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PENNSYLVANIA BULLETIN

Volume 47

Number 17

Saturday, April 29, 2017 • Harrisburg, PA

Pages 2415—2530

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Department of Education

Department of Environmental Protection

Department of Health

Department of Revenue

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Environmental Quality Board

Health Care Cost Containment Council

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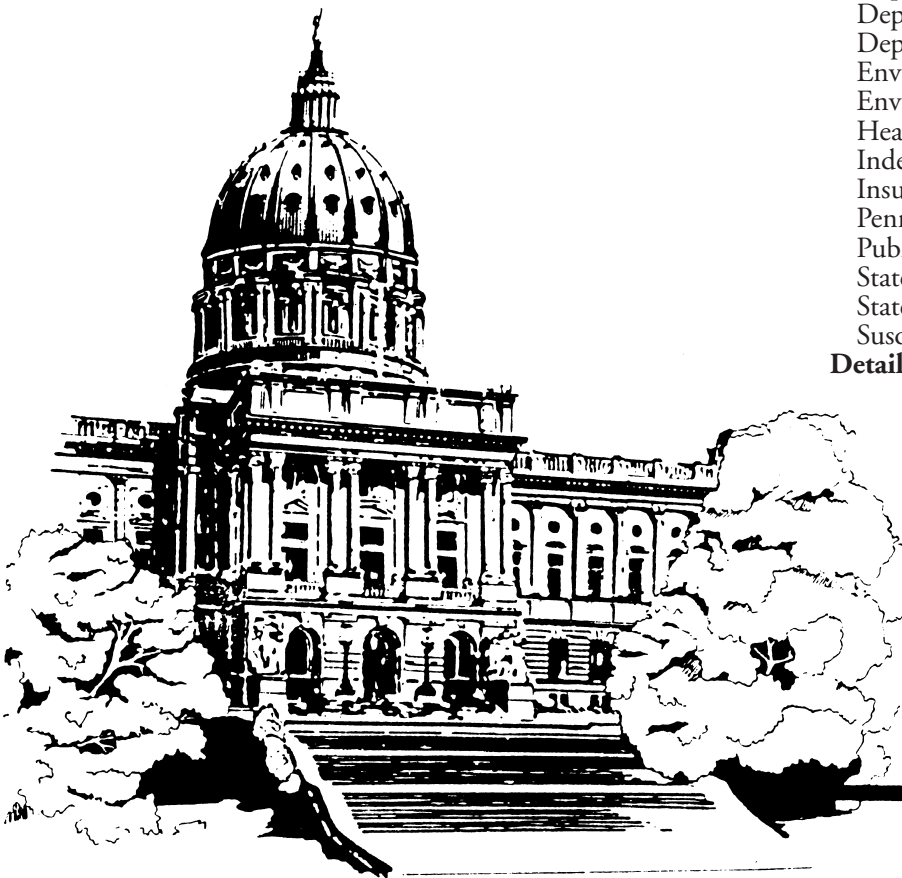
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State Board of Nursing

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Susquehanna River Basin Commission

Detailed list of contents appears inside.



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

No. 509, April 2017

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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.

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.

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.

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Printing Format

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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Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

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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 2017.

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW [204 PA. CODE CH. 71]

Proposed Amendment to Pennsylvania Bar Admission Rule 402

Notice is hereby given that the Pennsylvania Board of Law Examiners is considering recommending to the Pennsylvania Supreme Court that it amend Rule 402 of the Pennsylvania Bar Admission Rules concerning confidentiality as set forth in Annex A. Additions to the text of the rule are shown in bold, and deletions are in bold and brackets.

The proposed amendment permits the Board an additional exception to the confidentiality of Board records. Currently, all Board records are confidential with 10 enumerated exceptions ranging from publishing a list of names of those who passed the bar examination to releasing information to the appropriate attorney disciplinary body upon request from that body. Law schools and the Board repeatedly instruct applicants and students to disclose all potentially adverse information on their application. Despite this, the Board occasionally discovers information that was not, but should have been, disclosed that would have impacted the Board's decision. Additionally, the Board sometimes learns of information regarding other misconduct by attorneys or currently disbarred attorneys that would be appropriate to disclose to the proper disciplinary authority.

The proposed amendment would permit the Board of its own volition to release information that comes to its attention after attorney admission or disbarment that would be appropriate for the Board to provide to the applicable disciplinary authority. The adoption of this amendment would assist in preserving the integrity of the legal system and protect individuals seeking legal representation.

Interested persons are invited to submit written comments regarding the proposed amendments to the Counsel to the Board, Pennsylvania Board of Law Examiners, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 3600, P.O. Box 62535, Harrisburg, PA 17106-2535, no later than May 31, 2017.

*By The Pennsylvania Board of Law Examiners
Supreme Court of Pennsylvania*

GICINE P. BRIGNOLA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter D. MISCELLANEOUS PROVISIONS

Rule 402. Confidentiality.

* * * * *

(b) *Permitted Disclosure.* The Board may, however:

* * * * *

(5) release information with respect to an applicant upon a written request from the Disciplinary Board of this Commonwealth or from a lawyer disciplinary authority in another jurisdiction, provided the disciplinary authority agrees to use the information only for attorney disciplinary matters and has a rule or policy that guarantees the confidentiality of its disciplinary materials and records to the same extent required by this rule;

(6) when the Board learns of information that may be relevant to a disciplinary board or authority, the Board may share that information with the appropriate disciplinary board or authority, provided the disciplinary board or authority agrees to use the information only for attorney disciplinary matters and has a rule or policy that requires the confidentiality of its disciplinary materials and records to the extent required by this rule;

[(6)] (7) release information with respect to an applicant when necessary in defending litigation brought against the Court, the Board, its members or staff arising out of or related to the bar admission process;

[(7)] (8) release a copy of the bar admission application submitted by an applicant upon receipt of a properly executed written authorization and release from the applicant;

[(8)] (9) release information with respect to an applicant pursuant to a court order;

[(9)] (10) release to the National Conference of Bar Examiners, the name and the date of birth of individuals who have applied to take the bar examination or be admitted to the bar of this Commonwealth; and

[(10)] (11) publish the contents of responses submitted to a question on the bar examination by an applicant as a representative sample of a good answer, provided the identity of the applicant is not disclosed.

* * * * *

[Pa.B. Doc. No. 17-703. Filed for public inspection April 28, 2017, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CLEARFIELD COUNTY

Local Rules of Criminal Procedure; CP-17-AD-2-2017

Rule 507. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.

