7s.
- (2) A three-of-a-kind, which is a hand containing three cards of the same rank.

(3) A three-card straight, which is a hand with three cards in consecutive rank regardless of suit. For example: a 5, 7 and 6.

(4) A three-card 21, which is a hand containing three cards that total 21. For example: a 6, 6 and 9.

(5) A pair, which is a hand containing two cards of the same rank regardless of suit (such as two 10s or two queens), provided that only the initial two cards dealt to the hand shall be considered for purposes of a payout for a pair. For example, if a player receives a 5 and a 9 in the first two cards, then receives another 5, the player would not be eligible for the payout.

**§ 681a.4. Opening of the table for gaming.**

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 681a.5 (relating to shuffle and cut of the cards).

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

(e) If the batches of cards received at the table are preinspected and reshuffled in accordance with

§ 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

**§ 681a.5. Shuffle and cut of the cards.**

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

(b) After the cards have been shuffled, the dealer shall offer the stack of cards, with the backs facing away from the dealer, to the players to be cut. The dealer shall begin with the player seated in the highest number position at the table and, working clockwise around the table, offer the stack to each player until a player accepts the cut. If a player does not accept the cut, the dealer shall cut the cards.

(c) The cards shall be cut by placing a cover card in the stack at least ten cards in from the top or the bottom of the stack.

(d) Once the cover card has been inserted into the stack, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The dealer shall then insert the second cover card in a position at least ten cards above the bottom of the stack.

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

(f) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe and the round of play is completed, as provided in § 681a.7 (relating to procedure for dealing the cards; completion of each round of play), except that a floorperson may determine that the cards should be reshuffled after any round of play.

(g) If there is no gaming activity at a 21 Baccarat table which is open for gaming, the cards shall be removed from the dealing shoe and the discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the cards shall be:

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

(2) Stacked and placed into the automated shuffling device to be shuffled if an automated shuffling device is in use. The batch of cards already in the shuffler shall then be removed. Unless a player requests otherwise, the batch of cards removed from the shuffler does not need to be spread for inspection and reshuffled prior to being dealt provided that the automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner.

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

**§ 681a.6. Wagers.**

(a) Wagers at 21 Baccarat shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the 21 Baccarat layout.

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

(c) To participate in a round of play, a player shall place a wager on either the Player's Hand or Banker's Hand. A wager on:

(1) The Player's Hand shall win if the total value of the cards dealt to the Player's Hand:

(i) Is 21 or less and is greater than the total value of the cards dealt to the Banker's Hand.

(ii) Is over 21 but is lower than the total value of the cards dealt to the Banker's Hand.

(2) The Banker's Hand shall win if the total value of the cards dealt to the Banker's Hand:

(i) Is 21 or less and is greater than the total value of the cards dealt to the Player's Hand.

(ii) Is over 21 but is lower than the total value of the cards dealt to the Player's Hand.

(d) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a wager in accordance with subsection (c) the option of placing any of the following optional wagers:

(1) A Tie Wager which shall win if the Banker's Hand and the Player's Hand are equal in value.

(2) A Bonus Wager on the Player's Hand which shall win if the Player's Hand contains a pair or better as described in § 681a.3(e) (relating to cards; number of decks; value of cards).

(3) A Bonus Wager on the Banker's Hand which shall win if the Banker's Hand contains a pair or better as described in § 681a.3(e).

**§ 681a.7. Procedure for dealing the cards; completion of each round of play.**

(a) All cards shall be dealt from a dealing shoe which must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures under § 681a.5 (relating to shuffle and cut of the cards) have been completed, the stacked cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Each card shall be removed from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.



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

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

(1) Collect and reshuffle the cards by removing the cards remaining in the shoe and placing them in the discard rack to ensure that no cards are missing.

(2) Shuffle the cards so that they are randomly intermixed.

(e) After all Player and Banker Wagers and optional Tie and Bonus Wagers have been placed, the dealer shall deal the cards as follows:

(1) One card face up to the area in front of the table inventory container designated for the Player's Hand.

(2) One card face up to the area in front of the table inventory container designated for the Banker's Hand.

(3) A second card face up to the area for the Player's Hand.

(4) A second card face up to the area for the Banker's Hand.

(f) If either the Player's Hand or Banker's Hand is a natural and if:

(1) There were no Bonus Wagers placed, no additional cards may be dealt to either hand. All Player and Banker Wagers shall then be settled in accordance with subsections (h)—(j).

(2) Any player placed a Bonus Wager, one additional card shall be drawn face up to the Player's Hand or Banker's Hand if the Player's Hand or Banker's Hand has a total value of less than a soft or hard 17. The additional card shall count only for purposes of the Bonus Wager but may not count for purposes of the player's Player or Banker Wager. The player's Player or Banker Wager shall be settled in accordance with subsections (h)—(j) and the player's Bonus Wager shall be settled in accordance with subsection (k).

(g) If neither the Player's Hand nor Banker's Hand is a natural, the dealer shall draw one additional card face up to the Player's or Banker's Hand if either the Player's Hand or Banker's Hand has a total value of less than a soft or hard 17.

(h) After all cards have been dealt, the dealer shall compare the total value of the Player's Hand to the total value of the Banker's Hand. Starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction the dealer shall then settle all Player and Banker Wagers as provided in subsections (i) and (j).

(i) For players who wagered on the Player's Hand, if the Player's Hand:

(1) Is 21 or less and the total value of the Banker's Hand is over 21, the dealer shall pay each player who wagered on the Player's Hand in accordance with § 681a.8(a) (relating to payout odds).

(2) And the Banker's Hand are 21 or less:

(i) And the Player's Hand is higher in total value than the Banker's Hand, the dealer shall pay each player who wagered on the Player's Hand in accordance with § 681a.8(a).

(ii) And the Player's Hand is lower in total value than the Banker's Hand, the dealer shall collect each player's losing wager on the Player's Hand.

(3) And the Banker's Hand are over 21:

(i) And the Player's Hand is lower in total value than the Banker's Hand, the dealer shall pay each player who wagered on the Player's Hand in accordance with § 681a.8(a).

(ii) And the Player's Hand is higher in total value than the Banker's Hand, the dealer shall collect each player's losing wager on the Player's Hand.

(4) And the Banker's Hand are equal in total value, the dealer shall return the player's Player Wager.

(j) For players who wagered on the Banker's Hand, if the Banker's Hand:

(1) Is 21 or less and the total value of the Player's Hand is over 21, the dealer shall pay each player who wagered on the Banker's Hand in accordance with § 681a.8(a).

(2) And the Player's Hand are 21 or less:

(i) And the Banker's Hand is higher in total value than the Player's Hand, the dealer shall pay each player who wagered on the Banker's Hand in accordance with § 681a.8(a).

(ii) And the Banker's Hand is lower in total value than the Player's Hand, the dealer shall collect each player's losing wager on the Banker's Hand.

(3) And the Player's Hand are over 21:

(i) And the Banker's Hand is lower in total value than the Player's Hand, the dealer shall pay each player who wagered on the Banker's Hand in accordance with § 681a.8(a).

(ii) And the Banker's Hand is higher in total value than the Player's Hand, the dealer shall collect each player's losing wager on the Banker's Hand.

(4) And the Player's Hand are equal in total value, the dealer shall return the player's Banker Wager.

(k) The dealer shall settle Tie and Bonus Wagers as follows:

(1) For the Tie Wager, if the Player's Hand and the Banker's Hand:

(i) Have the same total value, the dealer shall pay the winning Tie Wager in accordance with § 681a.8(b).

(ii) Do not have the same total value, the dealer shall collect the losing Tie Wager.

(2) For the Bonus Wager on the Player's Hand, if the Player's Hand:

(i) Contains a pair or better as described in § 681a.3(e) (relating to cards; number of decks; value of cards), the dealer shall pay the winning Bonus Wager in accordance with § 681a.8(c).

(ii) Does not contain a pair or better as described in § 681a.3(e), the dealer shall collect the losing Bonus Wager.

(3) For the Bonus Wager on the Banker's Hand, if the Banker's Hand:

(i) Contains a pair or better as described in § 681a.3(e), the dealer shall pay the winning Bonus Wager in accordance with § 681a.8(c).

(ii) Does not contain a pair or better as described in § 681a.3(e), the dealer shall collect the losing Bonus Wager.

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

(m) Players may not handle any cards used to play 21 Baccarat.

**§ 681a.8. Payout odds.**

(a) The certificate holder shall pay each winning wager on the Player's Hand or Banker's Hand at odds of 1 to 1 except when the Player's Hand or Banker's Hand wins with a 17 which shall pay at odds of 1 to 2.

(b) The certificate holder shall pay out winning Tie Wagers at odds of 10 to 1.

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

*If 21 Baccarat is being played with four decks of cards*

Hand	Paytable A	Paytable B	Paytable C
Three 7s	100 to 1	80 to 1	80 to 1
Three-of-a-kind	40 to 1	40 to 1	40 to 1

Hand	Paytable A	Paytable B	Paytable C
Three-card straight	11 to 1	12 to 1	10 to 1
Three-card 21	5 to 1	5 to 1	6 to 1
One pair	3 to 1	3 to 1	3 to 1

*If 21 Baccarat is being played with eight decks of cards*

Hand	Paytable D	Paytable E	Paytable F
Three 7s	100 to 1	80 to 1	80 to 1
Three-of-a-kind	40 to 1	40 to 1	35 to 1
Three-card straight	10 to 1	11 to 1	12 to 1
Three-card 21	5 to 1	5 to 1	5 to 1
One pair	3 to 1	3 to 1	3 to 1

**§ 681a.9. Irregularities.**

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

(b) If the Player's Hand or Banker's Hand has 17 and the dealer accidentally draws an additional card, the card shall be placed in the discard rack.

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

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

[Pa.B. Doc. No. 16-463. Filed for public inspection March 18, 2016, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Referendum Order on Continuation of the Pennsylvania Potato Research Program

I. The Pennsylvania Potato Research Program was established under the provisions of the Agricultural Commodities Marketing Act. The Act requires that the Secretary of Agriculture call a referendum of affected producers every five years to determine whether or not a majority of those voting still desire the program. The program was last subjected to a review referendum conducted in 2011. It is now time for another review referendum to determine whether a majority of the potato producers desire the program to continue.

II. *Referendum Period:* The referendum period shall be from April 4, 2016 until 4 p.m. on April 18, 2016. Completed ballots shall be mailed or hand-delivered to the Pennsylvania Department of Agriculture, Bureau of Market Development, Room 310, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110-9408. Hand-delivered ballots must be received by 4 p.m. on April 18, 2016. Ballots that are mailed must be postmarked no later than April 18, 2016, and received no later than April 22, 2016.

III. *Notice of Referendum:* This referendum order and an official ballot shall be mailed no later than March 28, 2016, to all affected producers whose names appear on the list of Pennsylvania potato producers maintained in the Office of the Secretary of Agriculture. Additional copies of the same materials shall be made available at the Office of the Secretary of Agriculture.

IV. *Eligible Voters:* The rules governing the eligibility of a producer for voting are as follows: The record date for determination of whether a producer is eligible to vote is March 28, 2016. All potato producers who produced, grew, or caused to be grown five (5) or more acres of potatoes for sale or marketing in the Commonwealth in calendar year 2015 and intend to produce, grow, or cause to be grown five (5) or more acres of potatoes for sale or marketing in the Commonwealth in calendar year 2016.

V. *Counting of Ballots:* The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary of Agriculture. The counting of the ballots will begin at 10 a.m., Wednesday, April 27, 2016 at the Pennsylvania Department of Agriculture, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum period. The results will be published in the *Pennsylvania Bulletin* and the *Harrisburg Patriot-News*, and disseminated to the news media.

VI. *Reporting Irregularities:* Any irregularities or disputes concerning the referendum procedures must be reported in written form to the Secretary of Agriculture not later than seven (7) calendar days from the end of the referendum period.

VII. *Publication:* This referendum order shall be published in the *Pennsylvania Bulletin* and the *Harrisburg Patriot-News*.

VIII. *Effective Date:* The foregoing order shall be effective immediately.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 16-464. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Standards for Automotive Fuel

Section 4187.4(a) of 3 Pa.C.S. (relating to standards for automotive fuel) requires that the Department of Agriculture (Department): (1) adopt the latest automotive fuel standards for automotive spark ignition engines based on the latest standards of the American Society for Testing and Materials International (ASTM) as determined by the Federal Trade Commission; and (2) publish notice of these standards in the *Pennsylvania Bulletin*.

This notice supplants and replaces an earlier notice on this subject published at 44 Pa.B. 7443 (November 29, 2014).

The standards for automotive fuel adopted by the Department are the most current standards published at 16 CFR Part 306 (relating to automotive fuel ratings, certification and posting), with the following modification:

With respect to gasoline-ethanol blended automotive fuel, the maximum vapor pressure shall not exceed the limits specified in the latest ASTM International Standard D4814, *Standard Specification for Automotive Spark-Ignition Engine Fuel*, by more than:

1. One pound per square inch for blends containing 9 to 10 volume percent ethanol from June 1 through September 15.
2. One pound per square inch for blends containing 1 or more volume percent ethanol for Vapor Pressure/Distillation Classes A, B, C and D from September 16 through May 31.
3. One-half pound per square inch for blends containing 1 or more volume percent ethanol for Vapor Pressure/Distillation Class E from September 16 through May 31.

The modification previously described effectively continues an exception established in the National Institute of Standards and Technology (NIST) Handbook 130, *Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality*, in this handbook's *Uniform Engine Fuels and Automotive Lubricants Regulation*. This NIST Handbook 130 exception expires by May 1, 2016. The Department shall effectively continue this exception, through the modification previously described, until the earlier of: (1) ASTM confirming and re-establishing that same vapor pressure tolerance in ASTM International Standard D4814; or (2) ASTM establishing a different vapor pressure tolerance; or (3) a subsequent notice from the Department changing that vapor pressure tolerance.

The referenced standards can be read online at [www.ecfr.gov](http://www.ecfr.gov).

The Department will provide copies of these standards upon request at (717) 787-9089, or by writing to the Department of Agriculture, Attn: Director, Bureau of Ride and Measurement Standards, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

The referenced standards are adopted by the Department as of the date of publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 16-465. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 8, 2016.

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 their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-4-2016	Univest Corporation of Pennsylvania Souderton Montgomery County  Application for approval to acquire 100% of Fox Chase Bancorp, Inc., Hatboro, and thereby indirectly acquire 100% of Fox Chase Bank, Hatboro.	Filed

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-4-2016	Univest Bank and Trust Company Souderton Montgomery County  Application for approval to merge Fox Chase Bank, Hatboro, with and into Univest Bank and Trust Company, Souderton.	Filed

##### Branch Applications

###### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-4-2016	PeoplesBank, A Codorus Valley Company York York County	211 Mount Carmel Road Parkton Baltimore County, MD	Approved
3-4-2016	Coatesville Savings Bank Coatesville Chester County	625 Robert Fulton Highway Quarryville Lancaster County	Filed

##### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-26-2016	Citizens Bank of PA Philadelphia Philadelphia County	1101-1119 Brownsville Road Pittsburgh Allegheny County	Closed
2-29-2016	Marion Center Bank Indiana Indiana County	162 Route 119 Highway North Indiana Indiana County	Closed

## CREDIT UNIONS

No activity.

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. 16-466. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April 2016

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of April, 2016, is 4 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such

individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.20 to which was added 2.50 percentage points for a total of 4.70 that by law is rounded off to the nearest quarter at 4 3/4%.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 16-467. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

### I. NPDES Renewal Applications

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS802218 (Stormwater)	United Parcel Service, Inc. 1821 S. 19th Street Harrisburg, PA 17104	Northampton County Bethlehem Township	Unnamed Tributary to Monocacy Creek (02C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0043443 SEW	Alexandria Borough Porter Township Joint Sewer Authority PO Box 113 Alexandria, PA 16611	Huntingdon County/ Porter Township	Frankstown Branch Juniata River/11-A	Y
PA0082732 SEW	East St. Clair Township Municipal Authority/Stone Creek PO Box 55 Fishertown, PA 15539-0055	East St. Clair Township Bedford County	Dunning Creek/11-C	Y
PA0082694 SEW	East St. Clair Township Municipal Authority/Fishertown PO Box 55 Fishertown, PA 15539-0055	East St. Clair Township Bedford County	Dunning Creek/11-C	Y
PA0260169 CAFO	Elmer J. King/Greenfield Farm 3382 B West Newport Road Ronks, PA 17572	Lack Township Juniata County	Dougherty Run/12-B	Y
PA0032051 SEW	Granville Township Municipal Authority 100 Helen Street Lewistown, PA 17044	Granville Township Mifflin County	Juniata River/12-A	Y
PA0086762 IW	IESI PA Blue Ridge Landfill Corporation PO Box 399 Scotland, PA 17254	Greene Township Franklin County	UNT Phillman Run/13-C	Y
PA0032379 IW	Safe Harbor Water Power Corporation 1 Powerhouse Road Conestoga, PA 17516-9651	Manor Township Lancaster County	Conestoga River/7-J	Y

*North Central Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0111945 (Industrial)	Ward Manufacturing Blossburg Foundry 117 Gulick Street Blossburg, PA 16912	Tioga County Blossburg Borough	Tioga River and Johnson Creek (4-A)	Yes

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

<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>
PA0254339 (Sewage)	Dunkard Valley Commons STP SR 2011 Dunkard Twp, PA 15327	Greene County Dunkard Township	Dunkard Creek (19-G)	Y
PA0098990 (Sewage)	Graham Joseph P SRSTP 420 Constitution Boulevard Rochester, PA 15074	Beaver County Fallston Borough	Brady Run (20-B)	Y
PA0095362 (Sewage)	Laurelville Mennonite Church 941 Laurelville Lane Mt Pleasant, PA 15666	Westmoreland County Mount Pleasant Township	Jacobs Creek (19-D)	Y
PA0097691 (Sewage)	Washington KOA Campground Richard D LeClair Washington, PA 15301	Washington County South Strabane Township	Unnamed Tributary of Chartiers Creek (20-F)	N
PA0218901 (Sewage)	Totteridge Golf Course & Restaurant STP 2029 Totteridge Drive Greensburg, PA 15601	Westmoreland County Salem Township	Crabtree Creek (18-C)	Yes
PA0254444 (Sewage)	Enlow Fork Mine Oak Spring Slope & Supply Yard STP 1000 Consol Energy Drive Canonsburg, PA 15317	Washington County East Finley Township	Unnamed Tributary of Rocky Run (20-E)	Yes
PA0216267 (Sewage)	Pine Garden Apartments STP SR 981 North New Alexandria, PA 15670	Westmoreland County Loyalhanna Township	Boatyard Run (18-C)	N
PA0094099 (Sewage)	Camp Peniel STP 294 Peniel Drive Meyersdale, PA 15552	Somerset County Greenville Township	UNT of Miller Run (19-F)	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>
PA0239577 (Sewage)	Red Bridge Recreation Area STP 4 Farm Colony Drive Warren, PA 16365-5206	McKean County Hamilton Township	Kinzua Creek (16-B)	Yes
PA0263729 (Sewage)	Nilda Flores SFTF 1970 Mercer Road Fredonia, PA 16124	Mercer County Delaware Township	Unnamed Tributary to the Shenango River (20-A)	Yes
PA0239585 (Sewage)	Lawrence J. Adams SFTF 125 Wallace Road Portersville, PA 16051	Butler County Muddy Creek Township	Unnamed Tributary to the Big Run (20-C)	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*

**PA0053635**, Storm Water, SIC Code 4226, **Buckeye Terminal LLC**, 8 Malin Road, Malvern, PA 19355-2103. Facility Name: Buckeye Pipe Line Malvern Terminal. This existing facility is located in East Whiteland Township, **Chester 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), Little Valley Creek, is located in State Water Plan watershed 3-F and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002, 003, and 004 based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15	XXX	30
Ethylbenzene	XXX	XXX	XXX	Report	XXX	Report
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
BTEX, Total	XXX	XXX	XXX	0.1	XXX	0.25
Naphthalene	XXX	XXX	XXX	Report	XXX	Report
Toluene	XXX	XXX	XXX	Report	XXX	Report
Xylenes, Total	XXX	XXX	XXX	Report	XXX	Report

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

- Remedial Measures
- Necessary Property Rights
- Sludge Disposal
- Stormwater Discharge
- Petroleum Marketing Terminals

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.

**PA0029530**, Sewage, SIC Code 8211, **Palisades School District**, Kintnersville, PA 18930. Facility Name: Palisades Sr. High School. This existing facility is located in Nockamixon Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary of Gallows Run, is located in State Water Plan watershed 2-D 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 0.0215 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)						
Sep 1 - Jun 30	XXX	XXX	6.0	XXX	XXX	9.0
Jul 1 - Aug 31	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen						
Sep 1 - Jun 30	XXX	XXX	4.0	XXX	XXX	XXX
Jul 1 - Aug 31	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
Sep 1 - Jun 30	XXX	XXX	XXX	0.5	XXX	1.2
Jul 1 - Aug 31	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	4.5	XXX	XXX	25.0	XXX	50
Total Suspended Solids	5.4	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200.0	XXX	1,000.0
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	3.6	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	2.3	XXX	XXX	13.0	XXX	26
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX



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

- Responsible Operator
- Abandon STP when public sewer available
- Remedial Measures
- TRC Minimization

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.

**PA0058939**, Storm Water, SIC Code 3273, **Eureka Stone Quarry Inc.**, 851 County Line Road, Huntingdon Valley, PA 19006. Facility Name: JDM Materials Phoenixville Batch Plant. This existing facility is located in Schuylkill Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge stormwater from a Redi-Mix Concrete Batch Plant property located on Route 23.