1. Pursuant to Rule 507 of the Pennsylvania Rules of Criminal Procedure, Police Complaints and Arrest Warrant Affidavits shall require approval of the District Attorney of Clearfield County, or his designee, or the Attorney General of Pennsylvania, or his designee, prior to filing, as set forth below:

a. Approval may be granted using advanced communication technology or other electronic method, including but not limited to e-mail and fax transmission, and the use of electronic or digital signatures. Nothing in this rule is intended to require an original signature of the attorney for the Commonwealth to indicate approval.

b. All Arrest Warrant Affidavits shall require approval prior to filing.

c. All Police Complaints shall require approval prior to filing, except Police Complaints charging any of the following offenses:

Title 18

- | | |
|--|--|
| a. Simple Assault | 18 Pa.C.S.A. § 2701 |
| b. Recklessly Endangering Another Person | 18 Pa.C.S.A. § 2705 |
| c. Terroristic Threats | 18 Pa.C.S.A. § 2706 |
| d. Harassment | 18 Pa.C.S.A. § 2709 |
| e. Defiant Trespasser | 18 Pa.C.S.A. 3503(b) |
| f. Simple Trespasser | 18 Pa.C.S.A. 3503(b.1) |
| g. Any Theft Related Offense Graded Pursuant to 18 Pa.C.S.A. §§ 3903(b) and 3929(b)(1)(ii) and (iii) | 18 Pa.C.S.A. §§ 3903(b) and 3929(b)(1)(ii) and (iii) |
| h. Disorderly Conduct | 18 Pa.C.S.A. § 5503 |
| i. Loitering and Prowling at Night | 18 Pa.C.S.A. § 5506 |
| j. Obstructing Highways and Other Public Passages | 18 Pa.C.S.A. § 5507 |
| k. Open Lewdness | 18 Pa.C.S.A. § 5901 |

Title 35

- | | |
|-------------------------------------|-------------------------------|
| a. Possession of Drug Paraphernalia | 35 Pa.C.S.A. § 780-113(a)(32) |
|-------------------------------------|-------------------------------|

Title 75

- | | |
|---|-------------------------------------|
| a. Driving Under the Influence of Alcohol or Controlled Substance | 75 Pa.C.S.A. § 3802(a), (b), or (c) |
| b. Fleeing or Attempting to Elude Police | 75 Pa.C.S.A. § 3733 |

Effective Date. Adopted March 22, 2004. Effective 30 days after publication in the *Pennsylvania Bulletin*. Amended July 15, 2011. Effective 30 days after publication in the *Pennsylvania Bulletin*. Amended May 30, 2012. Effective 30 days after publication in the *Pennsylvania Bulletin*. Amended May 1, 2017. Effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

FREDRIC J. AMMERMAN,
President Judge

[Pa.B. Doc. No. 17-704. Filed for public inspection April 28, 2017, 9:00 a.m.]

LYCOMING COUNTY

Amendments to the Rules of Orphan's Court Procedure; Orphan's Court Division; Doc. No. 41-17-0152

Order

And Now, this 3rd day of March, 2017, the Orphan's Court Procedural Rules Committee of the Supreme Court of Pennsylvania having notified the Court that these proposed changes in the local Orphan's Court rules are not inconsistent with any general rule of the Supreme Court, it is hereby *Ordered and Directed* as follows:

1. The Lycoming County Orphan's Court Rules are hereby rescinded.

2. New Lycoming County Orphan's Court Rules L1.8, L2.6, L2.7, L2.9, L2.10, L9.1, L9.6, L9.7, L14.2, L14.5, L15.5, and L15.8 are hereby promulgated, as follows.

3. The Clerk of the Orphan's Court is directed to:

a. File one (1) certified copy of this order with the Administrative Office of the Pennsylvania Courts.

b. Forward two (2) certified copies of this order and a computer disk containing the text of the local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

c. Forward one (1) copy of this order to the chairman of the Lycoming County Customs and Rules Committee.

4. The chairman of the Lycoming County Customs and Rules Committee is directed to do the following:

a. Publish the revised rules on the Lycoming Law Association website at http://www.lycolaw.org/rules/rules.html; and

b. Compile the rule revisions within the complete set of local rules no later than 30 days following publication in the Pennsylvania Bulletin.

5. The new rules shall become effective 30 days after the publication of this order in the Pennsylvania Bulletin.

6. A copy of these local rules shall be kept continuously available in the office of the Clerk for public inspection and copying by any person.

By the Court

NANCY L. BUTTS,
President Judge

L1.8. Motion Procedure. Cover Sheet.

The procedure set forth in this section shall apply to every request for relief and/or application to the court for an order, whether by petition, motion, objections, or stipulation, that the filing party desires to bring before the court.

A. A cover sheet substantially in the form set forth in subsection G of this section shall be attached to the front of every request for a court order to which this rule applies.

B. The cover sheet shall consist of only one page. Captions may be abbreviated. If additional space is necessary to list counsel and unrepresented parties, a separate sheet may be attached. The filing party or counsel shall be responsible for identifying all parties and others to be given notice or their counsel on the cover sheet. If a party was not served with a copy of the executed cover sheet as a result of an omission of the filing party, the argument or hearing may be rescheduled or, in the discretion of the court, the request for relief may be denied.

C. If a cover sheet is not attached as required by this rule, the court may choose not to act upon the request for relief until an appropriate cover sheet is filed. If the filing party does not attach a cover sheet as required by this rule, a cover sheet, along with a copy of the original motion may be filed by any party, or the court.

D. If expedited consideration by the court is requested or required by statute or rule of procedure, the reason for such consideration shall be set forth on the cover sheet.

E. A proposed order granting the relief requested shall be attached, immediately following the cover sheet.

F. The court shall schedule argument, hearing or briefing as the court may require, note the scheduling information on the cover sheet, and issue the scheduling order appearing on the cover sheet. The clerk shall docket and promptly forward the completed cover sheet to all parties identified on the cover sheet. The court may by order set additional service requirements, if the circumstances so require.

G. The form of the cover sheet shall be substantially as follows:

COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA
ORPHANS' COURT MOTION COVER SHEET

Caption (may be abbreviated) Docket No. _____

1. Name of filing party: _____ Case assigned to Judge _____

2. Filing party's attorney: _____ Family Court Officer/Auditor: _____

3. Type of filing:

4. The following is/are requested:
[] Argument
[] Evidentiary hearing
[] Court conference
[] Pretrial conference
[] Entry of uncontested order (attach supporting documentation)
[] Expedited consideration. State the basis:
[] Issuance of a Citation/Rule to Show Cause
[] Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.
[] Attach this cover sheet to original motion previously filed on: _____
5. Time required:
6. Names and addresses of all counsel, unrepresented parties and interested parties (including CASA representative, if appointed) and indicate if anyone is incarcerated:
[] Continued on separate sheet.

ORDER

1. _____ An ___ argument ___ factual hearing ___ court conference is scheduled for _____ at ___ m, in courtroom no. _____, Lycoming County Courthouse, Williamsport, PA.

2. _____ Pretrial memos including witness list and exhibits are to be filed by the following dates:

Filing party: _____ Responding parties: _____

- 3. ____ A response to the motion/petition shall be filed as follows: _____ .
- 4. ____ Petitioner shall ensure service of this scheduling order on all parties and interested persons within ____ days of the date of this order and shall provide the court with proof of service at least ____ working days prior to the scheduled proceeding.
- 5. _____ is appointed as counsel for the alleged incapacitated person, and petitioner shall serve a copy of this scheduling order, petition and any attachments on the appointed attorney. The appointed attorney is to be reimbursed at the rate of \$ ____ per hour to be paid by the county/estate of the alleged incapacitated person (circle one).
- 6. ____ See order attached. ____ See separate order issued this date.
- 7. Other: _____ .

Judge	Date
-------	------

cc: ALL PARTIES OR OTHERS TO BE SERVED WITH NOTICE MUST BE DESIGNATED IN BOX 6 ABOVE.

NOTICE: The parties are directed to confer for the purpose of resolving any issue raised in the motion/petition. If a resolution is reached prior to the scheduled date, the moving party shall immediately notify the court scheduling technician, the judge or hearing officer assigned to hear the matter, and all counsel of record or parties if unrepresented. Such notice may be in writing or by email.

L2.6. Proposed Decree of Distribution.

At the time of filing the account and petition for adjudication/statement of proposed distribution, the accountant shall also file a proposed decree of distribution to be issued by the court expressly confirming the account or approving the petition for adjudication/statement of proposed distribution and specifying, or indicating by reference to the petition for adjudication/statement of proposed distribution, the names of those to whom the balance available for distribution is awarded and the amount or share awarded to each.

L2.7. Time for Filing Objections.

Objections to an account and/or a petition for adjudication/statement of proposed distribution shall be filed with the clerk within twenty (20) days of the date of service of the notice of account filing.

L2.9. Confirmation of Accounts; Awards.

If no objections are filed by the date for objections set forth in the notice of account filing, or any extension of that date allowed by the court, the clerk shall submit the account and petition for adjudication/statement of proposed distribution, along with the proposed decree of distribution, to the court for confirmation of the account or approval of the petition for adjudication/statement of proposed distribution.

L2.10. Foreign Heirs and Distributees.

A report filed pursuant to Pa.O.C. Rule 2.10 shall be in the form of an affidavit and shall be filed at the same time that the account and statement of proposed distribution are filed.

L9.1. Notice of Auditor’s or Master’s Hearing.

Notice of hearings to be held by a master or auditor shall be given at least 20 days before the date of the hearing to all those given notice of the request for the

appointment of an auditor or master and all other interested parties.

L9.6. Notice of Filing Auditor’s or Master’s Report.

At the time of filing the report, an auditor or master shall give notice of the filing of the report to all those given notice of the request for the appointment of an auditor or master and all other interested parties. The notice shall state that in the absence of objections, the report will be submitted to the court for confirmation 20 days after the date the report was filed.

L9.7. Confirmation of Report.

If no objections are filed to the report of a master or auditor within 20 days of the date of notice to interested parties of its filing, the clerk shall submit the report to the court for confirmation or adoption of the report’s recommendations.

L14.2. Incapacitated Persons.

A. Notice in matters involving adjudication of incapacity or appointment or removal of a guardian for an incapacitated person is required on all persons who are sui juris individuals and are heirs of the alleged or adjudicated incapacitated person, as defined by the intestacy laws of Pennsylvania. Such notice is required even if the person does not reside within the Commonwealth of Pennsylvania.

B. Notice required in matters involving adjudication of incapacity or appointment or removal of a guardian for an incapacitated person, other than notice upon the alleged or adjudicated incapacitated person, shall be by personal service, by service in such manner as the court directs and/or as directed by statute in that particular case; or may be made by first class mail, postage prepaid, to the known or last known address. In the latter case, a certificate of service shall be prepared and filed verifying that the address used is the proper known or last known address, and attaching a postal service certificate of mailing.

C. *Notice and Service.* The petition shall include a notice and citation as prescribed by the Pennsylvania Orphans’ Court Rules. Petitioner shall be responsible for obtaining a completed notice and citation from the clerk, and petitioner shall be responsible for proper service of the petition, notice and citation. In all cases, service of the petition, notice and citation shall be made upon the alleged or adjudicated incapacitated person by personal service by the sheriff or by any other competent adult,

and the person making such service shall read to the alleged or adjudicated incapacitated person the petition, notice and citation, and then for a second time the notice and citation. The person making service shall explain the contents to the extent possible.

D. Service of emergency guardianship petition.

(1) Service of emergency guardianship petition on alleged incapacitated person. Petitioner shall serve the emergency guardianship petition in person on the alleged incapacitated person no more than 48 hours after the hearing is scheduled and no less than 48 hours before the hearing. In the event there is not 48 hours between the time the hearing is scheduled and the hearing date and time, petitioner shall serve the emergency guardianship petition in person on the alleged incapacitated person within a reasonable amount of time prior to the emergency guardianship hearing. What is a reasonable amount of time shall depend upon the circumstances, such as the amount of time that exists between the time the hearing is scheduled and the actual hearing date. It shall be in the court's discretion to determine the timeliness of the service. Petitioner must offer evidence via affidavit and be prepared to present testimony to prove the reasonableness of the service.

(2) Service of emergency guardianship petition on sui juris individuals, agents under a power of attorney, residential service providers, and other service providers. Petitioner shall serve the emergency guardianship petition on all persons who are sui juris individuals and would be entitled to share in the estate of the alleged incapacitated person if he or she died intestate at that time (even if the person does not reside within the Commonwealth of Pennsylvania), on the agents under the alleged incapacitated person's power of attorney, on the person or institution providing residential services to the alleged incapacitated person, and on such other parties as the court may direct, including other service providers, in any reasonable manner and within a reasonable amount of time prior to the emergency guardianship hearing. Any reasonable manner shall include service in person or by telephone, facsimile, mail, or electronic transmission depending upon the circumstances. However, service by telephone alone shall not be the favored method and shall be used only in circumstances where the other methods of service would not be timely. What is a reasonable amount of time shall depend upon the circumstances, such as the amount of time that exists between the time the hearing is scheduled and the actual hearing date. It shall be in the court's discretion to determine if the manner and timeliness of the service were reasonable. Petitioner must offer evidence via affidavit and be prepared to present testimony to prove that the manner and timeliness of the service were reasonable.

E. Return of Service. Petitioner is responsible for filing a return of service conforming to Pa.R.C.P. No. 405, which also confirms that the contents of the notice and citation of the petition were read and, to the extent possible, explained, to the respondent as set forth in paragraph C, above.

F. Petition. A petition for adjudication of incapacity and/or for appointment of a guardian of the estate of the person shall be substantially in the form prescribed by Lyc.Co.O.C.R. L14.5(e), and shall contain all the items of

information referred to therein. Language used in the petition should be easily understood. It is recommended that an affidavit of a physician or clinical psychologist be attached which contains a description of the physical and mental condition, any functional limitations and whether or not the respondent would be harmed by attendance at the proceeding to determine incapacity.

G. Status report on legal representation. At least 14 days prior to the date established for hearing on the petition, petitioner shall file in duplicate a status report on legal representation, in substantially the form prescribed by Lyc.Co.O.C.R. L14.5(f), each of which should have attached, under the proper caption, the appropriate order, in substantially the form prescribed by Lyc.Co.O.C.R. L14.5(g).