The receiving stream(s), Unnamed Tributary to French Creek, is located in State Water Plan watershed 3-D 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 and 002 are based on a stormwater event.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
pH (S.U.) *	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids *	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	Daily Max XXX	Report

\* These limits are exempt during storm period exceeding 10-year, 24-hour rainfall event.

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

- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Necessary Remedial Measures
- Small Stream Discharge
- BAT/BCT Reopener
- Requirements Applicable to Stormwater Outfalls

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.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**PA0275867**, Storm Water, SIC Code 4953, **Advanced Disposal, Inc. dba Hinkle Transfer Station LLC**, 1184 McClellandtown Road, McClellandtown, PA 15458. Facility Name: Hinkle Transfer Station. This proposed facility is located in Lower Macungie Township, **Lehigh County**.

Description of Proposed Activity: The application is for a new NPDES permit for a discharge of Industrial Stormwater.

The receiving stream(s), Little Lehigh Creek, is located in State Water Plan watershed 2-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD, stormwater.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater best management practices

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.

**PA0008885**, Industrial, SIC Code 2621, 2676, **Procter & Gamble Paper Products Co.**, PO Box 32, Mehoopany, PA 18629-0032. Facility Name: Procter & Gamble Paper Products Mehoopany Plant. This existing facility is located in Washington Township, **Wyoming County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste and Stormwater.

The receiving stream(s), Unnamed Tributary to Susquehanna River and Susquehanna River, is located in State Water Plan watershed 4-G and is classified for Migratory Fishes, Cold Water 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 8.06 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Flow (MGD) Intake	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.9	XXX	1.8
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	14,250	25,992	XXX	XXX	XXX	XXX
Total Suspended Solids	11,400	23,370	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (lbs)	Report	Report	XXX	Report	XXX	XXX
Ammonia-Nitrogen (lbs) Intake	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N (lbs)	Report	XXX	XXX	Report	XXX	XXX
Kjeldahl—N (lbs) Intake	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (lbs)	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (lbs) Intake	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs)	Report	Report	XXX	Report	XXX	XXX
Total Nitrogen (lbs) Intake	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus (lbs)	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus (lbs) Intake	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen (lbs)	Report	100,360	XXX	XXX	XXX	XXX
Net Total Phosphorus (lbs)	Report	5,441	XXX	XXX	XXX	XXX
Hexavalent chromium	XXX	XXX	XXX	Report An- nual Aver- age	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of Stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of Stormwater.

<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	9.0	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of Stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of Stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of Stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

1. Chesapeake Bay Nutrient Requirements\*
2. Requirements applicable to stormwater outfalls
3. Chemical additives
4. Annual biological river survey

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The conditions also authorize the permittee to apply offsets for background nutrient loads. The condition includes the requirement to report the application of these credits and/or offsets in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin upon issuance of the permit. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28 of each year.

\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28 of each year.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is not in effect.

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

**PA0266175**, Sewage, SIC Code 8811, **Mafalde Talacci Estate**, 7 Mallard Drive, Tabernacle, NJ 08088. Facility Name: Mafalde Talacci Estate Properties. This proposed facility is located in Douglass Township, **Berks County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Single Residence Sewage Treatment Plant (SRSTP) Sewage.

The receiving stream(s), Unnamed Tributary to Schuylkill River, is located in State Water Plan watershed 3-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
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 (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- The Ultraviolet contact surface must be cleaned and bulb replaced as per manufacturer instructions; and
- Annual Monitoring Reports (AMRs) must be submitted to the DEP by June 30th each year.

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.

**PA0027189**, Sewage, SIC Code 4952, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428. Facility Name: Lower Allen WWTP. 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 Sewage.

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 7-E and is classified for Warm 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 7.5 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	1,564	2,502	XXX	25.0	40.0	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1,877	2,815	XXX	30.0	45.0	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	125	XXX	XXX	2.0	XXX	4

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen <sup>3</sup>	Report	114,154	XXX	XXX	XXX	XXX
Net Total Phosphorus <sup>3</sup>	Report	15,221	XXX	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- Chesapeake Bay Nutrient Monitoring Requirements
- Whole Effluent Toxicity Testing Requirements
- Stormwater Management Requirements
- Total Residual Chlorine Monitoring Requirements

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

The EPA Waiver is not in effect.

**PA0088340**, Sewage, SIC Code 6514, **TJ's Restaurant**, 2620 Susquehanna Trail, Newport, PA 17045. Facility Name: TJs Restaurant. This existing facility is located in Buffalo Township, **Perry 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), Bucks Run, is located in State Water Plan watershed 6-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00032 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
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	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/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

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.

*North Central Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3636.*

**PA0028738**, Sewage, SIC Code 4952, **Ralpho Township Municipal Authority**, 206 S. Market Street, Suite 1, Elysburg, PA 17824-9782. Facility Name: Ralpho Township Municipal Authority Wastewater Treatment Plant. This existing facility is located in Shamokin Township, **Northumberland 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), Shamokin Creek, is located in State Water Plan watershed 6-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.819 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	170	270	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )		Wkly Avg				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	200	305	XXX	30.0	45.0	60
Total Suspended Solids		WklyAvg				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

<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>Weekly Average</i>	
Fecal Coliform (CFU/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	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Iron, Total	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Lead, Total	Report	XXX	XXX	Report	XXX	XXX
Manganese, Total	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen <sup>3</sup>	Report	13,132	XXX	XXX	XXX	XXX
Net Total Phosphorus <sup>3</sup>	Report	1,751	XXX	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

**PA0023531 A-1**, Sewage, SIC Code 4952, **Danville Borough Municipal Authority**, 12 West Market Street, Danville, PA 17821. Facility Name: Danville WWTP. This existing facility is located in Danville Borough, **Montour County**.

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

The receiving stream(s), Mahoning Creek and Susquehanna River, is located in State Water Plan watershed 5-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 and 002 are based on a design flow of 3.63 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	755	1,210	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	905	1,360	XXX	30	45	60
		Wkly Avg				

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Fecal Coliform (CFU/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	XXX	XXX	XXX	Geo Mean Report	XXX	Report

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfalls 001 and 002.

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	66,118			
Net Total Phosphorus	Report	8,816			

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

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

**PA0264369**, Sewage, SIC Code 8800, **Dehart Jacob**, PO Box 64, Bruin, PA 16022. Facility Name: Jacob Dehart SRSTP. This proposed facility is located in Perry Township, **Clarion 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 of Clarion River, is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	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 (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

- Prohibition of Stormwater Discharges
- Right of Way
- Department Revocation of Permit/Abandonment of the Treatment System
- Submittal of an Annual Maintenance & Discharge Monitoring Reports
- Solids Handling
- Septic Tank Pumping Requirement

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 not in effect.

**PA0264385**, Sewage, SIC Code 8800, **Scott Crossley**, 9870 Donation Road, Waterford, PA 16441. Facility Name: Scott Crossley SRSTP. This proposed facility is located in Summit Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to LeBoeuf Creek, is located in State Water Plan watershed 16-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
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 (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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.

**PA0264342**, Sewage, SIC Code 8800, **Dennis & Linda DeSilvey**, 211 Gearhart Road, Pulaski, PA 16159. Facility Name: Dennis & Linda DeSilvey SRSTP. This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Activity: The application is for an NPDES permit for a new discharge from a single residence sewage treatment facility.

The receiving stream, Unnamed Tributary to Buchanan Run, is located in State Water Plan watershed 20-A and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	10.0	XXX	20.0
TSS	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- Prohibition of Stormwater Discharges
- Right of Way
- Department Revocation of Permit
- Aerobic Tank Pumping Requirement
- Abandonment of the Treatment System
- Annual Submittal of an Annual Maintenance & Discharge Monitoring Reports
- Solids Handling

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.

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*PA DEP Central Office: Bureau of Clean Water, Rachael Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8184, Telephone: 717.787.8184.*

**PA0270806**, Pesticides, SIC Code 4959, **PA Turnpike Commission**, PO Box 67676, Harrisburg, PA 17106-7676.

Description of Proposed Activity: The application is for a new NPDES permit for discharges associated with the application of pesticides to control weeds and roadside vegetation in PA Turnpike Commission's Right-Of-Ways (ROWs) and along turnpike roadsides and other PTC facilities throughout the Commonwealth to maintain a travel way free of obstructing vegetation to ensure public safety.

Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. Applicators are required to coordinate with the operators of such drinking water treatment plants prior to treatment to avoid any shortages. The discharges associated with the pesticide applications by PA Turnpike Commission are not expected to affect public water supplies.



PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters, if necessary, will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

You may make an appointment to review the DEP files for this permit application by calling Dharmendra Kumar at 717.783.2288. You may submit written comments on the application and draft permit within 30 days to the address above. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA waiver is not in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

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

**WQM Permit No. WQG01251603**, Sewage, **Richard E Hawley**, 14400 Route 19, Cambridge Spring, PA 16403.

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

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

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

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011515037	Conrad and Amanda Radcliffe 5 Steeplechase Lane Malvern, PA 19355	Chester	Willistown Township	West Branch of Crum Creek (CP-1) (CP-2) EV
PAI012316003	Chester Charter School for the Arts 200 Commerce Drive Aston, PA 19014	Delaware	Chester City	Stoney Creek WWF
PAI010916003	Thomas Trycieki 5031 Paist Road Doylestown, PA 18901	Bucks	Buckingham Township	Paunacussing Creek HQ-CWF-MF
PAI011515031	Vernon Weaver 101 Hedge Road Elverson, PA 19520	Chester	West Nantmeal Township	Unknown Tributary to Marsh Creek (POI-A) HQ-TSF

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

*Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth, PA 18064-9211*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024816005	Portland Properties LLC Attn: Brian Hilliard 21 East 10th Street Northampton, PA 18067	Northampton	Upper Mt. Bethel Township	UNT to Delaware River (CWF, MF) and EV Wetlands

*Pike County Conservation District, 556 Route 402, Hawley, PA 18428*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025204004R	Nemanie Village, Inc. P. O. Box 77 Hawley, PA 18428	Pike	Palmyra Township	UNT to Wallenpaupack (HQ-CWF, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030710002R	Mueller's Auto Recycling & Sales, Inc. 1555 Mill Run Road Altoona, PA 16601	Blair	Logan Township	Mill Run (Designated Use of Water: HQ-CWF; Existing Use of Water: HQ-CWF)

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI034416002	Tyler Watson 7706 Ferguson Valley Road Mcveytown, PA 17051	Mifflin	Brown Township	UNT to Tea Creek (Designated Use of Water: HQ-CWF; Existing Use of Water: HQ-CWF)
PAI033616002	Graywood Farms, LLC 225 Mason Dixon Road Peach Bottom, PA 17563	Lancaster	Fulton Township	Conowingo Creek (Designated Use of Water: CWF; Existing Use of Water: CWF) UNT to Conowingo Creek (Designated Use of Water: HQ-CWF; Existing Use of Water: HQ-CWF)

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI051115006	Cresson Township Municipal Authority 730 Portage Road Cresson, PA 16630	Cambria County	Cresson Township and Munster Township	Noels Creek (CWF—HQ) and Little Conemaugh River (CWF)

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

PAG-12      CAFOs

### CAFO Notices of Intent Received

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

**PAG123701, CAFO, Reifsneider Farm**, 2596 New Bridgeville Road, Felton, PA 17322.

This existing facility is located in Chanceford Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity: 366.67 AEUs/Poultry.

The receiving stream, UNT Beaver Creek, is in watershed 7-I, and classified for: CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123630, CAFO, Springfield Manor Farm**, 3241 Blue Rock Road, Lancaster, PA 17603.

This proposed facility is located in Manor Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 294.95 AEUs/Swine/Poultry.

The receiving stream, Little Conestoga Creek, is in watershed 7-J, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123650, CAFO, Lamar High Farm**, 920 West Matterstown Road, Millersburg, PA 17061.

This proposed facility is located in Washington Township, **Dauphin County**.

Description of Size and Scope of Proposed Operation/Activity: 315 AEUs/Poultry.

The receiving stream, UNT Wiconisco Creek, is in watershed 6-C, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123833, CAFO, Mercer Vu Farms**, 12275 Mt. Pleasant Road, Mercersburg, PA 17236.

This existing facility is located in Montgomery Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: 2,263.13 AEUs/Dairy.

The receiving stream, UNT Johnston Run, is in watershed 13-C, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

## STATE CONSERVATION COMMISSION

### PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

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

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

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

#### APPLICATIONS NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<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>Application</i>
Woodland View Farm 133 Woodland View Road Oxford, PA 19363	Chester	204 ac	117.20	Ducks, Beef Cattle	N/A	Renewal
Ar-Joy Farms 1600 Althouse Road Cochranville, PA 19330	Chester	488.9 ac	1,133.80	Dairy	N/A	New
Mahosky Farms, LLC 210 Back Road Canton, PA 17724	Tioga	74	713.42	Hog	Sugar Works Run—HQ Mill Creek—HQ	New

### PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact

basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

**SAFE DRINKING WATER**

**Applications Received Under the Pennsylvania Safe Drinking Water Act**

*Southeast Region: Safe Drinking Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**Permit No. 1516509**, Public Water Supply

Applicant **Downingtown Municipal Water Authority**

Township Downingtown Borough

County **Chester**

Responsible Official David Busch  
Executive Director  
Downingtown Municipal Water Authority  
100 Water Plant Way  
Downingtown, PA 19335-1951

Type of Facility PWS

Consulting Engineer Charlie Liu, P.E.  
BCM Engineers  
920 Germantown Pike  
Suite 200  
Plymouth Meeting, PA 19462

Application Received Date March 8, 2016

Description of Action Downingtown Municipal Water Authority (DTMA) is seeking to discontinue the addition of fluoride to its drinking water. DTMA is a community water system that serves approximately 10,000 customers in Downingtown Borough, and parts of Caln, East Caln, East Brandywine and West Brandywine Townships in Chester County.

**Permit No. 4616504**, Public Water Supply

Applicant **Schwenksville Borough Authority**

Borough Schwenksville

County **Montgomery**

Responsible Official Mr. Michael Sullivan  
Executive Director  
298 Main Street  
P. O. Box 458  
Schwenksville, PA 19473

Type of Facility PWS

Consulting Engineer Frederick E. Ebert, P.E.  
Ebert Engineering, Inc.  
4092 Skippack Pike  
Suite 202  
Skippack, PA 19474

Application Received Date February 25, 2016

Description of Action Blending of Well Nos. 3 and 4 to reduce the arsenic concentration of Well No. 4

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 6716505 MA, Minor Amendment**, Public Water Supply.

Applicant **The York Water Company**

Municipality Spring Garden Township

County **York**

Responsible Official Mark S. Snyder, Engineering Manager  
130 East Market Street  
PO Box 15089  
York, PA 17405-7089

Type of Facility Public Water Supply

Consulting Engineer Mark S. Snyder, P.E.  
The York Water Company  
130 East Market Street  
PO Box 15089  
York, PA 17405-7089

Application Received: 2/23/2016

Description of Action A new concrete 300,000-gallon Shunk's Hill finished water reservoir.

**WATER ALLOCATIONS**

**Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth**

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**WA40-184B**, Water Allocation, **Hazleton City Authority**, 400 East Arthur Gardner Highway, Hazleton, PA 18201, City of Hazleton, **Luzerne County**. The applicant is requesting the right to withdraw up to a maximum of 3.0 million gallons per day (MGD) from the Lehigh River intake near Rockport in Lehigh Township, **Carbon County**, PA. The previous allocation for this intake was 2.5 MGD.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
PREAMBLE 1**

**Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to

use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**120—160 West Union Street**, 120—160 West Union Street, City of Allentown, **Lehigh County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Railroad Resources & Recovery, Inc., 1800 Riverside Drive, Bethlehem, PA 18015 submitted a Notice of Intent to Remediate. Contamination is due to historical operations at the site. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Morning Call* on February 12, 2016.

## 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.

**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.**

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

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) that the Department of Environmental Protection (DEP) intends to issue **Plan Approval # 45-00005C** to **Sanofi Pasteur, Inc.**, Discovery Drive, Swiftwater, PA 18370 for their facility located in Pocono Township, **Monroe County**. This plan approval will be incorporated into the Title V operating permit # **45-00005** through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan approval # 45-00005C is for the installation and operation of two (2) natural gas fired boilers (#13 & #14) at the existing facility located in Pocono Township, Monroe County. The designed rated heat input to boiler #13 & #14 will be 49.00 MMBtus/hr each. Each boiler will fire natural gas as a fuel using a forced draft low NO<sub>x</sub> burner with internal flue gas recirculation.

The following emission limitations are set for each new boiler.

NO<sub>x</sub> emissions—From BAT, 30 @ PPM 3%O<sub>2</sub> when firing with natural gas.

CO emission—From BAT, 100 PPM at 3% O<sub>2</sub>.

The facility is located in an area designated as a marginal nonattainment area for O<sub>3</sub>. The project area is also included in the northeast Ozone Transport Region (OTR). The facility is currently a major source for NO<sub>x</sub> emissions only. The NA NSR PAL chosen by the company for the NO<sub>x</sub> emission will keep the proposed emission increase from the facility below the NSR applicability triggering thresholds from the proposed new sources. Thus, the addition of sources will not subject the facility to the provisions of NA NSR for NO<sub>x</sub>. Emissions of SO<sub>2</sub>, CO, NO<sub>x</sub>, TSP, PM<sub>10</sub>, lead, asbestos, beryllium, mercury, vinyl chloride, fluorides, sulfuric acid mist, hydrogen sulfide, total reduced sulfur, and reduced sulfur compounds associated with the proposed projects will be below the PSD significant emission rates as the company will maintained the emissions from the entire facility below the PSD PALs level and thus are not subject to PSD review.

Copies of the applications, DEP's analysis and other documents used in the evaluation of the applications are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 45-00005C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

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

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

**06-05069AA: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536) for proposed changes to operations in the Industrial Battery Manufacturing Facility. The Industrial Battery Manufacturing Facility is located at the Lyon Station Plant in Richmond Township, **Berks County**. The project will increase the potential to emit NO<sub>x</sub> by 11.41 tpy, CO by 19.17 tpy, SO<sub>x</sub> by 0.14 tpy, PM by 17.12 tpy, Pb by 1.70 tpy, H<sub>2</sub>SO<sub>4</sub> by 14.75 tpy and VOC by 1.26 tpy. The facility is a Title V facility. Review by DEP of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, the compliance assurance monitoring (CAM) requirements of 40 CFR 64 and the lead-acid battery manufacturing requirements of 40 CFR 60 Subpart KK. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

**28-05002O: Letterkenny Army Depot—US Department of Defense** (One Overcash Avenue, Chambersburg, PA 17201) for the construction of a new coating booth at the Letterkenny Army Depot in Greene/Letterkenny Townships, **Franklin County**. The expected increases in facility emissions as a result of the changes proposed are: 8.22 tons per year of VOCs; 1.38 ton per year of NO<sub>x</sub>; 1.16 ton per year of CO and less than 1 ton per year each of SO<sub>x</sub>, PM and HAPs. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 25 Pa. Code § 129.52 Surface Coating Processes. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the

plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

**67-05047C: Republic Services of PA, LLC** (4400 Mt. Pisgah Road, York, PA 17406-8240) for a landfill gas flare project at the Modern Landfill in Lower Windsor Township, **York County**. Plan Approval No. 67-05047C is modification to plan approval 67-05047B, without any facility's emissions increase, to relocate and consolidate the flares on the north side and shut down the south side flaring. It will authorize the continued installation of a new landfill gas (LFG) firing enclosed ground flare to control LFG, rated at 5,000 cfm approved under 67-05047B. The facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and will be subject to 40 CFR Part 60 Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills and 40 CFR Part 63, Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

**36-03005B: Intelligencer Printing Co., Inc.** (330 Eden Road, P. O. Box 1768, Lancaster, PA 17608) for installation of a new eight (8) station Manroland 700 HiPrint sheet-fed offset lithographic printing press at their facility located in Manheim Township, **Lancaster County**. The total VOC emissions from the press are expected to be around 6.55 tons per year. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 25 Pa. Code § 129.67b, "Control of VOC emissions from offset lithographic printing presses and letterpress printing presses." Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

**49-00009C: Masonite Corporation—Mohawk Flush Doors, Inc.** (980 Point Township Drive, Northumberland, PA 17857) for the construction of a new paint spray booth #6, and an associated natural gas-fired drying/curing oven

(designated as Source ID P114) with a motorized overhead mechanical conveyor system at its door manufacturing facility located in Point Township, **Northumberland County**. The application also request construction of two ancillary air emissions sources; a 2.64 MMBtu per hour natural gas fired air makeup unit and a 0.2 MMBtu per hour natural gas fired wastewater evaporator.

The Department of Environmental Protection's (Department) review of the information submitted by Masonite Corporation-Mohawk Flush Doors, Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including 25 Pa. Code § 129.52 for the surface coating operation, 25 Pa. Code §§ 129.101—129.107 for the wood furniture manufacturing operation, and the best available technology requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emission from the proposed sources included in this project will not exceed the following limits: VOCs—9.95 tons; PM<sub>10</sub>—0.61 ton; HAPs—0.34 ton; CO—1.31; NO<sub>x</sub>—1.56; and SO<sub>2</sub>—0.01. In addition to the emission limitations, the following is a brief description of the conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12: 1) the total volatile organic compounds emissions from Source ID P114 shall not exceed 9.86 tons in any 12 consecutive month period. 2) the total combined hazardous air pollutants emissions from Source ID P114 shall not exceed 0.31 ton in any 12 consecutive month period. 3) the concentration of particulate matter emissions from the exhaust associated with Source ID P114 shall not exceed 0.01 grain per dry standard cubic feet at any time. 4) the volatile organic compound content of the primer used in Source ID P114 shall not exceed 0.02 pound of volatile organic compounds per pound of coating solids, as mixed for application. As an alternate to 650-W5M-353-White Waterbase Primer, other material having an equivalent, or lower, volatile organic compounds or hazardous air pollutant content, as determined by the Department, may be used in Source ID P114. 5) the volatile organic compound content of the enamel used in Source ID P114 shall not exceed 0.22 pound of volatile organic compounds per pound of coating solids, as mixed for application. As an alternate to 660-833A-White Spray Enamel, other material having an equivalent, or lower, volatile organic compounds or hazardous air pollutant content, as determined by the Department, may be used in Source ID P114. 6) the volatile organic compound content of the topcoats used in Source ID P114 shall not exceed 0.26 pound of volatile organic compounds per pound of coating solids, as mixed for application. As an alternate to 680-D5-Mohawk-Generic Waterborne Tinted Topcoat, other material having an equivalent, or lower, volatile organic compounds or hazardous air pollutant content, as determined by the Department, may be used in Source ID P114. 7) only water or non-VOC/non-HAPs material shall be used for cleanup purposes or activities associated with Source ID P114. 8) all coating/finishing materials used in Source ID P114 shall be applied using high volume low pressure (HVLP) or air-assisted airless spray technology. 9) Source ID P114 shall comply with all applicable requirements of 25 Pa. Code § 129.52 and 25 Pa. Code §§ 129.101—129.107. 10) all volatile organic compound-containing or volatile hazardous pollutant-

containing materials (coating/finishing, clean up materials, etc.) shall be stored in closed containers when not in actual use; spray gun lines shall be cleaned by flushing solvent through the lines and into closed containers; all used cleaning rags shall be stored in closed containers and shall never be "treated" so as to unnecessarily promote the evaporative loss of solvents to the atmosphere. 11) the particulate matter emissions from Source ID P114 shall be controlled by paint arrestor/filters (with a minimum control efficiency of 99%) (ID C114) at any time the Source ID P114 is in operation. Additionally, Source ID P114 shall be equipped with instrumentation to continuously monitor the differential pressure across the spray booth filters. 12) The permittee shall maintain accurate and comprehensive records of the following: a. The identity and amount of each individual coating/finishing material and coating/finishing material used each month. b. The identity and amount of each cleanup material used each month.

Additionally, the permittee shall maintain product composition sheets for all coating/finishing materials and cleanup compounds used in Source ID P114. At a minimum, the sheets shall identify the amount of volatile organic compounds, the amount of hazardous air pollutants and the amount of solids contained in each of the respective materials. The facility will remain as a synthetic minor facility. If the Department determines that the sources are modified and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 49-00009C, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to 25 Pa. Code § 127.411. 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.

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

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328*

**43-036C: Hodge Foundry** (42 Leech Road, P. O. Box 550, Greenville, PA 16125) The Department intends to issue a plan approval to Hodge Foundry, for the construction and operation of a new control device at their facility located in Hempfield Township, **Mercer County**. The new control device is a 20,000 cfm baghouse which will control emissions from the facility's existing sand reclamation process. The installation of the proposed control device will result in two control devices being removed from the sand reclamation process and additional cfm being restored to the Shakeout Process. This will be a natural minor facility not subject to Title V.

Emissions from the facility are expected to decrease as a result of this project. PM emission rates from the sand reclamation process through this control device will be restricted to 0.005 grain per dry standard cubic foot. The Plan Approval will contain testing, recordkeeping, emission restriction, monitoring, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the

Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [43-036C: Hodge Foundry] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Christina Nagy, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6411.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

#### **Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**09-00125: Naceville Materials** (5031 Point Pleasant Pike, Doylestown, PA 18901), located in Plumstead Township, **Bucks County**, for a renewal of State Only (Natural Minor) Operating Permit No. 09-00125 for its Plumsteadville facility. The facility's air emissions sources consist of a stone crushing plant, from which the main pollutant emitted is particulate matter (PM). The only change that has occurred since the State Only Operating Permit (SOOP) was last renewed in October 2009 is the replacement of the tertiary crusher approved under Request for Determination No. 2494 in October 2011.

The stone crushing plant remains subject to the provisions of 40 CFR Part 60, Subpart OOO. The renewed SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00110: Riverside Construction Materials, Inc.** (7900 North Radcliffe Street, Bristol, PA 19007; Attn: Mr. Tim Kurz) is a non-Title V facility located in Bristol Township, **Bucks County**. The Natural Minor Operating Permit No. 09-00110 shall be renewed for the continued operation of their cement and bulk material handling processes. As part of the permit renewal, Riverside Construction Materials has submitted a Minor Modification application to add coal fly ash as an imported material, to be handled using the same equipment that is used for cement. All emissions of PM from cement and coal fly ash



handling are controlled by various dust collection systems. The permit renewal reflects the removal of a 25,000 Ton Silo (Source ID 103) and Truck Load-out #1 with Dust Collection (Source ID 108). As part of the permit renewal, a 300 KW CAT Generator (Source ID 700) has been moved from Section G of the operating permit to Section D, to reflect applicable requirements from 40 CFR Part 63, Subpart ZZZZ. The Natural Minor Operating Permit will continue to contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**23-00030: Swarthmore College** (500 College Avenue, Swarthmore, PA 19081), located in Swarthmore Borough, **Delaware County**. This action is a renewal of a Synthetic Minor Operating Permit. The facility's emission points include boilers and emergency generators located throughout the college campus. With this renewal, Swarthmore College is capping Nitrogen Oxide (NO<sub>x</sub>) emissions to below the major level threshold of 25 tons per year NO<sub>x</sub>. A new emergency generator is listed as Source ID 114 (MTU Onsite Emergency Generator) in order to include the applicable requirements of 40 CFR Part 60 Subpart III. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**05-03011: Blue Triangle Hardwoods, LLC** (156 Industrial Boulevard, Everett, PA 15537) to issue a State Only Operating Permit for sawmill operations facility in West Providence Township, **Bedford County**. The potential emissions of the facility are 77.8 tons of CO, 35.2 tons of NO<sub>x</sub>, 57.3 tons of PM, 29.2 tons of SO<sub>x</sub>, and 6.7 tons of VOC, and 4.7 tons 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 requirements, the facility is subject to 25 Pa. Code §§ 129.61 and 129.62—Small gasoline storage tank control (Stage I control); 40 CFR Part 60 Subpart JJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial and Institutional Boilers; and 40 CFR Part 60 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

**21-05030: Ahlstrom Filtration, LLC** (122 W. Butler Street, Mount Holly Springs, PA 17065) to issue a State Only Operating Permit for the specialty filter paper manufacturing facility in Mount Holly Springs, **Cumberland County**. Facility emissions of volatile organic compound (VOC) emissions are capped at 50 tons per consecutive 12-month period; emissions of nitrogen oxides (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>) and particulate matter (PM) are capped at 100 tons per consecutive 12-month period for each pollutant. The Operating Permit includes emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**28-03044: Tarco Roofing Materials, Inc.** (8650 Molly Pitcher Hwy, Greencastle, PA 17225) to issue a State Only

Operating Permit for operation of the asphalt felt/granulated asphalt roll goods manufacturing facility in Antrim Township, **Franklin County**. The potential annual emissions of the facility are 1.2 ton of CO, 2.2 tons of NO<sub>x</sub>, 16.6 tons of PM, 0.3 ton of SO<sub>x</sub>, and 6 tons of VOC. 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 requirements, the facility is subject to 40 CFR Part 60 Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture; and 40 CFR Part 63 Subpart AAAAAA—National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing.

**28-03049: Geisel Funeral Home** (333 Falling Spring Road, Chambersburg, PA 17202) to issue a State Only Operating Permit for the crematory located in Guilford Township, **Franklin County**. The annual actual emissions from the facility are estimated at 1.5 ton of NO<sub>x</sub> and less than one ton each of PM<sub>10</sub>, SO<sub>x</sub> and CO. 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.

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

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

**08-00024 Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) to issue a renewal State Only Operating Permit for their Canton Aggregate Plant facility located in Canton Township, **Bradford County**. The facility is currently operating under State Only Operating Permit 08-00024. The facility's sources include an aggregate plant and portable jaw crusher. The facility has the potential to emit 9.99 tons of nitrogen oxides (NO<sub>x</sub>) per year, 7.91 tons of carbon monoxide (CO) per year, 0.90 ton of volatile organic compounds (VOCs) per year, 2.69 tons of sulfur oxides per year (SO<sub>x</sub>), 53.62 tons of particulate matter (PM/PM<sub>10</sub>) per year and 1,524 tons of greenhouse gasses (GHGs) per year. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Subpart OOO of 40 CFR Part 60 and 25 Pa. Code Chapters 121—145. 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.

**18-00014: Jersey Shore Steel Co.** (PO Box 5055, Jersey Shore, PA 17740) for issuance of a renewal state only operating permit for their facility in Pine Creek Township, **Clinton County**. The facility is currently operating under State Only Operating Permit 18-00014. The facility's sources include a steel reheat furnace, three scarfing booths, four small parts washers, seven gasoline-fired welders and pumps and a blacksmith furnace. The facility has the potential to emit 66.44 tons of nitrogen oxides (NO<sub>x</sub>) per year, 13.19 tons of carbon monoxide (CO) per year, 3.36 tons of volatile organic compounds (VOCs)

per year, 75.16 tons of sulfur oxides per year (SO<sub>x</sub>), 73.72 tons of particulate matter (PM/PM<sub>10</sub>) per year and 46,625 tons of greenhouse gasses (GHGs) per year. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. 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.

**49-00046: Kurt Weiss Greenhouses of PA, Inc.** (225 Arcos Road, Mount Carmel, PA 17851) to issue a renewal state only "synthetic minor" operating permit for their Mount Carmel Greenhouse located in Mount Carmel Township, **Northumberland County**. The facility is currently operating under State Only Operating Permit 49-00046. The significant emissions sources at the Mount Carmel Greenhouse are five (5) natural gas/#2 fuel oil dual-fuel boilers. The facility has potential emissions of 34.8 tons per year of carbon monoxide, 50.8 tons per year of nitrogen oxides, 28.8 tons per year of sulfur oxides, 9.9 tons per year of particulate matter, 2.3 tons per year of volatile organic compounds, 0.8 ton per year of total Hazardous Air Pollutants, and 67,572 tons per year of carbon dioxide equivalents (greenhouse gases). The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-5226*

**32-00408: MGK Technologies, Inc.** (57 Cooper Ave., Homer City, PA 15825) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) to MGK Technologies to authorize the operation of a facility that manufactures metal equipment for mainly construction purposes, such as boom and scissor lifts. The facility is located in Homer City Boro, **Indiana County**.

Operations include steel preparation, fabrication and surface coating. The emission sources at this facility are paint building, unpaved roadways, shot blast units, plasma robot machine, welding machines, dry off ovens, a burn off oven and the control units include paint building filter, small dust collectors and water truck. The estimated potential emissions from this facility are 7.92 tons per year of VOC, 22.04 ton per year of PM<sub>10</sub>, 4.4 tons per year of NO<sub>x</sub>, and 2.81 tons per year of CO. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (32-00408) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

MGK Technologies' State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the MGK Technologies' State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

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

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

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940*

**25-00464: Klein Plating Works** (2020 Greengarden Road, Erie, PA 16502) for renewal of the State Only Operating Permit for their plating operations facility in Erie City, **Erie County**. The sources at the facility include, miscellaneous natural gas combustion, acid tanks (Bright Dip), two automatic aluminum plating and strip lines, and electroless nickel plating tanks (subject to 40 CFR Part 63 Subpart WWWW). The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The potential PM, Nickel, Cyanide, Lead, and Combined HAPs emissions from the facility are: 4.61 TPY, 0.00098 TPY, 0.05 TPY, 0.03 TPY, and 0.09 TPY, respectively.

**25-01034: Emkey Gas Processing LLC** (558 West 6th Street, Suite 200, Erie, PA 16507) the Department intends to issue a new Natural Minor Operating Permit to operate the Union City Gas Plant in Union Township, **Erie County**. The facility's primary emission sources include four compressor engines, a hot oil heater, pressured product storage tanks, a dehydrator, and various small tanks for fluids, coolant, oil, and glycol. Three of the engines are subject to 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The facility is also subject to 40 CFR 60 Subpart OOOO—Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution. The fugitive emissions from the components (valves, connectors, flanges, and pumps) are subject to 40 CFR 60 Subpart VVa—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006. This Permit incorporates the requirements of Plan Approval 25-1034A, GP5-25-1034A, and GP5-25-892A. The controlled NO<sub>x</sub>, CO, VOC, SO<sub>2</sub>, PM, PM<sub>10</sub>, PM<sub>2.5</sub>, and CO<sub>2e</sub> emissions

from this facility are: 22.2 TPY, 18.8 TPY, 22.7 TPY, 0.043 TPY, 0.062 TPY, 2.45 TPY, 2.45 TPY, and 23,753 TPY, respectively.

### PLAN APPROVALS

**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

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

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-00089B: Spray Tek LLC** (3010 Avenue B, Bethlehem, PA 18017) for their facility in the City of Bethlehem, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Spray Tek LLC** (3010 Avenue B, Bethlehem, PA 18017) for their facility in City of Bethlehem, Northampton County. This **Plan Approval No. 48-00089B** will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00089B is for the installation and operation of one (1) new spray dryer system. The main emissions from the source is VOCs. The new sources will meet all applicable requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00089B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **SVC Manufacturing Inc.**,

**Division of PepsiCo, Inc.** (750 Oak Hill Road, Mountaintop, PA 18707) for the facility located in Wright Twp., **Luzerne County**. This Plan Approval No. 40-00065A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00065A is for the installation of a new melter coater with storage tank and dust collector. The existing outdoor sugar silo will be removed. Particulate emissions will not exceed 0.02 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of baghouse. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00065A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

*Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**30081601 and NPDES No. PA0235792. Coresco, LLC**, (103 Corporate Drive, Suite 102, Morgantown, WV 26501-4582). To revise the permit for the Overland Conveyor in Dunkard Township, **Greene County** and related NPDES permit to install pipelines in relation to the 4-West Deep Mine Dooley Run Pipeline. No additional discharges. The application was considered administratively complete on March 3, 2016. Application received November 23, 2015.

**30841307 and NPDES No. PA0213438. Emerald Coal Resources, LP**, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Emerald Mine No. 1 in Franklin Township, **Greene County** and related NPDES permit for stream restoration activities to eliminate pooling in Panel D2. No additional discharges. The application was considered administratively complete on March 3, 2016. Application received September 30, 2015.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 39A77SM4 and NPDES Permit No. PA0607878, Bentley Development Company, Inc.**,

P. O. Box 338, Blairsville, PA 15717, renewal of NPDES Permit, West Wheatfield Township, **Indiana County**. Receiving stream: Unnamed tributary to Conemaugh River Classified for the following use: Warm water fishes. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: February 26, 2016.

**Permit No. 32900108 and NPDES Permit No. PA0599034, Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal for reclamation only of a bituminous surface and auger mine in South Mahoning Township, **Indiana County**, affecting 74.4 acres. Receiving streams: Ross Run, unnamed tributary to Little Mahoning Creek, classified for the following use: high quality. There are no potable water supply intakes within 10 miles downstream. Application received: February 26, 2016.

**Permit No. 56050106 and NPDES Permit No. PA0249807, Marquise Mining Corporation**, P. O. Box 338, Blairsville, PA 15717, renewal for reclamation only of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 122.5 acres. Receiving streams: Dixie Run; unnamed tributary to Dixie Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 26, 2016.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**03120101 and NPDES Permit No. PA0252204. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application for a non-started status three year renewal to an existing bituminous surface mine, located in Freeport Borough, **Armstrong County**, affecting 97 acres. Receiving streams: unnamed tributaries to Buffalo Creek and Buffalo Creek, classified for the following use: TSF. The potable water supply intake within 10 miles downstream from the point of discharge: Harrison Township Water Authority. Renewal application received: February 29, 2016.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 40663034R6 and PA0225215. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine and coal refuse disposal operation and NPDES Permit for discharge of treated mine drainage in Foster Township, **Luzerne County** affecting 360.0 acres, receiving streams: Oley Creek, classified for the following uses: HQ—cold water and migratory fishes and Pond Creek, classified for the following use: HQ—cold water fishes. Application received: February 29, 2016.

*Noncoal Applications Received*

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

Parameter	Table 2		
	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.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 64940203C11 and NPDES Permit No. PA0223387. Bedrock Quarries, Inc.**, (PO Box 79, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Damascus Township, **Wayne County** affecting 98.0 acres, receiving stream: unnamed tributary to North Branch Calkins Creek, classified for the following use: HQ—cold water fishes. Application received: February 24, 2016.

**MINING ACTIVITY NPDES DRAFT PERMITS**

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

*Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

*Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit

applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**NPDES No. PA0242951 (Mining permit no. 17000107), King Coal Sales, Inc.**, P. O. Box 712, Philipsburg, PA 16866. Renewal of an NPDES permit for surface coal mining in Woodward and Bigler Townships, **Clearfield County**, affecting 167.8 acres. Receiving stream(s): Unnamed Tributaries to Upper Morgan Run to Clearfield Creek, classified for the following use(s): CWF. Upper Morgan Run TMDL and Clearfield Creek TMDL. Application received: December 31, 2015.

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

The outfall(s) listed below discharge to Unnamed Tributaries to Upper Morgan Run to Clearfield Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001 (TP#1)	N
004 (TP#2)	N
007 (TP#3)	N
102 (TP#4)	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	2.0	2.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

The outfall(s) listed below discharge to Unnamed Tributary's to Upper Morgan Run to Clearfield Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
002 (SB#1)	N
003 (SB#2)	N
005 (SB#3)	N
006 (SB#4)	N
101 (SB#5)	N
008 (SB#6)	N

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Manganese (mg/l)				4.0
Settleable Solids (ml/l)				0.5
Alkalinity greater than acidity <sup>1</sup>				

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

**FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33

U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

**Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E23-527. Pennsylvania Department of Transportation**, 7000 Geerdes Blvd, King of Prussia, Ridley Township, **Delaware County**; ACOE Philadelphia District.

To perform the water obstruction and encroachment activities listed below associated with the replacement of SR 0420 Section 000 (Kedron Avenue) bridge over Stony Creek (WWF) (as part of the P3 rapid bridge replacement, JV 214 Improvement Project):

1. To replace an existing single span concrete I-beam bridge, construct and maintain in its place a concrete box culvert approximately 57 feet long and 24 feet wide.
2. To grade and maintain roadway approaches toward the bridge on both sides within the floodway to accommodate the proposed culvert.
3. To relocate two storm drain pipes, (15 inches and 24 inches diameter), one water line and one gas line to facilitate the overall purpose of the project.
4. To construct a temporary cofferdam to facilitate the removal of the existing bridge abutments and the construction of the proposed culvert.

The proposed project is located approximately 150 feet northwest of the intersection of Academy Avenue and Kedron Avenue along Kedron Avenue in Ridley Township, Delaware County, (USGS Lansdowne—PA Quadrangle -Latitude 39° 53' 52" -Longitude -75° 18' 58.388").

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E13-184. TKL Properties, LLC**, 35 Berger Street, Kunkletown, PA 18058, in Palmerton Borough, **Carbon County**, U. S. Army Corps of Engineers, Philadelphia District.

To fill 0.012 acre of PEM wetlands within the Aquashicola Creek watershed for the purpose of eliminating a large depression and to increase safety for a future

single-family residence. The project is located approximately 0.15 mile east of the intersection of East Princeton Road and 6th Street (Palmerton, PA Quadrangle, Latitude: 40°48'34.8"; Longitude: -75°36'5.2").

**E52-253. Tennessee Gas Pipeline Company, LLC**, 1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089, in Lackawaxen Township, **Pike County**, U. S. Army Corps of Engineers, Philadelphia District.

The applicant is proposing the installation and maintenance of an approximately 12.91 mile long pipeline in Pennsylvania for the purpose of transporting natural gas from the Gibson receipt point (Meter #47768) located in Wayne County, Pennsylvania to the Milford delivery point (Meter #420245) located in Pike County, Pennsylvania. This application is for the Pike County portion of the project. The Pike County portion of the project consists of 8.23 miles of 36-inch diameter pipeline and appurtenant facilities, beginning near at the Wayne/Pike County Line, approximately 0.5 mile east of the intersection of Rusty Road and Mush Paw Road (White Mills/Narrowsburg, PA Quadrangle Latitude: 41.5284; Longitude: -75.1259) and terminating approximately 0.17 mile northeast of the intersection of S.R. 590 and T-440 (Neil Thompson Road) (Rowland, PA Quadrangle 41.4617; Longitude: -77.999) in Lackawaxen Township, Pike County. The proposed project impacts for Pike County include approximately 2,130 linear feet of stream and 9.48 acres of floodway. The impacted streams include Tributaries to Rattlesnake Creek (HQ-CWF), Tinkwig Creek (HQ-CWF), Tributaries to West Falls Creek (HQ-CWF), Tributaries to Westcolang Creek (HQ-CWF), Tributaries to O'Donnell Creek (HQ-CWF), O'Donnell Creek (HQ-CWF), Tributaries to Lackawaxen River (HQ-TSF), Lackawaxen River (HQ-TSF), Lords Creek (HQ-CWF), and Tributaries to Tinkwig Creek (HQ-CWF). Proposed project impacts also include approximately 7.96 acres of temporary impacts to PEM, PSS, and PFO wetlands and 1.31 acre of permanent impacts to PEM, PSS, and PFO wetlands. To compensate for the proposed permanent project impacts in Pike County, the applicant is proposing 1.31 acre of wetland mitigation. For more detailed information regarding the Chapter 105 permit application related to this proposed project, which is available for review in the DEP Northeast Regional Office, please contact Joseph Buczynski, Waterways and Wetlands Program Manager, at (570) 826-2511 to request a file review (White Mills, Narrowsburg, Rowland, PA Quadrangle, Latitude: 41.5284; Longitude: -75.1259).