H. Proposed findings of fact. Petitioner shall provide to the court, at or before hearing, proposed findings of fact in a form suitable for adoption by the court at hearing. Such findings shall include, inter alia, in separately numbered statements, at least the facts petitioner intends to establish which are required in order for the court to grant the relief requested.

I. Periodic report of the guardian of the person. Within one year of the date of appointment and annually thereafter, or with such greater frequency as the court may direct, every guardian of the person of an incapacitated person shall file a periodic report of the guardian of the person in substantially the form prescribed by the Pennsylvania Orphans' Court Rules. Notice and service of said report shall be in such manner as the court shall direct.

J. Periodic report of the guardian of the estate. Within one year of the date of appointment and annually thereafter, or with such greater frequency as the court may direct, every guardian of the estate of an incapacitated person shall file a periodic report of the guardian of the estate in substantially the form prescribed by the Pennsylvania Orphans' Court Rules. Notice and service of said report shall be in such manner as the court shall direct.

K. Filing of emergency guardianship petition. In all cases where an emergency guardianship petition is filed, a plenary petition shall be filed at the same time. Additionally, with the filing of the emergency and plenary petitions, petitioner shall file a motion cover sheet in accordance with Lyc.Co.O.C.R. L1.8(c). The motion cover sheet shall include within the order a rule to show cause as to why the alleged incapacitated person shall not be adjudicated incapacitated. Petitioner shall serve the executed motion cover sheet on the alleged incapacitated person, counsel for the alleged incapacitated person, all persons who are sui juris individuals and would be entitled to share in the estate of the alleged incapacitated person if he or she died intestate at that time (even if the person does not reside within the Commonwealth of Pennsylvania), on the agents under the alleged incapacitated person's power of attorney, on the person or institution providing residential services to the alleged incapacitated person, and on such other parties as the court may direct, including other service providers. In the event petitioner determines that the plenary petition is not necessary, petitioner shall file a verified statement explaining the reason for the lack of necessity of the plenary guardianship. The verified statement shall be substantially in the following form:

IN THE MATTER OF

: IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA

An alleged incapacitated person

:
: ORPHANS' COURT DIVISION
:
: NO. _____

STATEMENT EXPLAINING REASON FOR LACK OF NECESSITY OF PLENARY GUARDIANSHIP

I, _____, petitioner/counsel for petitioner in the above-referenced matter, hereby state, subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities, that a plenary guardianship is not necessary for the following reason(s):

Respectfully submitted,
Petitioner/Counsel for Petitioner

Dated: _____

[address]
[telephone number]

L14.5. Forms.

A. *The Petition to Adjudicate Incapacity and for the Appointment of a Guardian.* The petition to adjudicate incapacity and for the appointment of a guardian referred to in Lyc.Co.O.C.R. L14.2F shall be substantially in the following form:

IN THE MATTER OF

: IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA

An alleged incapacitated person

:
: ORPHANS' COURT DIVISION
:
: NO. _____

PETITION TO ADJUDICATE INCAPACITY PURSUANT TO 20 Pa.C.S. § 5511 AND FOR THE APPOINTMENT OF A GUARDIAN OF THE PERSON/OR OF THE ESTATE OF _____

TO: The Honorable Judge of the Lycoming County Court:

The petition of (name of petitioner) respectfully states:

1. Name and current address of petitioner:
2. Petitioner's relationship to and interest in the alleged incapacitated person's welfare:
3. Name, age, residence and post office address of the alleged incapacitated person:
4. Name and address of person or institution providing residential services to the alleged incapacitated person:
5. Names and addresses of spouse, parents and all persons who are sui juris individuals and who would be entitled to share in the estate of the alleged incapacitated person if that person died intestate:
6. Names and addresses of medical, social, residential, and other service providers:
7. State whether alleged incapacitated person has or has not been a member of the United States armed services and whether he or she is or is not receiving any benefits from the United States Veterans Administration:
8. State whether any court has ever assumed jurisdiction in any proceeding to determine the competency or capacity of the alleged incapacitated person, and whether any guardian of the person and/or estate has ever been appointed:
9. The name and address of alleged incapacitated person's attorney, if known, or the attorney known to represent the alleged incapacitated person on other legal matters:
10. The reason why guardianship is sought:
11. A description of the functional limitations and physical and mental conditions of the alleged incapacitated person:
12. Allegations of fact regarding the services being utilized to meet essential requirements for the alleged incapacitated person's physical health and safety, to manage the person's financial resources or to develop or regain the person's abilities:
13. Allegations of fact regarding the type of assistance required by the alleged incapacitated person and as to why no less restrictive alternatives would be appropriate:
14. Allegations of fact regarding the probability that the extent of the alleged incapacitated person's incapacities may significantly lessen or change.

15. For each type of guardian being requested, the name and address of the person or entity whom petitioner asks to be appointed as guardian:

16. An averment that the proposed guardian has no interest adverse to the alleged incapacitated person:

17. Qualifications of proposed guardian:

18. The specific areas of incapacity over which it is requested that the guardian be assigned powers:

19. If guardian of the estate is being sought, the petition shall also include the gross value of the estate and net income from all sources to the extent known:

WHEREFORE, petitioner prays this Honorable Court to grant the following relief:

(Petitioner)

B. The status report on legal representation referred to in Lyc.Co.O.C.R. L14.2G shall be substantially in the following form:

IN THE MATTER OF _____ : IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA
: _____
An alleged incapacitated person : ORPHANS' COURT DIVISION
: _____
: NO. _____

STATUS OF ALLEGED INCAPACITATED PERSON'S LEGAL REPRESENTATION

1. The Petition to Adjudicate Incapacity and for the Appointment of a Plenary Guardian of the Person and the Estate in the above-referenced matter was filed with this Honorable Court on _____ [date] (or is being filed herewith).

2. Service of the Petition to Adjudicate Incapacity and for the Appointment of a Plenary Guardian of the Person and the Estate was served on the alleged incapacitated person on _____ [date] (or has not been served to date).

3. The Hearing on the Petition to Adjudicate Incapacity and for the Appointment of a Plenary Guardian of the Person and the Estate has been scheduled for _____ [date] (or has not been scheduled yet).

4. Counsel for the alleged incapacitated person (is) (is believed to be): [name, address, and telephone number] or Petitioner does not believe that the alleged incapacitated person is represented by counsel.

5. According to Petitioner's knowledge and belief, the assets of the alleged incapacitated person consist of approximately \$ _____ .

6. [If the alleged incapacitated person is unrepresented] Petitioner requests that counsel for the alleged incapacitated person be appointed by this Honorable Court and pursuant to 20 Pa.C.S. § 5511(c), be compensated by Lycoming County or Petitioner requests that counsel for the alleged incapacitated person be appointed by this Honorable Court and not be compensated by Lycoming County.