**E64-305. Tennessee Gas Pipeline Company, LLC**, 1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089, in Berlin and Palmyra Townships, **Wayne County**, U. S. Army Corps of Engineers, Philadelphia District.

The applicant is proposing the installation and maintenance of an approximately 12.91 mile long pipeline in Pennsylvania for the purpose of transporting natural gas from the Gibson receipt point (Meter #47768) located in Wayne County, Pennsylvania to the Milford delivery point (Meter #420245) located in Pike County, Pennsylvania. This application is for the Wayne County portion of the project. The Wayne County portion of the project consists of 4.68 miles of 36-inch diameter pipeline and appurtenant facilities, beginning near the intersection of S.R. 2011 (Bethel School Road) and T-513 (Adams Pond Road) (White Mills, PA Quadrangle Latitude: 41.5631, Longitude: -75.191) and extending southeast to the Wayne/Pike County Line, approximately 0.5 mile east of the intersection of Rusty Road and Mush Paw Road (White Mills/Narrowsburg, PA Quadrangle Latitude: 41.5284, Longi-

tude: -75.1259) in Berlin and Palmyra Townships, Wayne County. The proposed project impacts for Wayne County include approximately 980 linear feet of stream and 2.053 acres of floodway. The impacted streams include Tributaries to Indian Orchard Brook (HQ-CWF), Tributaries to Swamp Brook (HQ-CWF), Swamp Brook (HQ-CWF), and Tributaries to Rattlesnake Creek (HQ-CWF). Proposed project impacts also include approximately 6.22 acres of temporary impacts to PEM, PSS, and PFO wetlands and 1.35 acre of permanent impacts to PEM, PSS, and PFO wetlands. To compensate for the proposed permanent project impacts in Wayne County, the applicant is proposing 1.35 acre of wetland mitigation. For more detailed information regarding the Chapter 105 permit application related to this proposed project, which is available for review in the DEP Northeast Regional Office, please contact Joseph Buczynski, Waterways and Wetlands Program Manager, at (570) 826-2511 to request a file review (White Mills, PA Quadrangle, Latitude: 41.5631; Longitude: -75.191).

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**E02-1665-A1, Allied Waste Systems of PA, LLC**, 11 Boggs Road, P. O. Box 47, Imperial, PA 15126, Findlay Township, **Allegheny County**, Pittsburgh ACOE District.

To applicant is proposing to:

Amend Permit Number E02-1665 (which authorized the placement and maintenance of fill in approximately 2.39 acres of wetlands for the purpose of reconfiguring and expanding the existing Imperial Landfill) to:

1.) Place and maintain fill in two (2) PEM wetlands, which will cumulatively affect 0.08 acre of wetland.

2.) To construct and maintain two (2) utility line stream crossings, consisting of a treatment effluent line and a sanitary sewer line, across 35 linear feet of a perennial Unnamed Tributary (UNT) to South Fork Montour Run (aka Stream-001) (TSF).

3.) Construct and maintain a water utility line stream crossing of the same aforementioned UNT, but at a different location, which will impact 18 linear feet of watercourse.

4.) Construct and maintain a water utility line stream crossing of a UNT to South Fork Montour Run (aka Stream-003) (TSF), which will impact 7 linear feet of watercourse.

For the purpose of constructing and operating a pre-treatment leachate facility to allow wastewater discharge from the Imperial Landfill facility to be discharged to the Moon Township Municipal Authority's sewer system. This project is located near the intersection of Boggs Road and Santiago Road (Quadrangle: Clinton, PA; Latitude: 40° 26' 36"; Longitude: -89° 16' 14"; Sub-basin: 20G; Chapter 93 Type: TSF), in Findlay Township, Allegheny County. The project will cumulatively impact 0.08 ac of PEM wetland, permanently, and 60 linear feet of various watercourses. The 0.08 acre of permanent PEM wetland impact will be offset by the creation of a 3.25 acre wetland, which was previously approved under the original permit to off-set 2.39 acres of wetland impact.

**E02-1729, Pennsylvania Turnpike Commission**, PO Box 67676, Harrisburg, PA 17057-7676, South Fayette, **Allegheny County**, Pittsburgh ACOE District.

The applicant is proposing to:

1. Construct and maintain a 958' x 4' culvert in a UNT to Millers Run (aka Millers Run UNT 15) (WWF).

2. Construct and maintain temporary stream crossings in the Millers Run watershed (WWF) that cumulatively impact 100 LF of stream.

3. Install and maintain road associated stormwater facilities and outfalls in the Millers Run watershed (WWF).

In association with constructing a new 0.65 mile section (Section 55B) of the Pennsylvania Turnpike in South Fayette Township, Allegheny County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 21' 77.3" Longitude: -80° 13' 15.6"; and ending at Latitude: 40° 21' 37.1" Longitude: -80° 12' 66.5"), as a component of the overall construction of a new 13.3 mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S Route 22, and Interstate 79 (a.k.a. The Southern Beltway project). Two mitigation projects will compensate for the cumulative total of impacts to watercourses from this portion of Section 55B, as well as for impacts from several future subprojects associated with the overall Southern Beltway Project. Although final plans for future projects are not available, the applicant estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately 15,231 LF, and temporarily impact approximately 700 LF, of various watercourses. To compensate for the cumulative total of impacts from the Southern Beltway Project, the stream mitigation plan includes the reconstruction, rehabilitation, and enhancement of approximately 15,672 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 34" Longitude: -80° 25' 10"). As compensation for 6.089 acres of permanent wetland impacts associated with the overall Southern Beltway Project, the applicant will construct approximately 6.98 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

**E63-682, Pennsylvania Turnpike Commission**, 700 South Eisenhower Blvd., Harrisburg, PA 17057, Mount Pleasant Township and Cecil Township, **Washington County**, Pittsburgh ACOE District.

The applicant is proposing to:

1. Construct and maintain a 138' x 4' culvert in a UNT to Robinson Run (aka UNT 8 to Little Raccoon Run) (WWF).

2. Construct and maintain a 78' x 2' culvert in a UNT to Robinson Run (WWF).

3. Construct and maintain a 1,735' x 4' culvert in a UNT to Millers Run (aka UNT 12 to Millers Run) (WWF).

4. Place and maintain fill in 0.118 acre of PEM wetland in the Millers Run watershed (WWF).

5. Construct and maintain a 50' x 2' culvert as a temporary stream crossing of a UNT to Millers Run (aka UNT 15 to Millers Run) (WWF).

6. Temporarily relocate 139 LF of a UNT to Robinson Run (WWF).

7. Install and maintain road associated stormwater facilities and outfalls in the Millers Run and Robinson Run watersheds (WWF).



In association with constructing a new 2.46 mile section (Section 55B) of the Pennsylvania Turnpike, between Noblestown Road and Hallam Road, as a component of the overall construction of a new 13.3 mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S Route 22, and Interstate 79 (a.k.a. The Southern Beltway project). The structures and activities requiring authorization for Section 55B in Mount Pleasant and Cecil Townships, Washington County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 21' 60" Longitude: -80° 15' 35.5"; and ending at Latitude: 40° 21' 77" Longitude: -80° 13' 15.6") will permanently impact a total of approximately 2001 linear feet (LF) of various watercourses and 0.118 acre of wetland, and temporarily impact a total of approximately 189 LF of various watercourse. Two mitigation projects will compensate for the cumulative total of impacts to watercourses from Section 55B, as well as for impacts from several future subprojects associated with the overall Southern Beltway Project. Although final plans for future projects are not available, the applicant estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately 15,231 LF, and temporarily impact approximately 700 LF, of various watercourses. To compensate for the cumulative total of impacts from the Southern Beltway Project, the stream mitigation plan includes the reconstruction, rehabilitation, and enhancement of approximately 15,672 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County (West Middletown, PA Quadrangle; Latitude: 40° 8' 34" Longitude: -80° 25' 10"). As compensation for 6.089 acres of permanent

wetland impacts associated with the overall Southern Beltway Project, the applicant will construct approximately 6.98 acres of wetlands, at a site approximately 0.5 miles west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

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

**E24-248A, Advanced Disposal Services Greentree Landfill, LLC**, 635 Toby Road, Kersey, PA 15846. Greentree Landfill Mitigation Plan Revision, in Fox Township, **Elk County**, ACOE Pittsburgh District (Brandy Camp, PA Quadrangle N: 41°, 17', 00.1"; W: 78°, 38', 43.8").

Applicant proposes to amend existing permit E24-248, issued December 8, 2008, which authorized permanent impacts to 1.6 acre of wetland and 1,465 LF of stream channel and required mitigation consisting of the creation of 3.29 acres of wetland and 5,196 LF of stream channel on-site. The amount of mitigation originally proposed included a significant portion that was intended to off-set future impacts at the landfill. The applicant currently has no plans for additional expansion that would require mitigation and is seeking to amend the permit to reflect only the mitigation required for permitted impacts. Applicant proposes to construct 3.29 acres of wetland and 1,747 LF of stream channel to compensate for the originally permitted impacts. No impacts authorized by E24-248 have occurred at this time, and no additional impacts are proposed as part of this amendment.

**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—691.101) 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, PO 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 Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<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>
PAS322202 (Stormwater)	Blue Ridge Peat Farm Sand Spring Road Cresco, PA 18326	Monroe County Barrett Township	Unnamed Tributary to Cranberry Creek (1-E)	Yes
PA0061573 (Sewage)	Camp Moshava 245 Navajo Road Honesdale, PA 18431	Wayne County Berlin Township	Unnamed Tributary to Indian Orchard Brook (1-B)	Yes

*North Central Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0233625 (Industrial)	Warner Tractor & Equipment 9848 Route 6 Troy, PA 16947-9273	Bradford County Troy Township	Unnamed Tributary to Sugar Creek (4-C)	Yes
PA0113956 (Sewage)	Slabtown Wastewater Treatment Plant 1223a Numidia Drive Catawissa, PA 17820-8632	Columbia County Locust Township	Unnamed Tributary of Roaring Creek (5-E)	Yes
PA0232726 (Sewage)	Bloom Road Sewer Treatment System 124 Short Road Spring Mills, PA 16875-9326	Centre County Potter Township	Potter Run (6-A)	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>
PA0220981 (Sewage)	Scott A Wilcox SFTF 18306 S Main Street Corry, PA 16407-8802	Erie County Elgin Borough	Beaver Run (16-A)	Yes
PA0039225 (Sewage)	Reno Village STP PO Box 397 Reno, PA 16343-0397	Venango County Sugarcreek Borough	Allegheny River (16-E)	Yes

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

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Metso Minerals Industries, Inc.**, 350 Railroad Street, Danville, **Montour County**. ELM Energy, LLC, 60 State Street, Suite 201, Peoria, IL 61602, on behalf of Metso Minerals Industries, Inc., 350 Railroad Street, Danville, PA 17821 has submitted a Final Report concerning the remediation of site soil & groundwater contaminated with Petroleum Hydrocarbons & Volatile Organic Compounds. The Final Report was approved by the Department on February 18, 2016.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**NPDES Permit No. PA0275727**, Industrial, SIC Code 4911, **Lackawanna Energy Center LLC**, One South Wacker Drive, Chicago, IL 60606.

This proposed facility is located in Jessup Borough, **Lackawanna County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Industrial Wastewater and Stormwater.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**NPDES Permit No. PA0024589**, Sewage, **Leetsdale Borough Municipal Authority**, 5 6th Street, Leetsdale, PA 15056.

This existing facility is located in Leetsdale Borough, **Allegheny County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. WQG020052**, Sewage, **Leslie Robison**, 1410 Cedar lane, Green Lane, PA 18054.

This proposed facility is located in Upper Frederick Township, **Montgomery County**.

Description of Action/Activity: Construction of a small flow sewage treatment plant for a single residence.

**WQM Permit No. WQG02231601**, Sewage, **Rose Hill Developers, LP**, 1 Raymond Drive, Havertown, PA 19083.

This proposed facility is located in Chester Heights Borough, **Delaware County**.

Description of Action/Activity: Construction and operation of a sewage pump station.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 4516401**, Sewage, SIC Code 4952, **Mount Pocono Municipal Authority**, 1361 Pocono Boulevard, Suite 101, Mount Pocono, PA 18344.

This proposed facility is located in Mount Pocono Borough, **Monroe County**.

Description of Proposed Action/Activity: The project is for the replacement of the existing emergency backup engine at the Route 940 pump station with a new 125 kW emergency generator. The emergency generator is sized to run both pumps, heaters, fans and lights. Upgrades to the pump station controls will allow for both pumps to start and run automatically.

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

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011514052	Honey Brook Community Church 644 Ranck Road New Holland, PA 17554	Chester	Honey Brook Township Honey Brook Borough	West Branch Brandywine Creek HQ-TSF
PAI011515021	David A. and Rebecca Burt 542 Glass Avenue Spring City, PA 19475	Chester	East Vincent Township	Stony Run HQ-TSF-MF
PAI011515013	Robert Landis 1346 Village Lane Chester Springs, PA 19425	Chester	West Pikeland Township	Pickering Creek HQ-TSF

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

#### List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Merion Township Montgomery County	PAG02004615045	Natural Lands Trust 1031 Palmers Mill Road Media, PA 19063	Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Trappe Borough Montgomery County	PAG02004615072	Gorski Engineering Inc. 1 Iron Bridge Drive Collegeville, PA 19426-1144	Unknown Tributary to Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG02004615074	Cian LLC 2997 Brambling Lane East Norriton, PA 19403	Diamond River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG02004615084	Audubon Land Development 2620 Egypt Road Norristown, PA 19403	Perkiomen Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAG02004615096	Upper Dublin Township 801 Loch Alsh Avenue Fort Washington, PA 19034	Pine Run Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Cheltenham Township Montgomery County	PAG02004614089(1)	Cheltenham Township 8230 Old York Road Elkins Park, PA 19027	Tookany Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG02004615039	Nolen Properties LLC 116 Fountain Street Philadelphia, PA 19127	Unknown Tributary to Lower Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAG02002315035	J&H Construction 1551 Ulster Circle West Chester, PA 19380	Chester Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Philadelphia Philadelphia County	PAG020151132	Rita Grace, LLC 9181 Academy Road Philadelphia, PA 19114	Byberry Creek to Poquessing Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAG02000915069	Edward Guarmaccia 1334 Roberts Avenue Feasterville, PA 19053	Unknown Tributary to Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAG02000916004	Central Bucks School District 320 West Swamp Road Doylestown, PA 18901-2401	Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Telford Borough Bucks County	PAG02000915076	JDM Materials Co. Inc. 451 East Reliance Road Telford, PA 18969	Unknown Tributary to Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bristol Township Bucks County	PAG02000915085	Anipad Management LLC 3451 Sylon Boulevard Hainesport, NJ 08036	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township and Morrisville Borough Bucks County	PAG02000915070(1)	Britton Realty of Morrisville, LLC 227 Bakers Basin Road Lawrenceville, NJ 08648	Delaware River Canal WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAG02000915062	620 Jacksonville Associates, L.P. 532 Township Line Road Blue Bell, PA 19422	Pennypack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Doylestown Township Bucks County	PAG02000914040	Lower State Associates, LLC 4030 Skyron Drive, Suite G Doylestown, PA 18901	Neshaminy Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG02000915066	Network of Victim Assistance (NOVA) 2370 York Road, Suite B1 Jamison, PA 18929	Unknown Tributary to Tohickon Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAG02000914033	Erin Development Company 301 Oxford Valley Road, Suite 501A Yardley, PA 19067	Brock Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG02000915089	East Ridge Development 24 Market Street Ridgefield, CT 06877-5020	Plumstead Township WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

NOTICES

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*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
New Holland Borough Lancaster County	PAG02003615120 (Phased) Issued	Garden Spot Village 422 South Kinzer Avenue New Holland, PA 17551	UNT to Mill Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601-3149 717.299.5361 ext. 5
Pequea Township Lancaster County	PAG02003615122 Issued	David Hess 549 Second Lock Road Lancaster, PA 17603	UNT to Conestoga Creek (WWF, TSF)	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601-3149 717.299.5361 ext. 5
Silver Spring Township Cumberland County	PAG02002116001 Issued	Trindle Flats, LLC Frank Tamanini 832 Tamanini Way Mechanicsburg, PA 17055	Trindle Spring Run (CWF)	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013-9101 717.240.7812
Fairview Township York County	PAG02006704081R Issued	Haubert Homes, Inc. 1840 Red Spruce Lane Mechanicsburg, PA 17050	UNT to Fishing Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAG02006715097 Issued	NorthPoint Development Larry Lapinski 5015 Northwest Canal Street, Suite 200 Riverside, MO 64150	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Spring Garden Township and City of York York County	PAG02006714057-1 Issued	Pennsylvania State University Andrew D. Gutberlet, P.E. 139J Physical Plant Building University Park, PA 16802	UNT to Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Walker Township Juniata County	PAG02003415005(1) Issued	M&G Realty 2295 Susquehanna Trail York, PA 17404	Doe Run (TSF)	Juniata County Conservation District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059-8709 717.436.8953 ext. 5
Robeson Township, Berks County	PAG02000615056 Issued	Michael Carper, Housing Dev'l Corp. MidAtlantic 4—6 West King Street, Suite 4 Lancaster, PA 17603	Schuylkill River (WWF)	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19553-9710 610.372.4657

*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<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>
Brighton Township Beaver County	PAG02000416004	Brighton Township 1300 Brighton Road Beaver, PA 15009	Two Mile Run (WWF); Four Mile Run (WWF); Six Mile Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Richland Township Cambria County	PAG02001115022	D. L. P. Conemaugh Memorial Medical Center 1086 Franklin Street Johnstown, PA 15905	UNT to Stonycreek River (CWF)	Cambria County Conservation District 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120
Robinson Township Washington County	PAG02006315049	CNX Gas Company, LLC 200 Evergreene Drive Waynesburg, PA 15370	UNT to Little Raccoon Creek (WWF)	Washington County Conservation District, Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098

*General Permit Type—PAG-03*

<i>Facility Location and County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Williamsport Lycoming County	PAR604807	Staiman Brothers, Inc. 201 Hepburn Street Williamsport, PA 17701	West Branch Susquehanna River—10-B	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
East Deer Township Allegheny County	PAR236112	Air Products & Chemicals, Inc. 7201 Hamilton Blvd Allentown, PA 18195	Allegheny River 18-A WWF	DEP South West Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-9*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Fulton County Ayr Township	PAG093547	Chestnut's Septic Service 327 Chestnut Farm Lane McConnellsburg, PA 17233	Same	DEP—SCRO—Clean Water 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-10*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lathrop Township Susquehanna County	PAG102336	Williams Field Service Co. LLC Holley Pipeline Project Park Place Corporate Center 2 2000 Commerce Drive Pittsburgh, PA 15275-1026	Unnamed Tributary of Horton Creek and Horton Creek—4-F	DEP North East Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

**STATE CONSERVATION COMMISSION  
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES  
PERMITS FOR CAFOs**

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Tuscarora Swine Lawrence Mummau 15879 Mummau Lane Shirleysburg, PA 17260	Huntingdon	177.8	715.6	Swine Beef	Not Applicable	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, PO 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**

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 2400068, Operation Permit, Public Water Supply.**

Applicant	<b>Hyland Mobile Home Park</b> (Paul J. Goettner, Owner) 239 Main Street, Suite 203 East Greenville, PA 18041
Municipality	Foster Township
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	Michael P. Goodwin, P.E. Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657

Permit to Operate  
Issued March 2, 2016



*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Operation Permit No. 0610541** issued to: **Birdsboro Municipal Authority (PWS ID No. 3060010)**, Birdsboro Borough, **Berks County** on 3/3/2016 for facilities approved under Construction Permit No. 0610541.

**Operation Permit No. 0114504** issued to: **Hanover Municipal Water Works (PWS ID No. 7670076)**, Conewago Township, **Adams County** on 3/2/2016 for facilities approved under Construction Permit No. 0114504.

**Operation Permit No. 2213507 MA** issued to: **Borough of Middletown (PWS ID No. 7220038)**, Middletown Borough, **Dauphin County** on 3/2/2016 for facilities approved under Construction Permit No. 2213507 MA.

**Operation Permit No. 7366413** issued to: **H2O to Go (PWS ID No. 7366413)**, Swatara Township, **Lebanon County** on 3/1/2016 for facilities submitted under Application No. 7366413.

**Operation Permit No. 2115503 MA** issued to: **Dickinson Township Municipal Authority (PWS ID No. 7210055)**, Dickinson Township, **Cumberland County** on 2/24/2016 for facilities approved under Construction Permit No. 2115503 MA.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. 4116501—Operation—Public Water Supply.**

Applicant	<b>Stallion Oilfield Construction, LLC</b>
Township/Borough	City of Williamsport
County	<b>Lycoming</b>
Responsible Official	Douglas E. Stewart Vice President & General Counsel Stallion Oilfield Construction, LLC 950 Corbindale, Suite 300 Houston, TX 77024
Type of Facility	Public Water Supply
Consulting Engineer	Matthew Peramaki Leggette, Brashears & Graham, Inc. E9573 Mapleridge CT Wetmore, MI 49895
Permit Issued	March 2, 2016
Description of Action	This permit authorizes Stallion Oilfield Construction, LLC to haul potable water withdrawn from Towanda Municipal Authority's bulk water loading station located on Lindsey Road, which has been permitted by PA DEP as a potable bulk water loading station.

**Permit No. 4189514-T4—Operation—Public Water Supply.**

Applicant	<b>Olympic Village</b>
Township/Borough	Armstrong Township
County	<b>Lycoming</b>

Responsible Official	Mr. Michael Chelentis Alexandra Michael, LLC 1221 Winfield Drive Williamsport, PA 17701
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	March 4, 2016
Description of Action	Operation of the existing mobile home park water system, including Well Nos. 1 and 2, sequestration, disinfection, detention tanks, and the distribution system.

**Permit No. MA-GWR-T1—Operation—Public Water Supply.**

Applicant	<b>Olympic Village</b>
Township/Borough	Armstrong Township
County	<b>Lycoming</b>
Responsible Official	Mr. Michael Chelentis Alexandra Michael, LLC 1221 Winfield Drive Williamsport, PA 17701
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	March 4, 2016
Description of Action	Operation of the treatment facilities for 4-log inactivation of viruses.

**Permit No. 4113503-MA—Operation—Public Water Supply.**

Applicant	<b>Ralston Area Joint Authority</b>
Township/Borough	McIntyre Township
County	<b>Lycoming</b>
Responsible Official	John P. Orr, Chairman Ralston Area Joint Authority P. O. Box 93 Ralston, PA 17763
Type of Facility	Public Water Supply
Consulting Engineer	Britt Bassett, P.E. Bassett Engineering, Inc. 1440 Broad Street Montoursville, PA 17754
Permit Issued	March 8, 2016
Description of Action	Operation of the new water treatment building, new piping from Well Nos. 2 and 3 to the new treatment building and the transmission main from the new water treatment building to existing transmission main.

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

**Emergency 2 Operation Permit** issued to **Warren County School District, PWSID No. 6620300**, Pine Grove Township, **Warren County** on March 3, 2016. This permit is issued to extend the temporary operation of disinfectant treatment in response to *E. coli* contamination at the water system serving the Central Office and Learning Enrichment Center building.

**Operation Permit** issued to **Saint Petersburg Municipal Water Authority, PWSID No. 6160013**, Richland Township, **Clarion County**. Permit Number 1669501-MA2 issued March 3, 2016 for the operation of a HACH CL17 Continuous Chlorine Analyzer, Ultrasonic Level Indicators, Flowmeter, and other associated appurtenances at the Saint Petersburg Borough Public Water System. This permit is issued in response to the submitted Certificate of Construction/Modification Completion received by the Department on January 21, 2016 and the subsequent operation inspections conducted by Department personnel on February 8, 2016 and February 29, 2016.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

*Plan Location:* Sayre Borough, Bradford County

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Sayre Borough	110 West Packer Avenue Sayre, PA 18840	Bradford

*Plan Description:* The approved plan is located at the existing Sayre-Milltown pump station along Cayuta Street and consists of the rehabilitation of that facility. The plan includes the replacement of existing pumps, controls, and associated equipment, along with the installation of a Muffin Monster grinder system replacing the existing debris screen. The installation of the grinder system will result in the disturbance of previously undisturbed earth, and the expansion of the fenced area around the pump station. The submission is consistent with the planning requirements in Chapter 71 of DEP's regulations. The selected alternative has a projected cost of \$303,000. The Borough will fund the construction through its capital reserve fund or its existing line of credit. The Department's review of the sewage facilities minor update revision has not identified any significant environmental impacts resulting from the proposal. Any required WQM Permits must be obtained in the name of the municipality.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Norwich Township	3853 West Valley Road, Smethport, PA 16749	McKean

*Plan Description:* The approved plan provides for expanding sewer service from the current sewer service area in Norwich Township to include additional segments along corridors SR 46 and SR 146, Keystone Drive, Betula Road, West Branch Road, West Valley Road, Bailey Avenue, Frog Hollow Road and portions of Brewer Run Road and Sackett Hollow Road. The project will include 59 residential customers and 86 seasonal use structures. The collection and conveyance system will consist of approximately 43,000 LF of pressure sewers, individual grinder pumps and one booster station. The wastewater will be conveyed to and treated at the Norwich wastewater treatment facility. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting

from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**USPS Former Harrisburg Vehicle Maintenance Facility**, 800 Mulberry Street, Harrisburg, PA 17104, City of Harrisburg, **Dauphin County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033-0797, on behalf of US Postal Service, 7029 Albert Pick Road, 3rd Floor, Greensboro, NC 27409, submitted a Final Report concerning remediation of groundwater contaminated with PAHs and VOCs. The report is intended to document remediation of the site to meet a combination of Background and Nonresidential Statewide Health Standards.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Former Marino Brothers Scrap Yard**, 461 Railroad Street, Rochester Borough, **Beaver County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of North Side Industrial Development Company, Inc., 700 River Avenue, Pittsburgh, PA 15212 and Castlebrook Development Group, LLC, 428 Boulevard of the Allies, Suite 100, Pittsburgh, PA 15219 has submitted a Final Report concerning site soils and groundwater contaminated with metals, semi-volatile organic compounds and polycyclic aromatic hydrocarbons and volatile organic compounds in groundwater. The Final Report is intended to document remediation of the site to meet the Site Specific standard. Notice of the Final Report was published in the *Beaver County Times* on February 19, 2016.

## 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 man-

ager 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: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Former Air Products and Chemicals, Inc.**, 2801 Mitchell Avenue, Allentown City, **Lehigh County**. Leidos, Inc., 6310 Allentown Boulevard, Harrisburg, PA 17112, on behalf of Air Products and Chemicals, Inc., 7201 Hamilton Boulevard, Allentown, PA 18195, submitted a Site-Specific Remedial Investigation Report, Site-Specific Cleanup Plan and Final Report concerning the remediation of site soils and groundwater contaminated with Tetrachloroethene, Trichloroethene, 1,1-Dichloroethene, cis/trans-1,2-Dichloroethene, 1,2-Dichloroethane, 1,1,1-Trichloroethane, Arsenic, Beryllium, Cadmium, Chromium, Copper, Nickel, Lead, and Zinc. The Final Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department on March 3, 2016.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Brickyard Road Site**, 615 Brickyard Road, New Oxford, PA 17350, Oxford Township, **Adams County**. BL Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Royal Building, Inc., 160 Ram Drive, Hanover, PA 17301, submitted a combined Remedial Investigation and Final Report concerning remediation of soils and groundwater contaminated with gasoline from a buried, out-of-service Sunoco pipeline. The Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on March 1, 2016.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**River's Edge at Oakmont** (former Parcel A Edgewater Steel site), 41 Allegheny Avenue, Borough of Oakmont, **Allegheny County**. Alan Halparin PG, LLC, 5049 Northlawn Circle, Murrysville, PA 15668 on behalf of Brooks and Blair Homes, LLC, 310 Seven Fields Boulevard, Seven Fields, PA 16046 submitted a Final Report concerning the remediation of site soil contaminated with arsenic, lead, iron, cadmium and groundwater contaminated with iron and manganese. The Final report demonstrated attainment of the Site-Specific standard for soil and groundwater and was approved by the Department on March 3, 2016.

**William Widdowson #4 Site**, Center Township, **Indiana County**. ARCADIS, U.S., Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 submitted a Final Report concerning the remediation of site soil contaminated with chloride and metals from a release of brine. The Final Report demonstrated attainment of the Site Specific standards for chlorides and a residential Statewide Health standard for all other constituents sampled for in soils and was approved by the Department on March 3, 2016.

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**HAZARDOUS WASTE TRANSPORTER LICENSE**


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**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

*Hazardous Waste Transporter License Issued*

**Hepaco, LLC**, PO Box 26308, Charlotte, NC 28221. License No. PA-AH 0837. Effective Mar 03, 2016.

*Hazardous Waste Transporter License Reissued*

**Coal City Cob Company, Inc.**, 4300 I-35 E North, Waxahachie, TX 75165. License No. PA-AH 0589. Effective Mar 02, 2016.

*Renewal Applications Received*

**Sunpro, Inc.**, 7640 Whipple Avenue, North Canton, OH 44720. License No. PA-AH 0659. Effective Mar 02, 2016.

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**REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE**


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**Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170*

*Regulated Medical and Chemotherapeutic Waste Transporter License Issued*

**Hepaco, LLC**, PO Box 26308, Charlotte, NC 28221. License No. PA-HC 0271. Effective Mar 03, 2016.

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**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**


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**Permits issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 400561 York County Solid Waste & Refuse Authority**, 2700 Blackbridge Road, York, PA 17406-7901. Manchester Township, **York County**. This major permit modification to the York County Resource Recovery Facility is issued for the construction and operation of a new ash recycling and processing facility onsite. This modification was issued on March 3, 2016, for Solid Waste Permit No. 400561 for the operation of the York County Resource Recovery Facility, in accordance with Article V of the Solid Waste Management Act, 35 P. S. §§ 6018.101, et seq.

Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

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**AIR QUALITY**


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

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

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

**GP3-21-03120A: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on March 4, 2016, for a portable nonmetallic mineral processing plant under GP3 at the Goodman Logistics Center, in Dickinson Township, **Cumberland County**.

**GP11-21-03120A: Liberty Excavators, Inc.** (4402 Gettysburg Road, Camp Hill, PA 17011) on March 4, 2016, for three nonroad engines under GP11, to power portable nonmetallic mineral processing equipment at the Goodman Logistics Center, in Dickinson Township, **Cumberland County**.

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**Plan Approvals Issued under the Air Pollution Control Act 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.**

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

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

**21-05026C: Carlisle SynTec Inc.** (1295 Ritner Highway, Carlisle, PA 17013) on March 2, 2016, for the construction of a de-vulcanization process to recycle sheet roofing material from their manufacturing process at the facility in Carlisle Borough, **Cumberland County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161*

**PA-11-00497: Gautier Steel Ltd.** (80 Clinton Street, Johnstown, PA 15901-2200) plan approval issuance date March 01, 2016, to install and operate two (2) 56" mill reheating furnaces, each rated at 8.0 MMBtus/hr at their Gautier Steel Plant located in City of Johnstown, **Cambria County**.

**26-00535B: Dynegy Fayette II, LLC** (100 Energy Drive, Masontown, PA 15461) on March 2, 2016, to allow physical and operational changes to both combustion gas turbines ("CGT") at Fayette Energy Center located in Masontown Borough, **Fayette County**. Components of the turbine section will be replaced and combustion control logic to increase combustion air flow will be increased.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**46-0142E: Custom Processing Services** (461 State Street, East Greenville, PA 18041-1701) On February 19, 2016 for the replacement of a baghouse and addition of a cyclone on the existing process for handling coarse minerals at this location in East Greenville Borough, **Montgomery County**.

**46-0282: Titan International, Inc.** (700 Queen St., Pottstown, PA 19464) On March 5, 2016 for installation of two (2) reactor tanks for a metal recovery process in Pottstown Borough, **Montgomery County**.

**46-0005AP: Merck, Sharp & Dolme Corp** (770 Sumneytown Pike, WP20-205, West Point, PA 19486-8000) On March 5, 2016 for the installation and operation of ten (10) diesel-fired internal combustion engines each installed on one of ten (10) thin-walled tractor trailers and for an increase in allowable hours of operation for thirty (30) diesel-fired internal combustion units that were previously exempted from plan approval at this location in Upper Gwynedd Township, **Montgomery County**.

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

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

**06-05069R: East Penn Manufacturing Co., Inc.** (Deka Road, PO Box 147, Lyon Station, PA 19536) on March 1, 2016, for modifications to the battery assembly plant in Richmond Township, **Berks County**. The plan approval was extended.

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

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

**59-00008C: Tennessee Gas Pipeline Company, LLC** (1001 Louisiana Street, Suite 1000, Houston, TX 77002) on February 24, 2016, extended the authorization an additional 180 days from March 14, 2016 to September 10, 2016, to allow for the evaluation of the gas turbine (Source ID P101B) for compliance with all applicable regulatory requirements including the plan approval emissions restrictions. The gas turbine is located at the Compressor Station 315 facility in Charleston Township, **Tioga County**. The plan approval has been extended.

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

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328*

**24-167B: E Carbon America** (806 Theresia Street, Saint Marys, PA 15857) on February 29, 2016, has issued a plan approval extension for the modification of the facility operating conditions associated with the operation

of the control device established in plan approval 24-167A in Saint Marys City, **Elk County**. This is a Title V facility.

**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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

*Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940*

**24-00016: Keystone Powdered Metal Company** (251 State Street, Saint Marys, PA 15857-0313) on March 1, 2016, the Department issued an administrative amendment to the Title V Operating Permit to incorporate the requirements of Plan Approval 24-016I. The facility is located in Saint Marys City, **Elk County**.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00285: Montgomery County Crematory, LLC** (516 Fayette Street, Conshohocken, PA 19428) On March 5, 2016 for a non-Title V Facility, State-Only Natural Minor Operating Permit for a human crematory in Conshohocken Borough, **Montgomery County**.

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

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

**36-05111: Lippert Components, Inc.** (3501 CR 6 E, Elkhart, IN 46514), on March 3, 2016, for the chassis production facility located in Brecknock Township, **Lancaster County**. The State-only permit was renewed.

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

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

**60-00013: RR Donnelley & Sons, Inc.** (1601, Industrial Parkway, Lewisburg, PA 17837), issued State Only operating permit on February 2, 2016, for their paper printing facility located in East Buffalo Township, **Union County**. The facility's main sources include fifteen nonheatset web printing presses. The final issuance also includes a de minimis emissions increase of VOCs emissions from wastewater evaporator in accordance with 25 Pa. Code § 127.14(b). The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-4336*

**03-00173: Armstrong Terminal, Inc./Schenley Terminal** (1 Railroad Street, Schenley, PA 15682) on March 1, 2016, the Department issued a State Only Operating

Permit renewal for the operation of barge unloading and bulk commodity storage located in Gilpin Township, **Armstrong County**.

**04-00698: Hanson Aggregates BMC, Inc./Thaddus Carr Dredge Plant** (2200 Springfield Pike, Connellsville, PA 15425) on March 2, 2016, the Department issued a State Only Operating Permit renewal for the processing of natural sand and gravel for construction aggregates located in the Townships of Aliquippa, Baden and Hopewell, **Beaver County**.

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

*Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940*

**43-00319: Sharon Tube Company/Church Street Plant** (20 Church Street, P. O. Box 608, Wheatland, PA 16161) on March 1, 2016, the Department re-issued the Natural Minor Operating Permit to operate a Steel Pipe and Tubing Manufacturing Plant located in the Borough of Wheatland, **Mercer County**.

The Emergency Power Generators at this facility is now subject to the requirements of 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. These requirements have been attached to this source.

The potential VOC emissions from this facility are limited by Plan Approval Number 43-310C to no more than 13.8 tons/year. Emissions of all other criteria pollutants, if all sources were operated 8,760 hours per year are as follows: Particulate Matter = 0.6 TPY (tons per year), CO = 11.4 TPY, CO<sub>2e</sub> = 54434 TPY, NO<sub>x</sub> = 20.2 TPY, and SO<sub>2</sub> = 0.1 TPY.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
5-11-15	Power Shape Machine	0.13				
3-2-16	Hydrolyte Dryer	0.15				
Total Reported Increases		0.28				
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**24-00165: Whitetail Gas Processing—Whitetail** (5456 Highland Road, Kane, PA 16735) for its facility located in Jones Township, **Elk County**. The De minimis emission increase is for the proposed emission increase for Source 103 Glycol Dehydration. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the facility Operating Permit issuance on December 22, 2011.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
3-2-16	Glycol Dehydration				1.0	
Total Reported Increases					1.0	
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**01-05033: Knouse Foods Coop, Inc.** (PO Box 807, Biglerville, PA 17307-0807) on March 4, 2016, for the fruit processing facility located in Tyrone Township, **Adams County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval/General Permit GP1-01-05033B.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340*

**10-00079: BNZ Materials** (191 Front Street, Zelienople, PA 16063) for its facility located in Zelienople Borough, **Butler County**. The De minimis emission increase is for the proposed construction of a Hydrolyte Dryer and baghouse. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the facility Operating Permit issuance on November 10, 2010.

**25-00025: GE Transportation—Erie Plant** (2901 East Lake Road, Bldg 9-201, Erie, PA 16531) for its facility located in Lawrence Park Township, **Erie County**. The De minimis emission increase is for the construction of a solvent recovery distillation unit in Building 10. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on September 29, 2011.

Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
11-14-11	Additional oven (8) for VPI process	0.024	0.002	0.315	0.017	0.265
3-12-13	Braze Booths (4)	0.0062				
9-9-15	PB replacement Source 603, 2-C-36	0.043			0.67	
2-22-16	Building 10 Solvent Recovery System				0.25	
Total Reported Increases		0.0732	0.002	0.315	0.937	0.265
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**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*

**Permit No. 36164111. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Paul Hoover dwelling in West Earl Township, **Lancaster County** with an expiration date of March 30, 2016. Permit issued: March 1, 2016.

**Permit No. 36164112. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting at 123 Groffdale Church Road in West Earl Township, **Lancaster County** with an expiration date of March 30, 2016. Permit issued: March 1, 2016.

**Permit No. 36164113. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting at 355 Maple Street in West Earl Township, **Lancaster County** with an expiration date of June 30, 2016. Permit issued: March 1, 2016.

**Permit No. 36164114. Abel Construction Co., Inc.**, (PO Box 476, Mountville, PA 17554), construction blasting for 209 East New Street in Mountville Borough, **Lancaster County** with an expiration date of March 1, 2017. Permit issued: March 3, 2016.

**Permit No. 36164115. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Kreider Farms retention pond in Penn Township, **Lancaster County** with an expiration date of October 16, 2016. Permit issued: March 3, 2016.

**Permit No. 36164116. M & J Explosives, LLC**, (P. O. Box 1248, Carlisle, PA 17013), construction blasting for

Warwick Woodlands in Lititz Borough, **Lancaster County** with an expiration date of March 2, 2017. Permit issued: March 3, 2016.

**Permit No. 38164102. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for 822 South 14th Avenue Lot in South Lebanon Township, **Lebanon County** with an expiration date of February 25, 2017. Permit issued: March 3, 2016.

**Permit No. 38164103. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Killinger Road in Annville Township, **Lebanon County** with an expiration date of March 1, 2017. Permit issued: March 3, 2016.

**Permit No. 40164106. Maurer & Scott Sales, Inc.**, (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Cross Valley Expressway Penndot ECMS No. 9234 in Hanover Township, **Luzerne County** with an expiration date of December 31, 2017. Permit issued: March 3, 2016.

**Permit No. 45164101. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Summer Glen in Middle Smithfield Township, **Monroe County** with an expiration date of February 20, 2019. Permit issued: March 3, 2016.

**Permit No. 46164102. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Mountain View Estates in Limerick Township, **Montgomery County** with an expiration date of March 1, 2017. Permit issued: March 3, 2016.

**Permit No. 58164101. DW Drilling & Blasting**, (2042-B S. Brentwood Boulevard, Suite 115, Springfield, MO 65804) construction blasting for Abbott Gas Pad & Tank Farm in Bridgewater Township, **Susquehanna County** with an expiration date of February 24, 2017. Permit issued: March 3, 2016.

**Permit No. 06164102. J Roy's, Inc.**, (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Conestoga Landfill in New Morgan Borough, **Berks County** with an expiration date of March 8, 2017. Permit issued: March 4, 2016.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO 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.

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**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.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E46-1130. Upper Dublin Township**, 801 Lock Alsh Avenue, Upper Dublin, PA 19034-1651, Upper Dublin Township, **Montgomery County**, ACOE Philadelphia District.

To remove, construct and maintain two concrete box bridges across Pine Run (TSF, MF) having an approximate waterway opening of 48 feet wide by 7.8 feet high

for Bridge No. 1 and 48-feet wide by 9.5 feet high for Bridge No. 2 measuring both approximately 50 feet in length associated with the Virginia Drive over Pine Run Bridges Replacements.

The site is located about 3,000 feet and 4,000 feet southwest of the intersection of Route 152 and Susquehanna Road (Ambler, PA USGS Quadrangle Latitude: 40.136407; Longitude: -75.184068).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511*

**E58-314. Pennsylvania Department of Transportation**, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512. Gibson Township, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To remove the existing structure; and to construct and maintain 28-foot wide road crossing of a tributary to Butler Creek (CWF, MF) consisting of a 15-foot by 5.5-foot concrete box culvert depressed 1 foot below streambed elevation with riprap aprons. Also to relocate 270 feet of a tributary to Butler Creek (CWF, MF) and to place fill in a de minimus area of wetlands equal to 0.01 acre to allow for roadway improvements. The project is located along S.R. 848, Section 574, Segment 0150, Offset 2279 (Harford, PA Quadrangle Latitude: 41°48'19.5"; Longitude: -75°39'10").

**E58-316. Pennsylvania Department of Transportation**, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512. Middletown Township, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To remove the existing structure; and to construct and maintain 27.4-foot wide prestressed spread box beam bridge across Summers Creek (CWF, MF) having a normal clear span of 31.4 feet and an underclearance of 7 feet. The project is located along S.R. 858, Section 552, Segment 0100, Offset 2573 (Lawton, PA Quadrangle Latitude: 41°51'28.2"; Longitude: -76°6'4.2").

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

**E10-500, PennDOT Engineering District 10-0**, 2550 Oakland Avenue, Indiana, PA 15701 in Clinton Township, **Butler County**, ACOE Pittsburgh District.

To fill a total of 0.517 acre of two wetlands (PEM), temporarily impact a total of 0.09 acre of wetland (0.006 acre PSS and 0.084 acre PEM), and to replace an existing 58-foot long, 24-inch diameter culvert with a 55-foot long, 36 inch diameter culvert including temporary impact to approximately 100 feet of the channel of a tributary to Lardintown Run (TSF) having a contributory drainage area less than 100 acres for the realignment of the intersection of SR 228 and SR 2005 into a roundabout approximately 1.25 mile southwest of Saxonburg (Curtisville, PA Quadrangle N: 40°43'30.0"; W: -79°49'44.4"). Project includes debit of 0.517 acre from PennDOT's Butler County Wetland Bank as mitigation for project impacts.