Respectfully submitted,
Petitioner/Counsel for Petitioner

Dated: _____

[address]
[telephone number]

C. The proposed order referred to in Lyc.Co.O.C.R. L14.2G shall be substantially in the following form:

IN THE MATTER OF _____ : IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA
: _____
An alleged incapacitated person : ORPHANS' COURT DIVISION
: _____
: NO. _____

ORDER

AND NOW this _____ day of _____, _____, upon consideration of the attached status report, _____ is hereby appointed as counsel for the alleged incapacitated person. Counsel for the alleged incapacitated person _____ shall _____ shall not be compensated by Lycoming County. A certified copy of this order shall be served on the alleged incapacitated person, counsel for the alleged incapacitated person, and all persons who are sui juris individuals and would be entitled to share in the estate of the alleged incapacitated person if he or she died intestate at that time.

BY THE COURT,

J.

ADOPTIONS

L15.5. Request for Investigation.

In the absence of a special order of court, there shall be no investigation of the petition for adoption. If an investigation of the adoption petition is necessary, the court shall order the investigating agency to conclude its investigation and file its report not later than ninety (90) days after the filing of the notice of intention to adopt.

L15.8. Proposed Findings and Decree.

A. Proposed Findings of Fact. At the conclusion of the hearing for adoption the petitioners shall submit to the hearing judge proposed findings of fact substantially in the following form:

IN RE ADOPTION OF _____ : IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA
:
: ORPHANS' COURT DIVISION
:
: NO. _____

FINDINGS OF FACT

- 1. The petitioners are _____ and _____, his wife, who are adult citizens of the County of Lycoming and Commonwealth of Pennsylvania, and they reside at _____, Lycoming County, Pennsylvania.
2. The husband was born at _____, on _____.
3. The wife was born at _____, on _____.
4. The wife's maiden name was _____.
5. The name of adoptee is _____.
6. The adoptee was born at _____, on _____.
7. The adoptee has resided with the husband petitioner since _____, and with the wife petitioner since _____.
8. The facts with respect to termination of parental rights are as follows: _____
9. Notice of the hearing on the petition for adoption was given to all persons entitled to notice.
10. It is in the best interest of the child to allow the adoption.
11. The petitioners and the child are of the following race and faith: _____
12. There has been compliance with all of the provisions of the Adoption Act (23 Pa.C.S. § 2101, et seq.).

B. Proposed Decree. The petitioner shall attach a proposed decree to the proposed findings of fact. FORM 1 is to be used if parental rights have previously been terminated. FORM 2 is to be used if parental rights are to be terminated at the time of the hearing for adoption.

FORM 1:

IN RE ADOPTION OF _____ : IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA
:
: ORPHANS' COURT DIVISION
:
: NO. _____

DECREE

AND NOW, this _____ day of _____, 20____, in consideration of the petition filed, after investigation made and testimony of the witnesses heard,

IT IS ORDERED AND DECREED:

That the welfare of the adoptee will be promoted by the adoption; that all requirements of the Adoption Act have been met; that the adoptee shall have all the rights of a child and heir of the petitioners; and that the child shall hereafter be known as _____.

BY THE COURT,

J.

FORM 2:

IN RE ADOPTION OF

: IN THE COURT OF COMMON PLEAS OF
 : LYCOMING COUNTY, PENNSYLVANIA
 :
 : ORPHANS' COURT DIVISION
 :
 : NO. _____

DECREE

AND NOW, this _____ day of _____, 20____, after hearing on the petition filed, IT IS ORDERED AND DECREED:

- (1) That the parental rights of _____ be and hereby are terminated;
- (2) That the welfare of _____ will be promoted by the adoption; that all requirements of the Adoption Act have been met; that the adoptee shall have all the rights of a child and heir of _____ and _____ and shall be subject to the duties of a child of the petitioners; and that the child shall hereafter by known as _____.

Notice to the Natural Father and Natural Mother
 Pennsylvania Adoption Medical History Registry

This is to inform you about an adoption law provision relating to medical history information. As the birth parent of a Pennsylvania born child who is being or was ever adopted in the past, you have the opportunity to voluntarily place on file medical history information. The information that you choose to provide could be important to the child's present and future medical care needs. The law makes it possible for you to file current medical information and it also allows you to update the information as new medically related information becomes available. Requests to release the information will be honored if the request is submitted by a birth child 18 years of age or older. The law also permits the court to honor requests for information submitted by the adoptive parents or legal guardians of adoptees who are not yet 18 years of age. All information will be maintained and distributed in a manner that fully protects your right to privacy.

You may obtain the appropriate form to file medical history information by contacting the Adoption Medical History Registry. Members of the registry staff are available to answer your questions. Please contact the registry staff at:

Department of Human Resources
 Adoption Medical History Registry
 Hillcrest, Second Floor, P.O. Box 2675
 Harrisburg, PA 17105-2675 Telephone: 1-800-227-0225

Medical history information forms may also be obtained locally by contacting one of the following agencies:

- County Children and Youth Social Service Agency
- Any private licensed adoption agency
- The Lycoming County Register and Recorder's Office

BY THE COURT,

 J.

[Pa.B. Doc. No. 17-705. Filed for public inspection April 28, 2017, 9:00 a.m.]

**WESTMORELAND COUNTY
 Orphans' Court Rules; No. 3 of 2017**

Administrative Order of Court

And Now, this 6th day of April, 2017, *It Is Hereby Ordered* that Westmoreland County Orphans' Rules W01.6 to W016.15 are hereby adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RICHARD E. McCORMICK, Jr.,
President Judge

Westmoreland County Orphans' Court Rules

Rule WO1.6. Mediation.

All interested parties in a matter may use mediation to resolve issues pending before the court, and, upon either partial or complete resolution, may petition the court to approve the agreement of all interested parties as an order or decree of the court.

(a) The interested parties may engage the services of a mediator, either prior to or after any interested party has filed a pleading before the court, including an account filed by a fiduciary for audit.

(b) All the interested parties in a matter docketed before the court may request to engage in mediation at any time during the pendency of the matter.

(c) In such request for mediation, all interested parties shall identify:

(1) the proposed mediator and the proposed source of payment of fees and costs of the mediator;

(2) names and contact information of all interested parties and any counsel who shall participate in the mediation;

(3) names and information regarding any interested parties having diminished capacity or a legal disability, whose interests must be adequately protected; and

(4) the scheduled date for the initial mediation conference.

(d) All interested parties shall execute an agreement for confidential mediation, which is not inconsistent with this local rule, and which shall remain confidential.

(e) Mediation shall not delay the required filing of any pleading or ordered return dates, or the scheduling of court hearings, unless specifically requested by joinder of the interested parties and so ordered by the court.

(f) Upon completion of mediation, all interested parties shall sign a memorandum of principal terms, which either shall acknowledge that no resolution was reached, or shall embody the resolutions attained. This memorandum of principal terms shall clearly state partial resolutions or complete resolution attained. The memorandum of principal terms shall include a list of unresolved issues to be determined by the court. Where appropriate, the principal terms could provide for future review in light of changed circumstances or a change in the operative facts. The memorandum of principal terms agreed upon, or the statement of no resolution, shall be filed with the court.

(g) The interested parties may request that the court approve the final mediated agreement, which embodies the principal terms agreed upon in the memorandum referenced above. The court may grant approval in an order or decree. Alternatively, the court may recommend any changes that the court deems appropriate for approval. The parties to the mediation may accept the court's recommendations, in which event the terms agreed upon, as modified, shall be approved, or the parties may decline to accept the court's recommendations, in which event the matter is deemed not to have resulted in an agreement.

Adopted _____, 2017, Effective _____ 2017.

Rule WO1.8. Cover Sheet.

The first pleading to be filed by each party in each case shall be accompanied by a cover sheet, which shall be in the form set out in the forms section of the Westmoreland County Orphans' Court Local Rules, appended hereto.

Adopted, _____ 2017, Effective _____ 2017.

Rule WO1.9. Bill of Costs.

(a) The following items shall be considered as record costs in a proceeding:

- (1) fees paid for filing pleadings;
- (2) fees paid for service of pleadings;
- (3) any other costs specifically permitted by statute or Supreme Court rules; and
- (4) if the case has been tried, fees statutorily permitted to witnesses for per diem attendance and mileage.

(b) A bill of costs must be filed with the Clerk of the Orphans' Court, along with an affidavit of service on the opposing party or his counsel of record, within ten (10) days of the entry of a verdict by a jury, or a final order or decree by the court. The bill of costs may include the items listed in paragraph (a) of this rule.

(c) In cases where an executor, administrator, guardian or trustee has acted in good faith defending the estate against a claim, costs and fees may be allowed out of the estate, even though the claim is allowed.

(d) Objections specifying those items or amounts of costs to which a party has objections must be filed within ten (10) days of receipt of the bill of costs.

(e) The court will enter an order specifying allowable costs.

Adopted February 1, 1996, effective May 1, 1996. Rule WO110 renumbered _____, 2017, effective _____, 2017. Paragraph (c) is taken from the former Rule WO9(c). The remaining paragraphs are taken from Rule W609 of the Westmoreland County Rules of Civil Procedure.

Rule WO1.10. Change of Address.

A personal representative of a decedent's estate or a guardian of the estate of a minor or an incapacitated person shall file with the Register of Wills of Westmoreland County, or Clerk of the Orphans' Court, as applicable, any change of address. Notice or service to the last recorded address shall be deemed notice or service to the said personal representative or guardian.

Adopted February 1, 1996, effective May 1, 1996. Rule WO118 renumbered _____ 2017, effective _____ 2017.

Rule WO2.5. Notice of Account Filing—Copies of Account Sent with Notice

Any copy of the account served pursuant to Pa.O.C. Rule 2.5 may be sent as a double-sided copy. Upon consent of the parties, a copy of account may be sent on a properly labeled compact disk or on a flash drive in portable document format.

Adopted _____, 2017, effective _____ 2017.

Rule WO2.6. Audit List.

The President Judge shall decree and the Clerk of the Orphans' Court shall publish in the Westmoreland Law Journal for three consecutive weeks commencing the second week of November a list of dates of audit and the schedule of filing periods as related to the audit dates for the following year.

The audit list will be called and accounts audited on the dates of audit scheduled by order of court, and will continue until the cases on the list have been heard or other disposition made. All accounts on the audit list filed by an attorney or firm shall be listed together on the audit list.

Revised February 12, 1998, effective March 30, 1998. Rule WO102(c) renumbered _____ 2017, effective _____ 2017.

Rule WO3.7. Return Days.

The return day is the last day to answer or take other legal action with respect to a citation, rule to show cause, or other process, or when a matter may ordinarily next be brought before the court for action.

The return days shall be as fixed by order of court. If no date is fixed, it shall be twenty (20) days from service.

A hearing will not be held on the return day unless specially ordered.

A hearing will be scheduled upon the request or motion of any party after the return day. The request or motion shall be accompanied by a proposed order, which shall provide for appropriate blank spaces for the scheduling of a hearing, the scheduling of a status conference, and a filing deadline for memoranda of law.

Rule WO102(1) renumbered, _____ 2017, effective _____, 2017.

Rule WO3.9. Preliminary Objections—Briefs.

(a) *Filing and service of brief in support of preliminary objections.*

(1) A respondent who files preliminary objections shall file a brief with the Clerk of the Orphans' Court within thirty (30) days of filing the pleading if the preliminary

objections only set forth grounds under subparagraphs (2), (3) or (4) of Pa.O.C. Rule 3.9(b). Parties filing preliminary objections raising any ground other than under subparagraphs (2), (3) or (4) of Pa.O.C. Rule 3.9(b) shall file a brief within sixty (60) days of filing the preliminary objections, unless the court, on motion of any party, sets a briefing schedule to accommodate depositions or a hearing pursuant to Pa.O.C. Rule 3.9(d)(2).

(2) A respondent who files preliminary objections shall serve a copy of the brief on every interested party or attorney of record on the same day it is filed. A copy of the brief, a certificate of service, together with a copy of any subsequent pleadings filed, shall be mailed or delivered to the chambers of the judge assigned to the case.

(b) *Filing and service of brief in opposition to preliminary objections*

(1) A party to whom preliminary objections are directed shall file a brief in opposition with the Clerk of the Orphans' Court within thirty (30) days of being served with the respondent's brief.

(2) Within three (3) days of filing the brief in opposition, a party to whom preliminary objections are directed shall serve a copy of the brief on every interested party or attorney of record, and shall file a certificate of service with the Clerk of the Orphans' Court.

(3) A party to whom the preliminary objections are directed shall deliver or mail a copy of the brief, along with a copy of the certificate of service, to the chambers of the judge assigned to the case on the same day the certificate is filed.

(c) *Oral argument*

Oral argument will only be scheduled upon the presentation of a motion in accordance with the motions procedure in Rule WO7.5.

Adopted 2017, effective , 2017.

Rule WO5.6. Petition to Invade Principal Assets (Minor's Estate).

A petition to invade principal assets shall be presented to the court in all situations where the guardian intends to invade the principal assets of a minor. Such petition to invade principal assets shall contain, at minimum, the following averments of fact:

(a) name, age and residence of the minor and the person with whom the minor resides;

(b) a reference to the original date of the guardian's appointment;

(c) whether the guardian is bonded and, if so, for what amount;

(d) names and residences of the living parents and their incomes, and whether their incomes are sufficient to support the minor properly;

(e) an itemized listing of the assets of the minor;

(f) an itemized listing of the income of the minor;

(g) whether there are other funds (e.g., current beneficiary of a trust or estate) available for the care, maintenance, education or funeral expenses of the minor or other persons for whom an invasion of principal is requested;

(h) a listing of the names and addresses of all creditors, and the amount due each;

(i) the purpose for the proposed invasion of principal;

(j) whether any prior petitions to invade principal assets have been presented;

(k) that the next-of-kin of the minor have been notified of the presentation of the petition for allowance, if directed by the court; and

(l) the maximum amount estimated to be needed per month or per year, and the time period during which such invasion will be necessary.