**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, PO 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.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802*

<i>ESCGP No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG00133115002 Issued	Brunner Island, LLC Thomas E. Hickes 1400 Wago Road Mount Wolf, PA 17347	East Manchester Township York County	UNT to Codorus Creek, UNT to Susquehanna, and Hartman Run/WWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
ESG00071140001(1) Issued	Timothy Powell 2800 Post Oak Blvd. Level 17 Houston, TX 77056	Drumore Township Lancaster County	Multiple	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601-3149

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515011	Williams Ohio Valley Midstream, Inc. Park Place Corporate Center 2 2000 Commerce Drive Pittsburgh, PA 15275	Washington County	East Finley Township	UNT to Buffalo Creek (HQ-WWF); UNT to Sawhill Run (WWF)

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX10-015-0102(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Wysox  
Receiving Stream(s) and Classification(s) UNT to Wysox Ck (CWF, MF); Hollow Run (CWF, MF)  
Secondary—Wysox Ck

ESCGP-2 # ESX10-027-0003(02)  
Applicant Name EXCO Resources PA LLC  
Contact Person Brian Rushe  
Address 260 Executive Dr, Suite 100  
City, State, Zip Cranberry Twp, PA 16066  
County Centre  
Township(s) Burnside  
Receiving Stream(s) and Classification(s) UNT to Boake Run (HQ-CWF); Sterling Run (HW-CWF) Boake Run (HW-CWF); W Branch Susquehanna River (CWF)

ESCGP-2 # ESX29-115-16-0008  
Applicant Name Carrizo (Marcellus) LLC  
Contact Person Gary Byron  
Address 251 Drain Lick Rd  
City, State, Zip Drifting, PA 16834  
County Susquehanna  
Township(s) Forest Lake  
Receiving Stream(s) and Classification(s) UNT to Middle Branch Wyalusing Ck (CWF)  
Secondary—Middle Branch Wyalusing Ck (CWF)

ESCGP-2 # ESG29-117-16-0011  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Dr, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Union  
Receiving Stream(s) and Classification(s) Towanda Ck (CWF)

ESCGP-2 # ESX10-015-0046(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840  
 County Bradford  
 Township(s) Monroe  
 Receiving Stream(s) and Classification(s) UNT to South Branch Towanda Ck (CWF, MF)  
 Secondary—South Branch Towanda Creek

*Southwest Region: Oil & Gas Program Mgr., 400 Waterfront Dr., Pittsburgh, PA*

ESCGP-2 No: ESX15-125-0056  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person Glenn D Truzzi  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township: Mount Pleasant  
 Receiving Stream(s) and Classifications: UNT to Raccoon Creek/Raccoon Creek Watershed; Other WWF

ESCGP-2 No.: ESX15-125-0041  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Karl Matz  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Jefferson  
 Receiving Stream(s) and Classifications: UNTs to Scott Run (WWF) & UNTs to Parmar Run (WWF)/Raccoon Creek; Other WWF

ESCGP-2 No.: ESX15-007-0008  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Glenn D Truzzi  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Beaver Township(s): Independence  
 Receiving Stream(s) and Classifications: UNTs to Raccoon Creek (WWF), UNT to Raredon Run (WWF)/Raccoon Creek; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX15-059-0033  
 Applicant Name: EQT Production Company  
 Contact Person: Todd Klaner  
 Address: 2400 Zenith Ridge Road Suite 200  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Greene Township(s): Washington  
 Receiving Stream(s) and Classifications: UNT to Ruff Creek/South Fork Ten Mile Creek; Other WWF

ESCGP-2 No.: ESG14-059-0077 Major Revision  
 Applicant Name: EQT Gathering LLC  
 Contact Person: Adam Tobia  
 Address: 625 Liberty Avenue Suite 1700  
 City: Pittsburgh State: PA Zip Code: 15222  
 County Greene Township(s): Center  
 Receiving Stream(s) and Classifications: West Run, Scott Run, Browns Creek, Ruff Creek, UNT to McCourtney Run all HQ-WWF, UNT to Hoge Run (EV); HQ;

**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—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
16-42-014	American Refining Group 77 N. Kendall Ave. Bradford, PA 16701 Attn: Daniel Rinfrette	McKean	City of Bradford	1 AST storing transmission fluid	110,167 gallons

**SPECIAL NOTICES**

**Intent to Issue Plan Approval—IPAOP**

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

**AMS 15247: (Philadelphia Energy Solutions (PES)** 3144 Passyunk Ave., Phila., PA 19145) for the modification of AMS Plan Approval 14149 dated Sep. 2, 2014. The modification for Boiler 45 (350 MMBTU/hr, burning refinery gas) will include the following: (1) Replace a 0.0033 lb/MMBtu NO<sub>x</sub> limit with a 30 day rolling average NO<sub>x</sub> limit of 0.012 lb/MMBTU;(2) Allow a NO<sub>x</sub> emission limit of 10.0 lbs/hr during start-ups, shutdowns, and maintenance periods. Periods of start-up, shut-downs, and maintenance shall not exceed 200 hours per rolling 12 month period; and (3) Clarify emission limits, compliance methods, and calculation methods for emissions limits.

There will be no annual potential emission increase in emissions since the tpy will be the same from the original Plan Approval. NO<sub>x</sub> emissions from the boiler will still be

5.06 tpy. The plan approval will contain emission limits, work standard practices, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

Anyone affected by the proposed plan approval may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Debra Williams within thirty (30) days from today. Comments received by facsimile will not be accepted.

**Water Obstruction and Encroachment Permit Issued**

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**CDO-006. AMD Reclamation Inc.**, 103 Corporate Drive, Suite 102, Morgantown, WV 26501-4582. Maiden Stream Restoration Project, Dunkard Township, **Greene County**, Pennsylvania, Pittsburgh ACOE District (Morgantown North, WV Quadrangle, Maiden Stream Project area centroid latitude 39° 44' 20" N, Longitude 79° 58' 33" W). The applicant proposes to prevent an

unnamed tributary of Dunkard Creek from flowing into underground mine workings as well as reducing safety concerns related to the abandoned mine features by reducing the flow to Seeps 1A and 2B located down gradient of the project area located south of Taylortown Road, east of Schoolhouse Road, and west of Shelby Lane.

This is a Chapter 105 Water Obstruction and Encroachment permit application PASPGP4-Category II request, and 401 Water Quality Certification request.

In conjunction with this approval, the Department is granting PASPGP4 authorization and 401 Water Quality Certification certifying that the approved activities will comply with the applicable provision of sections 301–303, 306, and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards.

*Application Received:* November 10, 2014

*Permit Issued:* March 3, 2016

[Pa.B. Doc. No. 16-468. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Availability of Technical Guidance

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

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

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents 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 Technical Guidance Documents*

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

#### *Final Technical Guidance Document: Substantive Revision*

**DEP ID:** 563-2112-218. **Title:** Permit Transfers for Coal and Noncoal Operators. **Description:** This guidance explains the requirements for permit transfers and establishes guidelines for processing permit transfer applications for coal and noncoal operators. This update includes information on the application fee for permit transfers, requirements for a National Pollutant Discharge Elimination System permit, and corrections to bureaus and document names and references. No comments were submitted during the 30-day public comment period.

*Contact:* Questions regarding this technical guidance document should be directed to Greg Greenfield, (717) 787-3174 or [grgreenfie@pa.gov](mailto:grgreenfie@pa.gov).

*Effective Date:* March 19, 2016

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 16-469. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Berks County

Proposers are invited to provide a proposal to the Department of General Services for 4,000 to 5,000 net usable square feet of retail space for the Liquor Control Board in Kenhorst, Berks County, due on or before 3 p.m. on April 29, 2016. For more information on SFP No. 94793, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,  
*Secretary*

[Pa.B. Doc. No. 16-470. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed a request for an exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101–448.904b). The following request for exception relates to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551–571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Advanced Center for Surgery, LLC	28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery)

The request previously listed is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-471. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

ManorCare Health Services—Northside  
2170 Rhine Street  
Pittsburgh, PA 15212  
FAC ID # 192902

The following long-term nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Brookmont Healthcare Center, LLC  
Brookmont Drive  
P. O. Box 50  
Effort, PA 18330  
FAC ID # 023002

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-472. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board (Board), established under section 3 of the Pennsylvania Cancer Control, Prevention and Research Act (35 P. S. § 5633), will hold a meeting on

Thursday, March 24, 2016, from 9 a.m. to 12 p.m. at the Red Lion Inn (formerly Harrisburg-Hershey Holiday Inn), 4751 Lindle Road, Harrisburg, PA 17111. The purposes of the Board, and items which may be discussed, are the following: advising the Secretary of Health with respect to cancer control, prevention and research in this Commonwealth; approving each year a program for cancer control, prevention and research, to be known as the "Pennsylvania Cancer Plan"; and recommending to the Secretary of Health the awarding of grants and contracts to qualified associations, nonprofit organizations or governmental agencies to plan, establish or conduct programs in cancer control or prevention, cancer education and training and cancer clinical research. In addition, various Department of Health and Centers for Disease Control and Prevention updates will be presented.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Sharon H. Sowers, Plan and Policy Development Section Chief, Comprehensive Cancer Control Section, Division of Cancer Prevention and Control, Department of Health, Health and Welfare Building, Room 1011, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3249 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-473. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold its quarterly public meeting on Friday, April 15, 2016, from 10 a.m. to 1 p.m. in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Carolyn S. Cass, Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-474. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 2, 2016, from 10 a.m. to 3 p.m. at Family Health Council of Central PA, Inc., 3461 Market Street, 3rd Floor, Camp Hill, PA 17011. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-475. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 4, 2016, from 10 a.m. to 3 p.m. at Bi-County WIC Program, 612 West 4th Street, Williamsport, PA 17701. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired

persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-476. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 5, 2016, from 10 a.m. to 3 p.m. at NORTH, Inc. Philadelphia WIC Office, 1300 West Lehigh Avenue, Suite 104, Philadelphia, PA 19132. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-477. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 6, 2016, from 10 a.m. to 3 p.m. at Allegheny County Health Department, Investment Building, 239 Fourth Avenue, 6th Floor, Pittsburgh, PA 15222. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Common-

wealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-478. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 10, 2016, from 10 a.m. to 3 p.m. at Southwestern Pennsylvania Human Services, 300 Chamber Plaza, Charleroi, PA 15022. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-479. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 13, 2016, from 10 a.m. to 3 p.m. at Broad Street Market, 1233 North 3rd Street, Harrisburg, PA 17102. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-480. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 17, 2016, from 10 a.m. to 3 p.m. at North Central Pennsylvania Regional Planning and Development Commission, 49 Ridgmont Drive, Ridgway, PA 15853. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania

AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-481. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 18, 2016, from 10 a.m. to 3 p.m. at Chester County Government Services Building, 601 Westtown Road, Room 149, West Chester, PA 19380. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-482. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 19, 2016, from 10 a.m. to 3 p.m. at Community Action Program of Lancaster County, Inc., 601 South Queen Street, Room 220, Lancaster, PA 17603. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting

are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-483. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 19, 2016, from 10 a.m. to 3 p.m. at Home Nursing Agency, 20 Sheraton Drive, Altoona, PA 16602. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-484. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Public Meeting

In accordance with 7 CFR 246.4(b) (relating to state plan), the Department of Health has scheduled a meeting on May 23, 2016, from 10 a.m. to 3 p.m. at Community Health Services, Inc., 747 Terrace Street, Meadville, PA 16335. The meeting is open to the public for the purpose of obtaining comments and recommendations for the development of the 2017 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. Persons wishing to give testimony at the meeting are requested to preregister with the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2016, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, or for persons with a disability who wish to attend the meeting, provide comment, or both, and require an auxiliary aid, service or other accommodation to do so should contact Amanda Killion at (717) 783-1289, or for speech and/or hearing impaired persons call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture. This institution is an equal opportunity provider.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 16-485. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities; Medical Assistance Day One Incentive Payments to Nonpublic Nursing Facilities for Fiscal Year 2015-2016

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make Medical Assistance Day One Incentive (MDOI) payments to qualified nonpublic nursing facilities for Fiscal Year (FY) 2015-2016. The MDOI payments to nonpublic nursing facilities will provide incentives to nonpublic nursing facilities to provide services to individuals who are Medical Assistance (MA) eligible on the day of admission. The MDOI payments are intended to encourage nonpublic nursing facilities to increase access to care for the poor and indigent citizens of this Commonwealth.

#### Background

The act of July 9, 2013 (P. L. 369, No. 55) and the act of July 10, 2014 (P. L. 1053, No. 126), among other things, directed the Department to make MDOI payments for FY 2013-2014 and FY 2014-2015 to qualified nonpublic nurs-

ing facilities. The act of December 28, 2015 (P. L. 500, No. 92) also directs the Department to continue to make MDOI payments to qualified nonpublic nursing facilities for FY 2015-2016. The Department will use the Total Pennsylvania Medical Assistance (PA MA) days and Total Resident Days as reported by nonpublic nursing facilities under Article VIII-A of the Human Services Code (62 P. S. §§ 801-A—815-A), regarding nursing facility assessments, to determine eligibility and calculate payments.

To qualify for MDOI payments, the nursing facility must be a nonpublic nursing facility for the full Resident Day quarter prior to the applicable quarterly reporting due dates of October 31, January 31, April 30 and July 31. In addition, the nonpublic nursing facility shall have an overall occupancy rate of at least 85% and an MA occupancy rate of at least 65% during the Resident Day quarter. A nursing facility's overall occupancy rate for these payments will be determined as follows: Overall occupancy rate = (Total Resident Days ÷ (licensed bed capacity at the end of the quarter × the number of calendar days in the quarter)). A nursing facility's MA occupancy rate for these payments will be determined as follows: MA occupancy rate = Total PA MA days ÷ Total Resident Days.

Each nursing facility may qualify for a maximum of four MDOI payments. Using the nursing facility assessment quarterly resident day reporting forms available on October 31 for the first payment, January 31 for the second payment, April 30 for the third payment and July 31 for the fourth payment, the Department will calculate each qualified nonpublic nursing facility's MDOI payments based on the following formula:

(i) A MDOI per diem for each payment will be 1/4 of the total funds appropriated for the fiscal year divided by the Total PA MA days as reported by all qualifying nonpublic nursing facilities.

(ii) Each qualified nonpublic nursing facility's MDOI payment will be the per diem multiplied by a nonpublic nursing facility's Total PA MA days.

The Department will not retroactively revise an MDOI payment amount based on a nursing facility's late submission or revision of its report related to the previously listed dates. The Department may recoup payments based on an audit of a nursing facility's report.

The Department will submit a Medicaid State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS). If CMS approves the SPA, the Department will have the authority to make MDOI payments to nonpublic nursing facilities for FY 2015-2016.

#### Fiscal Impact

The fiscal impact of this change is estimated at \$12.503 million (\$6 million in State funds) for FY 2015-2016 and \$4.167 million (\$2 million in State funds) for FY 2016-2017.

#### Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.



Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,  
Secretary

**Fiscal Note:** 14-NOT-996. (1) General Fund; (2) Implementing Year 2015-16 is \$6,000,000; (3) 1st Succeeding Year 2016-17 is \$2,000,000; 2nd Succeeding Year 2017-18 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$810,545,000; 2013-14 Program—\$820,409,000; 2012-13 Program—\$770,903,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-486. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$300,000 Crossword Instant Lottery Game

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 \$300,000 Crossword.

2. *Price:* The price of a Pennsylvania \$300,000 Crossword instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania \$300,000 Crossword instant lottery game ticket will feature a “YOUR LETTERS” area, two crossword puzzle play grids, known as “GRID 1” and “GRID 2” respectively, a “BONUS WORDS” area and a “FAST CASH BONUS” area. “GRID 1,” “GRID 2,” the “BONUS WORDS” area and the “FAST CASH BONUS” area are each played separately. The play symbols located in the “YOUR LETTERS” area are: the letters A through and including Z. The play symbols located in “GRID 1” and “GRID 2” are: the letters A through and including Z; and a Paint Splatter symbol. The Paint Splatter symbol is a free space and when it appears in a winning combination of words, the prize is multiplied by 10. The play symbols located in the “BONUS WORDS” area are: the letters A through and including Z. The play symbols and their captions located in the “FAST CASH BONUS” area are: Shirt (NO BONUS) symbol, Sunglasses (TRY AGAIN) symbol, Glass (NO BONUS) symbol, Soda (TRY AGAIN) symbol, Hat (NO BONUS) symbol and a Boom Box (WIN50) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the prize areas of the “BONUS WORDS” play area are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY) and \$100 (ONE HUN).

5. *Prizes:* The prizes that can be won in “GRID 1” are: \$10, \$20, \$40, \$100, \$200, \$500, \$1,000, \$10,000 and \$30,000. The prizes that can be won in “GRID 2” are: \$10, \$20, \$50, \$100, \$500, \$1,000, \$10,000, \$30,000 and \$300,000. The prizes that can be won in the “BONUS WORDS” area are: \$10, \$20, \$50 and \$100. The prize that

can be won in the “FAST CASH BONUS” area is: \$50. A player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,800,000 tickets will be printed for the Pennsylvania \$300,000 Crossword instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets where the player completely matches ten words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets where the player completely matches ten words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets where the player completely matches nine words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets where the player completely matches nine words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets where the player completely matches eight words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets where the player completely matches eight words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets where the player completely matches seven words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets where the player completely matches five words in “GRID 1” or “GRID 2,” in which the winning combination contains a Paint Splatter symbol, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets where the player completely matches seven words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets where the player completely matches six words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets where the player completely matches four words in “GRID 1,” in which the winning combination contains a Paint Splatter symbol, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets where the player completely matches six words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets where the player completely matches three words in “GRID 1” or “GRID 2,” in which the winning combination contains a Paint Splatter symbol, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets where the player completely matches five words in "GRID 1" or "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets where the player completely matches two words in "GRID 1" or "GRID 2," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets where the player completely matches four words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which a Boom Box (WIN50) symbol appears in the "FAST CASH BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets where the player completely matches four words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets where the player completely matches three words in "GRID 1" or "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets where the player completely matches two words in "GRID 1" or "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters

found in the "YOUR LETTERS" area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$10.

8. *Game Play Instructions for the Pennsylvania \$300,000 Crossword Game are:*

(a) The player shall scratch the "YOUR LETTERS" area to reveal 18 letters. For each of the 18 letters revealed in the "YOUR LETTERS" area, the player shall rub the same letter each time it is found in "GRID 1," "GRID 2" and the "BONUS WORDS" play areas, revealing a blue background.

(b) When a player reveals two or more entire words in "GRID 1" or "GRID 2," or when a player reveals one entire word in the "BONUS WORDS" area, the player is entitled to win a prize as described in Section 7.

(c) Only the highest prize won in each "GRID" will be paid if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

(d) For purposes of this game, a word must contain at least three letters and cannot be formed by linking letters diagonally or by reading the letters from the bottom to the top.

(e) Every single letter square of a word must be matched and letters combined to form a word must appear in an unbroken horizontal or vertical string of letters in the "GRID 1," "GRID 2" and the "BONUS WORDS" play areas. There will only be one word in an unbroken horizontal or vertical string of letters.

(f) Every single letter in the unbroken string must be revealed in the "YOUR LETTERS" area and must be included to form a word.

(g) The possible complete words for each ticket in the game are shown on the "GRID 1," "GRID 2" and the "BONUS WORDS" areas. The player must match all of the letters in a possible complete word in order to complete the word.

(h) After the player has scratched "GRID 1," "GRID 2" and the "BONUS WORDS" areas, the player shall scratch the "FAST CASH BONUS" area. If the player reveals a "BOOM BOX" (WIN50) symbol, the player is entitled to win a prize as described in Section 7.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>GRID 1</i>	<i>GRID 2</i>	<i>BONUS WORDS</i>	<i>FAST CASH</i>	<i>Approximate</i>	<i>Approximate No.</i>
<i>Win With:</i>	<i>Win With:</i>	<i>Win With:</i>	<i>BONUS Win With:</i>	<i>Win:</i>	<i>Of Winners Per</i>
				<i>Odds Are 1 In:</i>	<i>7,800,000 Tickets:</i>
		\$10 w/ BONUS WORD		\$10	260,000
	2 WORDS			\$10	390,000
2 WORDS		\$20 w/ BONUS WORD		\$10	390,000
				\$20	390,000
	3 WORDS			\$20	195,000
3 WORDS				\$20	130,000
3 WORDS	2 WORDS	\$10 w/ BONUS WORD		\$40	65,000
				120	

## NOTICES

<i>GRID 1 Win With:</i>	<i>GRID 2 Win With:</i>	<i>BONUS WORDS Win With:</i>	<i>FAST CASH BONUS Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,800,000 Tickets:</i>
	3 WORDS	\$20 w/ BONUS WORD		\$40	120	65,000
4 WORDS				\$40	120	65,000
3 WORDS	3 WORDS	\$10 w/ BONUS WORD		\$50	600	13,000
4 WORDS		\$10 w/ BONUS WORD		\$50	600	13,000
			\$50 w/ BOOM BOX	\$50	75	104,000
4 WORDS	4 WORDS			\$50	300	26,000
3 WORDS	3 WORDS	\$20 w/ BONUS WORD		\$60	1,600	4,875
				\$60	1,600	4,875
	2 WORDS		\$50 w/ BOOM BOX	\$60	1,500	5,200
	4 WORDS		\$50 w/ BOOM BOX	\$100	375	20,800
	2 WORDS w/ PAINT SPLATTER			\$100	800	9,750
2 WORDS w/ PAINT SPLATTER				\$100	571.43	13,650
		\$100 w/ BONUS WORD		\$100	750	10,400
	5 WORDS			\$100	750	10,400
5 WORDS				\$100	750	10,400
4 WORDS	5 WORDS	\$10 w/ BONUS WORD	\$50 w/ BOOM BOX	\$200	6,000	1,300
	4 WORDS	\$100 w/ BONUS WORD	\$50 w/ BOOM BOX	\$200	6,000	1,300
3 WORDS w/ PAINT SPLATTER				\$200	12,000	650
6 WORDS				\$200	12,000	650
6 WORDS	3 WORDS w/ PAINT SPLATTER	\$100 w/ BONUS WORD		\$500	8,000	975
4 WORDS w/ PAINT SPLATTER	4 WORDS	\$50 w/ BONUS WORD		\$500	8,000	975
7 WORDS	6 WORDS			\$500	12,000	650
				\$500	12,000	650
	5 WORDS w/ PAINT SPLATTER			\$1,000	12,000	650
5 WORDS w/ PAINT SPLATTER				\$1,000	12,000	650
8 WORDS	7 WORDS			\$1,000	24,000	325
				\$1,000	24,000	325
	8 WORDS			\$10,000	520,000	15
9 WORDS				\$10,000	780,000	10
	9 WORDS			\$30,000	780,000	10
10 WORDS				\$30,000	780,000	10
	10 WORDS			\$300,000	780,000	10

Scratch each "PAINT SPLATTER" symbol that appears in each crossword grid. Each "PAINT SPLATTER" symbol is a free spot. When a "PAINT SPLATTER" symbol appears in any winning combination of words, win 10 times the corresponding prize found in the prize legend.