Cross References: See 20 Pa.C.S. § 5164, which permits the expenditure of income for the care, maintenance and education of a minor without the necessity of court approval, but which requires court authorization for the expenditure of principal.

Explanatory Comments: Under 20 Pa.C.S. § 5164, court approval is required to use income for anyone other than the minor. In such cases, a petition in essentially the same form as provided by this rule should be filed.

Adopted February 1, 1996, effective May 1, 1996. Rule WO503 renumbered 2017, effective 2017.

Rule WO5.16. Jurisdiction.

(a) The following petitions for approval of settlement shall be brought before the Orphans' Court when suit has not been commenced in the civil division:

(1) petition to compromise and settle minor's action;

(2) petition to compromise and settle an incapacitated person's action; and

(3) petition to compromise and settle wrongful death and survival action.

(b) Upon receipt of a petition, the court may, at its discretion, grant the petition as presented, request additional information from any party, or order testimony to be taken on the petition.

Cross References: With regard to wrongful death and survival actions, See 42 Pa.C.S. § 8301(b) and 20 Pa.C.S. § 2101—2104.

Adopted February 1, 1996, effective May 1, 1996. Rule WO601 renumbered 2017, effective , 2017.

Rule WO5.17. Small Estates.

(a) *Personalty*

(1) When any person domiciled in Westmoreland County, Pennsylvania dies owning property (exclusive of real estate and of wages, salary or any accrued vacation benefits or pension payable under 20 Pa.C.S. § 3101, but including personal property claimed as the family exemption) of a gross value not exceeding \$50,000.00, any interested party may present a petition for the distribution of the property. The petition shall set forth:

(A) the name, date of death and domicile of the decedent, whether testate or intestate, and whether letters have been granted;

(B) if letters have been granted, to whom, the date of grant of letters, the date of the first complete advertisement of letters, if applicable, and the amount of bond, if any;

(C) the names and relationships of all beneficiaries under the will, if any;

(D) the names of the surviving spouse and next of kin if decedent died intestate as to any personalty;

(E) the names of any persons entitled to distribution who are not sui juris, with the names of their trustees or guardians and a reference to their appointment;

(F) when a family exemption is claimed out of personalty and has not previously been claimed:

- (i) by whom the exemption is claimed;
 - (ii) the name of the surviving spouse, if any, whether the family relationship was maintained, and whether spousal rights have been forfeited;
 - (iii) if the spouse is not the claimant, the names of such children as were members of the same household as the decedent at his death, indicating any who are not sui juris, or if there are no such children, the names of the parent or parents of the decedent who were members of the same household as the decedent at his death;
 - (iv) the names of any other children, heirs or beneficiaries not previously identified and the legal representatives, if any, of all not sui juris;
 - (v) a description of the property claimed and the gross value thereof; and
 - (vi) whether there is any objection to the claim, and if so, by whom.
- (G) an itemized list of the personal property owned by the decedent at date of death, and the total value thereof (the itemized list may be attached as an exhibit, with only the total listed here);

(H) an itemized statement of all disbursements made prior to filing the petition, specifying the date, amount, payee and purpose of each disbursement, and the total of all disbursements (the itemized list may be attached as an exhibit, with only the total listed here);

(I) an itemized statement of all unpaid administrative expenses, preferred and other debts, and taxes, including those due the Commonwealth of Pennsylvania, together with the total thereof (the itemized list may be attached as an exhibit, with only the total listed here);

(J) an itemized list of all claims not admitted, and the total thereof (the itemized list may be attached as an exhibit, with only the total listed here); and

(K) the names of all unpaid creditors whose claims are admitted, and of all heirs or beneficiaries not joining in or consenting to the petition.

(2) Exhibits shall be attached in the following order:

(A) the consent or joinder of all heirs, beneficiaries, creditors, sureties on any administrator's bond, and any others interested in the decedent's estate, who consent to the granting of the petition;

(B) a copy of the will, if any;

(C) proof of advertising of letters, if applicable;

(D) a receipt or statement from the Agent of the Commonwealth showing that the Pennsylvania Inheritance Tax has been paid in full, or consent to the granting of the petition;

(E) when an automobile is claimed as part or all of the family exemption, the certificate of a dealer or dealer's employee showing its market value as of the date of death;

(F) itemized lists, if not included in the body of the petition; and

(G) if the decedent attained age fifty-five (55), a letter from the Department of Human Services disclosing the amount, if any, of its claim against the estate.

(3) The petition shall be accompanied by a proposed decree, which specifically sets forth the proposed distribution.

(4) Upon presentation of the petition, the court may enter a decree without notice or with such notice or citation as the court shall direct.

Cross References: See 20 Pa.C.S. § 3102.

(b) *Personalty and realty*

(1) When any person domiciled in Westmoreland County, Pennsylvania dies owning real and personal property of a gross value not exceeding \$50,000, the personal representative, after the expiration of one year from the date of the first complete advertisement of the grant of letters, may present a petition to the court seeking approval of the representative's administration of the estate, requesting distribution of the estate assets, and further requesting discharge of the representative.

(2) The petition shall set forth the information required in Pa.O.C. Rule 5.9. In addition, the petition shall include in the appropriate paragraph:

(A) the items of real property owned by decedent and their value at the date of death;

(B) whether the decedent died intestate as to any real property; and

(C) as an exhibit, an account showing the administration and any distribution theretofore made of the estate.

Cross References: See 20 Pa.C.S. § 3531. When a family exemption is claimed out of real estate, a petition must be presented under 20 Pa.C.S. § 3123, unless all interested parties agree in writing to the valuation at which such real estate is to be awarded. See Pa.O.C. Rule 5.2.

Adopted February 1, 1996, effective May 1, 1996, renumbered from Rule WO406, effective March 30, 1998. Revised December 3, 2003, effective January 19, 2004. Rule WO407(a)(2)(G) and Rule WO7(a)(5) rescinded November 4, 2005; New Rule WO407(a)(2)(G) adopted November 4, 2005, effective December 25, 2005. Introductory paragraph of Rule WO407(a)(1) rescinded April 28, 2014; New introductory paragraph of Rule WO401(a)(1) adopted April 28, 2014, effective June 9, 2014. Rule WO407(b)(1) rescinded September 17, 2015; new rule WO407(b)(1) adopted September 17, 2015, effective November 9, 2015. Rule WO407 renumbered 2017, effective 2017.

Rule WO5.18. Petition to Compromise and Settle Minor's Claim.

A petition to compromise and settle a minor's claim shall contain, at minimum, the following averments of fact:

(a) *Description of the factual circumstances of the case.* These should include the date of the accident or injury, how the accident or injury occurred, the age of the minor at the time of the accident or injury, and identification of the defendant. If the case involves an automobile accident, the accident report should be attached.

(b) *Type of injury suffered.* Medical documentation (e.g. hospital records or a physician's report) should be attached to the petition in order to advise the court of the extent and effect of the injuries. If the medical documentation indicates there are residual effects, the petition should refer to the specific portions of the medical documentation which contain such opinions.