**BONUS WORDS:** When you completely match one entire BONUS WORD using the YOUR LETTERS, win prize shown to the right of that BONUS WORD. BONUS WORDS are played separately.

**FAST CASH BONUS:** Reveal a "BOOM BOX" (WIN50) symbol, win \$50 instantly! FAST CASH BONUS is played separately.

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

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$300,000 Crossword instant lottery game tickets.

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

12. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$300,000 Crossword, prize money from winning Pennsylvania \$300,000 Crossword 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 Pennsylvania \$300,000 Crossword instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

14. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$300,000 Crossword or through normal communications methods.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 16-487. Filed for public inspection March 18, 2016, 9:00 a.m.]

## Pennsylvania Escape to Margaritaville® Instant Lottery Game

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 Escape to Margaritaville.

2. *Price:* The price of a Pennsylvania Escape to Margaritaville instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Escape to Margaritaville instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). 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 (THIRTY), Sunglasses (SNGLAS) and an Airplane (AIRPLN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$100,000 (ONEHUNTHO) and a TRIP (TRIP) symbol.

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000, \$100,000 and a Trip Prize as described in section 10(e). A player can win up to 12 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct two Escape to Margaritaville second-chance drawings for which non-winning Pennsylvania Escape to Margaritaville instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Escape to Margaritaville instant lottery game.

### 8. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is an Airplane (AIRPLN) symbol and a prize symbol of TRIP (TRIP) appears in the “prize” area under that Airplane (AIRPLN) symbol, on a single ticket, shall be entitled to a Trip Prize as described in section 10(e).

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

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Sunglasses

(SNGLAS) symbol and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Sunglasses (SNGLAS) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

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

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

(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 \$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.

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

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

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

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

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Sunglasses (SNGLAS) symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under that Sunglasses (SNGLAS) symbol, on a single ticket, shall be entitled to a prize of \$40.

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

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

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

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Sunglasses (SNGLAS) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that Sunglasses (SNGLAS) symbol, on a single ticket, shall be entitled to a prize of \$10.

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

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Sunglasses (SNGLAS) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that Sunglasses (SNGLAS) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5 w/ SUNGLASSES	\$5	900,000
\$5	\$5	540,000
\$5 × 2	\$10	180,000
\$10 w/ SUNGLASSES	\$10	360,000
\$10	\$10	180,000
\$5 × 4	\$20	54,000
\$10 × 2	\$20	36,000
\$20 w/ SUNGLASSES	\$20	54,000
\$20	\$20	36,000
\$5 × 8	\$40	18,000
\$10 × 4	\$40	18,000
\$20 × 2	\$40	18,000
\$40 w/ SUNGLASSES	\$40	18,000
\$40	\$40	18,000
\$10 × 5	\$50	18,000
(\$20 × 2) + \$10	\$50	18,000

When Any Of Your Numbers Match  
Any Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets:
(\$5 w/ SUNGLASSES) × 10	\$50	600	18,000
\$50 w/ SUNGLASSES	\$50	600	18,000
\$50	\$50	600	18,000
\$20 × 5	\$100	800	13,500
\$50 × 2	\$100	800	13,500
(\$20 × 2) + (\$10 × 2) + (\$5 × 8)	\$100	600	18,000
(\$10 w/ SUNGLASSES) × 10	\$100	800	13,500
\$100 w/ SUNGLASSES	\$100	600	18,000
\$100	\$100	800	13,500
\$50 × 10	\$500	24,000	450
\$100 × 5	\$500	120,000	90
(\$50 × 2) + (\$40 × 10)	\$500	24,000	450
(\$100 w/ SUNGLASSES) × 5	\$500	24,000	450
\$500 w/ SUNGLASSES	\$500	120,000	90
\$500	\$500	120,000	90
\$500 × 2	\$1,000	216,000	50
(\$100 × 8) + (\$50 × 4)	\$1,000	216,000	50
\$1,000 w/ SUNGLASSES	\$1,000	216,000	50
\$1,000	\$1,000	216,000	50
ESCAPE TO MARGARITAVILLE w/ AIRPLANE	TRIP	1,080,000	10
\$100,000	\$100,000	1,080,000	10

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

Reveal an "AIRPLANE" (AIRPLN) symbol, win an Escape to Margaritaville instantly!

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

10. *Second-Chance Drawing*: Escape to Margaritaville Second-Chance Game (hereafter, "Game").

(a) *Qualifying Tickets*: Non-winning PA-1203 Escape to Margaritaville instant game tickets (\$5) ("Qualifying Tickets") are eligible for entry into the Game.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must submit the identifying information from at least one Qualifying Ticket via the Game's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry periods. The identifying information from a Qualifying Ticket may be submitted only once in the Game. Entries awarded will be applied to the active drawing at the time of successful submission of the entry and will not carry forward to the next drawing. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description*:

(1) The Game will consist of two drawings and a virtual non-prize-determinative Escape to Margaritaville themed game.

(2) *Drawings*.

(i) The Lottery will conduct a total of two Game drawings. All time references are Eastern Prevailing Time.

(ii) All entries received after 11:59:59 p.m. March 20, 2016, through 11:59:59 p.m. April 28, 2016, will be entered into Drawing #1, held between April 29, 2016 and May 3, 2016.

(iii) All entries received after 11:59:59 p.m. April 28, 2016, through 11:59:59 p.m. June 2, 2016, will be entered into Drawing #2, held between June 3, 2016 and June 7, 2016.

(3) The entry periods for the Game will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) Each entrant will have the opportunity to play a virtual non-prize-determinative Escape to Margaritaville themed game that may reveal a predetermined prize that multiplies the number of entries (the "Entry Multiplier") the entrant receives by entering a Qualifying Ticket. Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(5) The number of entries an entrant will receive for a Game drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier, if applicable. The purchase price and corresponding number of entries for a Qualifying Ticket are as follows: PA-1203 Escape to Margaritaville (\$5) = 5 entries. If an entrant is awarded an Entry Multiplier the number of entries may

be multiplied by 2, 3 or 5. The Entry Multiplier is described in more detail in section 10(d).

(6) Players may review their entries for the Drawings via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in sections 10(f) and 10(g), or mentioned anywhere else in these rules.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall not result in an Entry Multiplier, the play sequence will show the player receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing.

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry Multiplier, the play sequence will show the player winning the Entry Multiplier and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing multiplied by 2, 3 or 5. The following table sets forth the effect of the Entry Multiplier on an entry, as well as the approximate odds of winning an Entry Multiplier and the approximate number of Entry Multiplier Winners to be awarded:

<i>Multiplier</i>	<i>Entries After Multiplier</i>	<i>Approximate Odds Are 1 in:</i>	<i>Approximate Number of Entry Multiplier Winners</i>
None	5	4	2,047,040
2X	10	4	2,047,040
3X	15	4	2,047,040
5X	25	4	2,047,040

(4) The Lottery will conduct two drawings from among all the entries received during each entry period as described in section 10(c).

(5) The first through the fifth entry selected from the entries submitted in each of the drawings will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of one Trip Prize as described in section 10(e).

(6) The number of winning entries to be selected for each Game drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(7) The odds of an entry being selected in each Game drawing depend upon the number of entries received for each drawing.

(8) A computer generated randomizer will be used to select the winning entries for the Drawings.

(e) *Description of Pennsylvania Lottery's Trip Prize:*

(1) Each Trip Prize shall have a value of \$9,955 and shall consist of:

(i) Round-trip coach class airfare to Fort Lauderdale, Florida;

(ii) Five day and four night hotel accommodations at the Margaritaville Hollywood Beach Resort in Hollywood Beach, Florida;

(iii) Ground transportation to and from the destination airport and the resort, only;

(iv) Spa or excursion credit of \$750;

(v) Margaritaville Restaurant gift card of \$100;

(vi) Spending money of \$2,000. Spending money will be mailed to the prize winner two weeks prior to the date of departure for the trip; and

(vii) A merchandise gift bag.

(2) The total value of each Trip Prize shall include processing fees and twenty-five percent (25%) federal income tax withholding.

(3) Airfare and hotel accommodations, including departure and arrival times will be communicated to the prize winner, and the departure and destination airports will be verified, after the winner elects to accept the Trip Prize. All airfare and hotel reservations are based on availability at the time the winner elects to accept the Trip Prize. The contents of the gift bag are subject to change based on availability of merchandise.

(4) A Trip Prize Package winner opting for the cash value of the prize will receive the cash value of the Trip Prize Package minus required income tax withholding, subject to the provisions of section 10(f)(1), below.

(f) *Pennsylvania Lottery's Trip Prize Restrictions:*

(1) If the Department of Human Services, pursuant to 23 Pa.C.S.A. § 4308, determines that a winner of the Trip Prize is a delinquent support obligor as provided in 23 Pa.C.S.A. § 4308, the winner shall forfeit the Trip Prize and the amount of any arrearages shall be deducted from the cash value of the Trip Prize. After the delinquent support obligation is met, the winner will receive the remaining prize value, if any, according to Lottery procedure.

(2) In the event a prize described in section 10(d) is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(3) Each winner, his or her respective heirs, legal representatives, and assigns, agree to indemnify, defend, release, and discharge the Pennsylvania Lottery, its employees, officers, directors, and commissioners, Margaritaville Enterprises, LLC from and against any loss, claim, damage, suit, or injury arising out of or relating to this Second-Chance Game, acceptance of the Trip Prize, or any action taken pursuant to the Official Rules. By entering, the winner indemnifies, releases, discharges, and agrees to hold harmless the Pennsylvania Lottery, its employees, officers, directors, and commissioners, Margaritaville Enterprises, LLC from unanticipated cancellation, suspension, or postponement of the Trip Prize due to natural disaster, national emergency, or other unforeseen act of God or man.

(g) *Game Restrictions:*

(1) To be eligible to participate in the Game, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected during or following the Game drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, MUSL, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game or Game drawings cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawings.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(8) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Game to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which they are first selected in each of the Game drawings. Subsequent entries, from the same individual, selected in the same drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Escape to Margaritaville instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum

payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Escape to Margaritaville, prize money from winning Pennsylvania Escape to Margaritaville 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 Pennsylvania Escape to Margaritaville instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Escape to Margaritaville or through normal communications methods.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 16-488. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Pennsylvania Find \$50 Instant Lottery Game

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 Find \$50.

2. *Price:* The price of a Pennsylvania Find \$50 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Find \$50 instant lottery game ticket will contain one play area. The play area will contain 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), \$50 (WIN50) symbol and a Magnifying Glass (5TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$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), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$50,000 (FIFTY THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 Ticket, \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$500 and \$50,000. A player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Find \$50 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 \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(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 \$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.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Magnifying Glass (5TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Magnifying Glass (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

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

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Magnifying Glass (5TIMES) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under that Magnifying Glass (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

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

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Magnifying Glass (5TIMES) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under that Magnifying Glass (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$50 (WIN50) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under that \$50 (WIN50) 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 \$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.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Magnifying Glass (5TIMES) symbol, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "Prize" area under that Magnifying Glass (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10.

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

(l) 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.

(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 \$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.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol 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 Pennsylvania Find \$50 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:

When Any Of Your Numbers Match  
Either Winning Number, Win Prize  
Shown Under The Matching  
Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
FREE	FREE \$2 TICKET	7.89	1,520,000
\$2	\$2	25	480,000
\$2 × 2	\$4	150	80,000
\$4	\$4	300	40,000
\$5	\$5	50	240,000
\$5 × 2	\$10	1,500	8,000
(\$4 × 2) + \$2	\$10	1,500	8,000
\$2 w/ MAGNIFYING GLASS	\$10	214.29	56,000
\$10	\$10	1,500	8,000
(\$10 × 3) + (\$4 × 5)	\$50	1,500	8,000
\$50 w/ \$50 SYMBOL	\$50	75	160,000
\$10 w/ MAGNIFYING GLASS	\$50	500	24,000
\$50	\$50	1,500	8,000
\$50 × 2	\$100	60,000	200
(\$50 w/ \$50 SYMBOL) + (\$10 × 5)	\$100	60,000	200
\$20 w/ MAGNIFYING GLASS	\$100	60,000	200
\$100	\$100	60,000	200
((50 w/ \$50 SYMBOL) × 4) + (\$100 × 3)	\$500	480,000	25
\$100 w/ MAGNIFYING GLASS	\$500	240,000	50
\$500	\$500	480,000	25
\$50,000	\$50,000	2,400,000	5

Reveal a “\$50” (WIN50) symbol, win \$50 instantly.

Reveal a “MAGNIFYING GLASS” (5TIMES) symbol, win 5 times the prize shown under that symbol.

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 Pennsylvania Find \$50 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 he qualifies 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 Pennsylvania Find \$50 instant lottery game, prize money from winning Pennsylvania Find \$50 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 Pennsylvania Find \$50 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 Pennsylvania Find \$50 or through normal communications methods.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 16-489. Filed for public inspection March 18, 2016, 9:00 a.m.]

**Pennsylvania Mother’s Day ’16 Instant Lottery Game**

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 Mother’s Day ’16.

2. *Price:* The price of a Pennsylvania Mother’s Day ’16 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Mother’s Day ’16 instant lottery game ticket will contain one play area and a “BONUS” area. The “BONUS” area is played separately.

The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), MOM (MOM) symbol, Double Heart (DOUBLE) symbol and a Butterfly (BTRFLY) symbol. The play symbols and their captions located in the "BONUS" area are: Present (NO BONUS) symbol, Ring (TRY AGAIN) symbol, Necklace (NO BONUS) symbol, Candy (TRY AGAIN) symbol, Balloon (NO BONUS) symbol and a Flower (FLWER) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the play area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$75<sup>00</sup> (SVY FIV), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO). The prize symbols and their captions in the "BONUS" area are: \$5<sup>00</sup> (FIV DOL), \$15<sup>00</sup> (FIFTN), \$25<sup>00</sup> (TWY FIV) and \$100 (ONE HUN).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$25, \$50, \$75, \$100, \$400, \$500, \$1,000 and \$50,000. The prizes that can be won in the "BONUS" area are: \$5, \$15, \$25 and \$100. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Mother's Day '16 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the play area, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in five of the "prize" areas and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which a Double Heart (DOUBLE) symbol appears in the play area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Double Heart (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which a Double Heart (DOUBLE) symbol appears in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Double Heart (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which a Flower (FLWER) symbol appears in the "BONUS" area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of that Flower (FLWER) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "prize" areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$75<sup>00</sup> (SVY FIV) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$75.

(m) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in all fifteen of the "prize" areas, on a single ticket, shall be entitled to a prize of \$75.

(n) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which a Double Heart (DOUBLE) symbol appears in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under that Double Heart (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$25.

(q) Holders of tickets upon which a Flower (FLWER) symbol appears in the "BONUS" area, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "Prize" area to the right of that Flower (FLWER) symbol, on a single ticket, shall be entitled to a prize of \$25.

(r) Holders of tickets upon which a Double Heart (DOUBLE) symbol appears in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under that Double Heart (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of

\$15<sup>00</sup> (FIFTN) appears in the “prize” area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$15.

(t) Holders of tickets upon which a Flower (FLWER) symbol appears in the “BONUS” area, and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the “Prize” area to the right of that Flower (FLWER) symbol, on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which a Double Heart (DOUBLE) symbol appears in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area

under that Double Heart (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets upon which a MOM (MOM) symbol appears in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that MOM (MOM) symbol, on a single ticket, shall be entitled to a prize of \$5.

(x) Holders of tickets upon which a Flower (FLWER) symbol appears in the “BONUS” area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area to the right of that Flower (FLWER) 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>Reveal a MOM (MOM) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$5 w/ BONUS	\$5	20	270,000
\$5	\$5	20	270,000
\$5 × 2	\$10	150	36,000
(\$5 w/ BONUS) + \$5	\$10	100	54,000
\$5 w/ DOUBLE HEART	\$10	20	270,000
\$10	\$10	120	45,000
\$5 × 3	\$15	200	27,000
(\$5 w/ BONUS) + \$10	\$15	60	90,000
(\$5 w/ DOUBLE HEART) + \$5	\$15	120	45,000
\$15	\$15	300	18,000
\$5 × 5	\$25	300	18,000
(\$5 w/ BONUS) + (\$5 × 4)	\$25	150	36,000
(\$10 w/ DOUBLE HEART) + \$5	\$25	150	36,000
\$25	\$25	300	18,000
\$5 × 10	\$50	1,200	4,500
\$10 × 5	\$50	1,200	4,500
(\$5 w/ BONUS) + (\$15 × 3)	\$50	240	22,500
\$25 w/ DOUBLE HEART	\$50	800	6,750
\$50	\$50	800	6,750
BUTTERFLY w/ (\$5 × 15)	\$75	400	13,500
(\$15 w/ BONUS) + (\$15 × 4)	\$75	2,400	2,250
(\$25 w/ DOUBLE HEART) + \$25	\$75	800	6,750
\$75	\$75	1,200	4,500
BUTTERFLY w/ ((\$10 × 5) + (\$5 × 10))	\$100	800	6,750
\$10 × 10	\$100	2,400	2,250
(\$15 × 6) + (\$5 × 2)	\$100	2,400	2,250
(\$25 w/ BONUS) + (\$25 × 3)	\$100	2,400	2,250
\$50 w/ DOUBLE HEART	\$100	2,400	2,250
\$100	\$100	2,400	2,250
\$50 × 8	\$400	60,000	90
(\$100 w/ DOUBLE HEART) × 2	\$400	20,000	270
\$400	\$400	60,000	90
BUTTERFLY w/ ((\$50 × 5) + (\$25 × 10))	\$500	120,000	45
\$100 × 5	\$500	120,000	45
(\$100 w/ BONUS) + (\$100 × 4)	\$500	120,000	45
(\$50 w/ DOUBLE HEART) + \$400	\$500	120,000	45
(\$100 w/ DOUBLE HEART) + (\$100 × 3)	\$500	120,000	45
\$500	\$500	120,000	45
BUTTERFLY w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	120,000	45

Reveal a MOM (MOM) Symbol,  
Win Prize Shown Under That  
Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets:
\$100 × 10	\$1,000	120,000	45
\$1,000	\$1,000	120,000	45
\$50,000	\$50,000	540,000	10

Reveal a “DOUBLE HEART” (DOUBLE) symbol, win double the prize shown under that symbol.

Reveal a “BUTTERFLY” (BTRFLY) symbol, win all 15 prizes shown!

BONUS: Reveal a “FLOWER” (FLWER) symbol, win prize shown to right of that symbol automatically. BONUS 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 Pennsylvania Mother’s Day ’16 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 he qualifies 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 Pennsylvania Mother’s Day ’16, prize money from winning Pennsylvania Mother’s Day ’16 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 Pennsylvania Mother’s Day ’16 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 Pennsylvania Mother’s Day ’16 or through normal communications methods.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 16-490. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Pennsylvania Wild 10s ’16 Instant Lottery Game

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 Wild 10s ’16.

2. *Price:* The price of a Pennsylvania Wild 10s ’16 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Wild 10s ’16 instant lottery game ticket will contain one play area and a separate “BONUS” box area containing one play symbol. The “BONUS” box area is played separately. The play symbols and their captions located in the play area are: X (XXXX) symbol and a 10 (TEN) symbol. The play symbols and their captions located in the “BONUS” box area are: Piggy Bank (NO BONUS) symbol, Wallet (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Safe (TRY AGAIN) symbol, Bank (NO BONUS) symbol and a Wild (WIN10) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the play area are: FREE (TICKET), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$2, \$3, \$5, \$10, \$20, \$30, \$40, \$100, \$400 and \$10,000. A player can win up 2 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Wild 10s ’16 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$10,000 (TEN THO) appears in the “PRIZE” box, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$400 (FOR HUN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$40<sup>.00</sup> (FORTY) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$30<sup>.00</sup> (THIRTY) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets with a Wild (WIN10) symbol appearing in the "BONUS" box, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$3<sup>.00</sup> (THR DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets with three matching 10 (TEN) symbols appearing in a row, column or diagonal and a prize symbol of FREE (TICKET) appears in the "PRIZE" box, on a single ticket, shall be entitled to a prize of one Pennsylvania Wild 10s '16 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:

Reveal Three "10" (TEN) Symbols  
In A Row, Column Or Diagonal,  
Win Prize Shown In the Prize  
Box. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 10,800,000 Tickets
FREE	FREE \$1 TICKET	9.68	1,116,000
\$2	\$2	20	540,000
\$3	\$3	33.33	324,000
\$5	\$5	60	180,000
\$10 w/ WILD	\$10	85.71	126,000
\$10	\$10	600	18,000
\$10 + (\$10 w/ WILD)	\$20	333.33	32,400
\$20	\$20	3,000	3,600
\$20 + (\$10 w/ WILD)	\$30	3,000	3,600
\$30	\$30	3,000	3,600
\$30 + (\$10 w/ WILD)	\$40	3,000	3,600
\$40	\$40	3,000	3,600
\$100	\$100	12,000	900
\$400	\$400	48,000	225
\$10,000	\$10,000	1,080,000	10

Reveal a "WILD" (WIN10) symbol in the bonus box, win \$10 instantly.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Wild 10s '16 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 guaran-

teed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the 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 Pennsylvania Wild 10s '16, prize money from winning Pennsylvania Wild 10s '16

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 Pennsylvania Wild 10s '16 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 Pennsylvania Wild 10s '16 or through normal communications methods.

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 16-491. Filed for public inspection March 18, 2016, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Cost of Photograph for Photo Driver's License or Photo Identification Card

The Department of Transportation, Bureau of Driver Licensing, under the authority in 75 Pa.C.S. § 1951 (relating to driver's license and learner's permit) and 67 Pa. Code § 73.5(d) (relating to fees), gives notice that, effective April 24, 2016, the cost of the photograph associated with the issuance of a photo driver's license or photo identification card will be \$9.50. This will result in a \$1 increase to the cost of a driver's license/identification card.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 16-492. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Watercraft Trailer Forfeiture; Maximum Amount

Chapter 73, Subchapter B of 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to or less than the maximum amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). Section 7321(c) of 75 Pa.C.S. provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. Section 7321(c) of 75 Pa.C.S. further provides that the

maximum amount as adjusted will be rounded to the nearest multiple of \$5 and the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c)(3), the Department has fixed the maximum amount for 2016 as \$1,215.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 16-493. Filed for public inspection March 18, 2016, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Arlene Kalinowski and Joseph Kalinowski v. DEP and Westmoreland Land, LLC, Permittee; EHB Doc. No. 2016-032-R

Arlene Kalinowski and Joseph Kalinowski have appealed the denial by the Department of Environmental Protection of an NPDES General Permit PAG-2 issued to Westmoreland Land, LLC for stormwater discharges associated with construction activities in South Huntingdon Township, Westmoreland County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 16-494. Filed for public inspection March 18, 2016, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Mentored Youth Fishing Day Program; Trout

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director has designated March 26, and April 9, 2016, as Mentored Youth Fishing Days for trout, beginning at 8 a.m. and ending at 7:30 p.m., in stocked trout waters designated under 58 Pa. Code § 63.3 (relating to fishing in stocked trout waters) and the waters identified as follows that are normally closed to trout fishing on

those dates. This designation under 58 Pa. Code § 65.20 will be effective upon publication of this notice in the *Pennsylvania Bulletin*.

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and current trout/salmon permit and be accompanied by a youth (less than 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Fish and Boat Commission (Commission). Youth anglers must obtain a 2016 mentored youth permit or a voluntary youth license from the Commission and be accompanied by a licensed adult angler to participate.

Although waters included in the Mentored Youth Fishing Day Program (Program) will be open to adult anglers, only youth anglers with a 2016 voluntary youth license or mentored youth permit may possess a total of two trout (combined species) with a minimum length of 7 inches. Adult anglers are prohibited from possessing trout. Other Commonwealth inland regulations will apply. It is unlawful to fish in waters designated as part of the Program except in compliance with the requirements of 58 Pa. Code § 65.20 when participating in the Program.

The waters included in the Program on March 26, 2016, are those stocked trout waters in 18 southeastern counties and 2 waters crossing from those counties that are regulated under 58 Pa. Code § 65.12 (relating to regional opening day of trout season). The waters included in the Program on April 9, 2016, are the stocked trout waters in the remaining counties. Special regulation areas are not included in the Program. A listing of stocked trout waters is published in the Commission's "Summary of Fishing Regulations and Laws" available from the Commission at P. O. Box 67000, Harrisburg, PA 17106-7000. The listing is also available at <http://fishandboat.com/fishpub/summary/troutwaters.html>.

In addition, the Executive Director has identified the following water as being included in the Program on March 26, 2016:

<i>County</i>	<i>Water</i>
Adams	Orrtanna Pond #1

The Executive Director has identified the following waters as being included in the Program on April 9, 2016:

<i>County</i>	<i>Water</i>
Centre	Little Sandy Run and Ponds (headwaters at State Line Road, downstream to Lower Adult Pond)
Centre	Big Sandy Run (headwaters upstream of State Line Road, downstream to the confluence of Beauty Run)
Centre	Beauty Run (headwaters at State Line Road downstream to the sulfur seep at State Forest boundary line)
Centre	Little Wolf Run (headwaters at 12 Point Camp downstream to sulfur seep at State Forest boundary line)
Centre	Unnamed tributary below Right Branch of Wallace Run (headwaters between I-80 and SR 144 downstream to the Route 144 crossing)
Elk	Blue Valley Pond

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 16-495. Filed for public inspection March 18, 2016, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meeting on April 21, 2016, will be held at 333 Market Street, 14th Floor, Harrisburg, PA at 9 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-484	Environmental Quality Board Environmental Protection Performance Standards at Oil and Gas Well Sites	3/3/16	4/21/16

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 16-496. Filed for public inspection March 18, 2016, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; William Marshall; Doc. No. SC16-03-004

Notice is hereby given of the Order to Show Cause issued on March 7, 2016, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: section 611-A(1), (14) and (20) of The Insurance Department Act of 1921 (40 P. S. § 310.11(1), (14) and (20)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.



Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 16-497. Filed for public inspection March 18, 2016, 9:00 a.m.]

### **Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Rheems Operator, LLC**

Rheems Operator, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Elizabethtown Rehabilitation and Nursing Center in Elizabethtown, PA. The initial filing was received on February 29, 2016, and was made under the requirements of 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 detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 16-498. Filed for public inspection March 18, 2016, 9:00 a.m.]

### **Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Susquehanna Operator, LLC**

Susquehanna Operator, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Susquehanna Valley Rehabilitation and Nursing Center in Columbia, PA. The initial filing was received on February 29, 2016, and was made under the requirements of 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 detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,  
Insurance Commissioner

[Pa.B. Doc. No. 16-499. Filed for public inspection March 18, 2016, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insurers have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Philadelphia and Pittsburgh, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Room 2015, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of State Farm Mutual Automobile Insurance Company; File No. 16-119-193323; David B. and Debbie Fossick; Doc. No. P16-03-001; April 13, 2016, 9 a.m.

The following hearings will be held at Strawbridge and Clothier, Justice Hearing Room No. 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Erie Insurance Exchange; File No. 16-130-193074; Alexander W. Pello; Doc. No. P16-02-024; May 3, 2016, 9 a.m.

Appeal of State Farm Mutual Automobile Insurance Company; File No. 16-119-192628; Cornelia Cunningham; Doc. No. P16-02-020; May 3, 2016, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 16-500. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by the appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Stanley and Mary Umowski; File No. 16-130-192421; Foremost Insurance Company—Grand Rapids; Doc. No. P16-02-002; April 20, 2016, 9:30 a.m.

The following hearing will be held at Strawbridge and Clothier; Justice Hearing Room No. 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Marc S. Yanoff; File No. 15-119-191667; Erie Insurance Exchange; Doc. No. P16-01-002; May 3, 2016, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and other relevant evidence, or both. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or

their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 16-501. Filed for public inspection March 18, 2016, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-16-001, Dated February 23, 2016. Authorizes the side letter with AFSCME to offer service increments to Clerical Workers employed in the Office of Income Maintenance's Low-Income Home Energy Assistance Program (LIHEAP) under the conditions set forth in both the current and future Master Agreements effective immediately.

#### *Governor's Office*

Manual No. 530.2—Injury Leave Manual, Amended February 2, 2016.

Management Directive No. 310.15—Federal Tax Identification Numbers Assigned to Commonwealth Agencies, Amended February 22, 2016.

Management Directive No. 515.20—Reemployment of Commonwealth Annuitants, Amended February 22, 2016.

Administrative Circular No. 16-03—Computation of Interest Penalties, Act 1982-266 Amended, Dated February 18, 2016.

Administrative Circular No. 16-04—Closing Instruction No. 1, Fiscal Year 2015-16; Submission of Purchasing Documents, Dated February 26, 2016.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 16-502. Filed for public inspection March 18, 2016, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Eligible Telecommunications Carriers; Federal Universal Service Low Income Support

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as eligible telecommunications carriers (ETC) for purposes of Federal universal service low income support:

IM Telecom, LLC, d/b/a Infinite Mobile, Petition for Designation as an Eligible Telecommunications Carrier; Doc. No. P-2016-2531610

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket numbers within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petitions at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or hard copies are available for a fee by written request to the Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is Rhonda L. Daviston, Assistant Counsel, Law Bureau (717) 787-6166.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-503. Filed for public inspection March 18, 2016, 9:00 a.m.]

## 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. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 4, 2016. 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.

**Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-2016-2529691. STH Holdings, LLC** (478 Westmont Drive, Collingdale, Delaware County, PA 19023) for the right to begin to transport, as a common carrier, by motor

vehicle, persons in paratransit service, between points in the Counties of Bucks, Chester, Delaware, Montgomery and the City and County of Philadelphia.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 16-504. Filed for public inspection March 18, 2016, 9:00 a.m.]

## 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 April 4, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

## Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Alpha Omega Limousine Network; Docket No. C-2013-2384844

### 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. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Alpha Omega Limousine Network, Respondent, maintains its principal place of business at 2416 East County Line Road, Ardmore, PA 19003.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 18, 2003 at Application Docket No. A-00118864.
3. That by Secretarial Letter issued on June 11, 2012 at Docket No. C-2011-2270697, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payment to this Commission.
4. That Respondent failed to pay fines totaling two hundred fifty dollars (\$250.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with a Secretarial Letter issued on June 11, 2012 at Docket No. C-2011-2270697.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00118864.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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: 9/25/2013

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
ment

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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 paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Chester County Moving & Storage, LLC; Docket No. C-2016-2517112**

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 Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Chester County Moving & Storage, LLC, Respondent, maintains its principal place of business at 64 Pottstown Pike, Suite 3, Chester Springs, Pennsylvania, 19425.

2. That Respondent was issued a certificate of public convenience authorizing transportation of household goods by this Commission on March 10, 2011 at Application Docket Number A-2010-2201670.

3. That on November 19, 2015, a Household Mover Audit was performed on respondent by Motor Carrier Enforcement Officer Anthony Bianco, a duly authorized officer of this Commission. Fifteen moves were selected at random to audit. The following violations were discovered during the audit:

(a) Respondent failed to provide a correctly completed Estimated Cost Services form for all fifteen moves.

(b) Respondent provided a final charge that was higher than the estimate by more than 10% or \$25, whichever is greater, which requires a quarterly underestimate report to be filed with this Commission within 30 days into the following quarter. A quarterly underestimate report should have been filed by October 30, 2015, for moves on the following dates: July 15, 2015, July 16, 2015, July 27, 2015, August 18, 2015, August 28, 2015, and August 30, 2015.

(c) Respondent failed to calculate rates in accordance with the tariff on file with the Commission on the following dates: July 15, 2015, July 16, 2015, July 27, 2015, August 1, 2015, August 10, 2015, August 17, 2015, August 18, 2015, August 26, 2015, August 27, 2015, August 30, 2015, September 3, 2015, October 31, 2015, and November 7, 2015.

(d) Respondent provided a move of more than 40 miles on August 28, 2015. Respondent does not have a tariff on file with the Commission for moves over 40 miles.

4. That respondent, by failing to include all required items in the Estimated Cost of Services form, violated 52 Pa. Code § 31.122(2). The penalty is \$100 for this violation.

5. That respondent, by failing to file with this Commission a quarterly underestimate report listing moves wherein charges exceed the estimate by more than 10% or \$25, whichever is greater, and providing an explanation of the reasons for the variances, violated 52 Pa. Code § 31.124. The penalty is \$100.00 for this violation.

6. That respondent, by calculating moves at a rate other than that specified in the tariff filed with this Commission by Tristate Household Goods Tariff Conference, Inc., violated 66 Pa.C.S. § 1303. Respondent is warned to comply with the tariff filed with this Commission.

7. That respondent, by failing to have a tariff on file for calculating moves over 40 miles, violated 66 Pa.C.S. § 1302. In order to perform household goods moves over 40 miles, respondent must file a tariff for moves over 40 miles.

PUC household moving regulations from Title 52 chapter 31 can be found at: [www.pacode.com](http://www.pacode.com)

The statutes from 66 Pa.C.S. can be found at: [http://www.legis.state.pa.us/cfdocs/legis/LI/Public/cons\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/LI/Public/cons_index.cfm)

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine, the sum of two hundred dollars (\$200.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, 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: 1/13/2016

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within twenty (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 Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and

must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

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 optional fine set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Transportation and Safety v. Malik & Singh Cab Co.; Docket No. C-2013-2347805**

#### 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 Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Malik & Singh Cab Co., Respondent, maintains its principal place of business at 16 Oakley Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on September 11, 1993 at Application Docket No. A-00110998.

3. That by Secretarial Letter issued on February 7, 2011 at C-2010-2196905, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That Respondent failed to pay fines totaling two hundred fifty dollars (\$250.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with Secretarial Letters issued on February 7, 2011 at C-2010-2196905.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00110998.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, 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 to be able to prove the 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: 2/14/2013

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an answer within twenty 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 cover letter for this Complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificates of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination, or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in the Complaint, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227. Questions on how to respond to this Complaint may be directed to the Enforcement Office at (717) 783-3846.

### **Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Mand Cab Co.; Docket No. C-2013-2382084**

#### 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. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Mand Cab Co., Respondent, maintains its principal place of business at 162 Marlboro Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 29, 2004 at Application Docket No. A-00120511.

3. That by Secretarial Letter issued on April 5, 2011 at C-2010-2209383, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That by Secretarial Letter issued on August 22, 2011 at C-2010-2131233, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

5. That by Secretarial Letter issued on June 6, 2012 at C-2011-2270465, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

6. That by Secretarial Letter issued on July 16, 2012 at C-2011-2256022, Respondent was directed to pay a civil penalty of one thousand dollars (\$1,000.00). To date, Respondent has not submitted any payments to this Commission.

7. That Respondent failed to pay fines totaling one thousand seven hundred fifty dollars (\$1,750.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with a Secretarial Letter issued on April 5, 2011 at C-2010-2209383, August 22, 2011 at C-2010-2131233, June 6, 2012 at C-2011-2270465, and July 16, 2012 at C-2011-2256022.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutor Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at A-00120511.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief of Motor Carrier 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 to be able to prove the 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: 9/10/2013

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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 paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Stephanie Cab Co.; Docket No. C-2013-2382621**

#### 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 del-

egated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Stephanie Cab Co., Respondent, maintains its principal place of business at 5059 Whitaker Avenue, Philadelphia, PA 19124.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on January 18, 2002 at Application Docket No. A-00118480.

3. That by Secretarial Letter issued on March 24, 2011 at C-2010-2206516, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That by Secretarial Letter issued on October 3, 2011 at C-2010-2135174, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

5. That by Secretarial Letter issued on July 16, 2012 at C-2011-2255899, Respondent was directed to pay a civil penalty of one thousand dollars (\$1,000.00). To date, Respondent has not submitted any payments to this Commission.

6. That Respondent failed to pay fines totaling one thousand five hundred dollars (\$1,500.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with Secretarial Letters issued on March 24, 2011 at C-2010-2206516, October 3, 2011 at C-2010-2135174, and July 16, 2012 at C-2011-2255899.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at A-00118480.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief of Motor Carrier 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 to be able to prove the 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: 9/10/2013

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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 paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Yannis Cab Co.; Docket No. C-2013-2382835**

#### 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 del-



egated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Yannis Cab Co., Respondent, maintains its principal place of business at 1603 North Delaware Avenue, Philadelphia, PA 19125.

2. That Respondent was issued Certificates of Public Convenience by this Commission on November 3, 2004 at Application Docket No. A-00120932 F.3, on March 8, 2005 at A-00120932 F.4, and on March 28, 2005 at A-00120932 F.5.

3. That by Secretarial Letter issued on April 5, 2011 at C-2010-2213368, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That by Secretarial Letter issued on July 8, 2011 at C-2010-2135198, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

5. That by Secretarial Letter issued on May 24, 2012 at C-2011-2256026, Respondent was directed to pay a civil penalty of one thousand dollars (\$1,000.00). To date, Respondent has not submitted any payments to this Commission.

6. That Respondent failed to pay fines totaling one thousand five hundred dollars (\$1,500.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with Secretarial Letters issued on April 5, 2011 at C-2010-2213368, July 8, 2011 at C-2010-2135198, and May 24, 2012 at C-2011-2256026.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00120932 Fs. 3, 4 and 5.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief of Motor Carrier 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 to be able to prove the 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: 9/11/2013

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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 paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of  
Investigation and Enforcement v. A. S. Cab Co.;**  
**Docket No. C-2013-2383464**

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. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That A. S. Cab Co., Respondent, maintains its principal place of business at 34 Marian Ct., Apt-B, Philadelphia, PA 19145.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on January 12, 2005 at Application Docket No. A-00114585 F.4.

3. That by Secretarial Letter issued on April 5, 2011, at C-2010-2211472, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That by Secretarial Letter issued on July 16, 2012 at C-2011-2256444, Respondent was directed to pay a civil penalty of one thousand dollars (\$1,000.00). To date, Respondent has not submitted any payments to this Commission.

5. That by Secretarial Letter issued on January 23, 2013 at C-2011-2269389, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

6. That Respondent failed to pay fines totaling one thousand five hundred dollars (\$1,500.00) and violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with a Secretarial Letter issued on April 5, 2011, at C-2010-2211472, July 16, 2012 at C-2011-2256444, and January 23, 2013 at C-2011-2269389.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificates of Public Convenience held by Respondent at A-00114585 F.4.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief of Motor Carrier 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 to be able to prove the 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: 9/16/2013

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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Additionally, a copy should either be mailed to:

Michael L. Swindler, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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 paying the civil penalty within 20 days. Your check or money order for the civil penalty should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Dejan Transportation, LLC; Docket No. C-2016-2527141**

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 Dejan Transportation, LLC, (respondent) is under suspension effective January 14, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 735 Waterview Lane, Philadelphia, PA 19154.
3. That respondent was issued a Certificate of Public Convenience by this Commission on April 18, 2013, at A-8915589.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 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 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-8915589 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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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: 2/9/2016

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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. 16-505. Filed for public inspection March 18, 2016, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority (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 by April 4, 2016. The nonrefundable protest filing fee is \$2,500 payable to the PPA by certified check or money order. The application is available for inspection at the TLD with Administrative Counsel between 9 a.m. and 4 p.m., Monday through Friday (contact Christine Kirlin, Esq. to make an appointment) or may be inspected at the business address of the respective applicant.

**Doc. No. A-16-03-01. Gondal Taxi, LLC** (2619 Paris Avenue, Trevoise, PA 19053): An application for a medalion taxicab certificate of public convenience to transport 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:* David R. Alperstein, Esquire, 1080 North Delaware Avenue, Philadelphia, PA 19125.

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 16-506. Filed for public inspection March 18, 2016, 9:00 a.m.]

### Taxicab Rate Review and Request for Public Comment

On February 23, 2016, the Philadelphia Parking Authority Board (Board) approved, through oral resolution, the recommendation of the Taxicab and Limousine Division (TLD) to reopen a limited rate review investigation. The TLD's request was based partly upon a petition that was filed on Doc. No. P-16-01-03 by Danielle Friedman, Esq. on behalf of certified taxicab driver Khalid Alvi seeking a new proposed flat rate in the core area of the City of Philadelphia during certain hours and days of the week.

In addition to the aforementioned petition, the TLD also recommended the reopening of a rate review because of the on-going significant decreases in gasoline prices, because of repeated requests to review the current boundaries of the Airport-Center City flat rate zone and because of numerous complaints from industry members concerning the economic strain on the taxicab industry as a result of loss in market share due to alternative for-hire transportation services now being provided in Philadelphia.

Therefore, the TLD seeks information and comment from the public at large and the industry concerning the reopening of a rate review limited to the following:

- (1) A flat rate trip in the core of the City of Philadelphia as proposed in the petition.
- (2) A review of the current method for determining a fuel surcharge.
- (3) The boundaries outlined in the current taxicab tariff for flat rate trips between the "Center City Zone" and the Philadelphia International Airport.

Interested parties are invited to submit written comments by April 8, 2016, to Christine A. Kirlin, Esq., Administrative Counsel, Philadelphia Parking Authority, Taxicab and Limousine Division, 2415 South Swanson Street, Philadelphia, PA 19148-4113, ckirlin@philapark.org. Interested parties may review the pending petition along with the TLD's recommendation to the Board at the TLD's web site <http://www.philapark.org/taxis-limos/>.

During this comment period, the TLD will also begin to conduct its own investigation concerning the aforementioned items of this rate review. After the TLD's initial investigation is concluded and upon review of all received written comments, the TLD may hold a public meeting to take further comment on any initial findings.

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 16-507. Filed for public inspection March 18, 2016, 9:00 a.m.]