(c) *Medical expenses incurred.* If any portion of the medical expenses is to be deducted from the minor's share of the settlement, the petition should contain an affirma-

tion that the parents or guardians will not be reimbursed for such expenses from any other source.

(d) *Amount and terms of the proposed settlement.* The petition should clearly identify whom the attorney bringing the petition represents (i.e., the insurance company or the parent or guardian of the minor).

(e) *Statement regarding the efforts made to secure the best settlement.* Where appropriate, the petition should inform the court whether there is a question of liability and should briefly address any legal/factual issues which may impede successful litigation.

(f) An affirmation by petitioner's counsel that the settlement is the best settlement that could be obtained. (Note: This could also be in the form of an attached affidavit.)

(g) *The attorney fee arrangement.* A copy of the written fee agreement must be attached. In structured settlements, the fee must be based on the present value of the annuity.

(h) A list of any other expenses which will be deducted from the minor's share of the settlement (e.g. costs advanced for medical reports, hospital records, filing fees, etc.).

(i) The exact portion the minor is to receive.

(j) The proposed order should provide in detail the proposed distribution of funds. The proposed distribution shall conform to the distribution procedures used in the civil division, under the Pennsylvania Rules of Civil Procedure.

(k) A separate petition shall be filed for each minor, and the Clerk of the Orphans' Court shall assign separate file numbers to each such petition.

Cross References: Under Pa.R.C.P. Nos. 2039 and 2206, the following distribution procedures are used in the civil division.

1. Pursuant to Pa.R.C.P. No. 2039(b), the court shall order the proceeds paid to the guardian of the estate of the minor.

2. If there is no court-appointed guardian of the estate and the amount is not more than \$25,000, Pa.R.C.P. No. 2039(b)(1) provides that the court may (but is not obligated to) release the proceeds directly to "the guardian of the person or to the natural guardian or to the person or agency by whom the minor is maintained or to the minor."

3. If there is no court-appointed guardian of the estate and the amount is more than \$25,000, Pa.R.C.P. No. 2039(b)(2) requires that the proceeds be deposited in a federally insured savings account in the minor's name with a stipulation that no withdrawals can be made until the child reaches the age of eighteen (18) except upon prior order of court.

4. The order must include a provision that proof of the sequestered account shall be promptly filed of record.

Explanatory Comments: Despite the discretionary language contained Pa.R.C.P. No. 2039(b)(1), the court generally does not release the proceeds directly to the minor or guardian. Except in cases involving extremely small damages or unique circumstances, the court routinely requires that the funds be deposited in a federally insured savings account in the minor's name with a stipulation that no withdrawals can be made until the child reaches the age of eighteen (18) except upon prior order of court.

Adopted February 1, 1996, effective May 1, 1996. Revised December 3, 2003, effective January 19, 2004. Rule WO602 Cross References rescinded November 4, 2005; new Rule WO602 Cross References adopted November 4, 2005, effective December 25, 2005. Rule WO602 renumbered 2017, effective 2017.

Rule WO5.19. Petition to Compromise and Settle Incapacitated Person's Claim.

A petition to compromise and settle an incapacitated person's claim shall contain, at minimum, the following averments of fact:

(a) *Description of the factual circumstances of the case.* These should include the date of the accident or injury, how the accident or injury occurred, the age of the incapacitated person at the time of the accident or injury, and identification of the defendant. If the case involves an automobile accident, the accident report should be attached.

(b) *Type of injury suffered.* Medical documentation (e.g. hospital records or a physician's report) should be attached to the petition in order to advise the court of the extent and effect of the injuries. If the medical documentation indicates there are residual effects, the petition should refer to the specific portions of the medical documentation which contain such opinions.

(c) *Medical expenses incurred.* If any portion of the medical expenses is to be deducted from the incapacitated person's share of the settlement, the petition should contain an affirmation that the guardian will not be reimbursed for such expenses from any other source.

(d) *Amount and terms of the proposed settlement.* The petition should clearly identify whom the attorney bringing the petition represents (i.e., the insurance company or the guardian of the incapacitated person).

(e) *Statement regarding the efforts made to secure the best settlement.* Where appropriate, the petition should inform the court whether there is a question of liability and should briefly address any legal or factual issues which may impede successful litigation.

(f) An affirmation by petitioner's counsel that the settlement is the best settlement that could be obtained. (Note: This could also be in the form of an attached affidavit.)

(g) *The attorney fee arrangement.* A copy of the written fee agreement must be attached. In structured settlements, the fee must be based on the present value of the annuity.

(h) A list of any other expenses which will be deducted from the incapacitated person's share of the settlement (e.g. costs advanced for medical reports, hospital records, filing fees, etc.).

(i) The exact portion the incapacitated person is to receive.

(j) The proposed order should provide in detail the proposed distribution of funds. The proposed distribution shall conform to the distribution procedures used in the civil division, under the Pennsylvania Rules of Civil Procedure.

Adopted February 1, 1996, effective May 1, 1996. Rule WO603 renumbered 2017, effective 2017.

Rule WO5.20. Petition to Compromise and Settle Wrongful Death and Survival Action.

A petition to compromise and settle a wrongful death and survival action shall contain, at minimum, the following averments of fact:

(a) *Description of the factual circumstances of the case.* These should include the date of the accident or injury, how the accident or injury occurred, the age of the decedent at the time of the accident or injury, and identification of the defendant. If the case involves an automobile accident, the accident report should be attached.

(b) *Amount and terms of the proposed settlement.* The petition should clearly identify whom the attorney bringing the petition represents (i.e., the insurance company or the heirs or beneficiaries of the decedent).

(c) *Statement regarding the efforts made to secure the best settlement.* Where appropriate, the petition should inform the court whether there is a question of liability and should briefly address any legal or factual issues which may impede successful litigation.

(d) An affirmation by petitioner's counsel that the settlement is the best settlement that could be obtained. (Note: This could also be in the form of an attached affidavit.)

(e) *The attorney fee arrangement.* A copy of the written fee agreement must be attached. In structured settlements, the fee must be based on the present value of the annuity.

(f) A list of any other expenses which will be deducted from the heirs' or beneficiaries' share of the settlement (e.g. costs advanced for medical reports, hospital records, filing fees, etc.).

(g) A statement as to whether the plaintiff's decedent died intestate or with a will, and if a will was in existence, the effect of the will upon the proposed monetary distribution between wrongful death and survival actions. If a will exists, a copy must be attached as an exhibit to the petition.

(h) The exact amount of the wrongful death portion of the settlement each of the wrongful death beneficiaries is to receive.

(i) *Dependency.* Whether the parties proposed to receive funds from the wrongful death portion of the settlement were dependents of the decedent.

(j) *Survival.* How long the decedent survived after the accident.

(k) *Notice.* That notice of the presentation of the petition has been given to all of the beneficiaries named under the decedent's will, if the decedent died testate, and to the decedent's intestate heirs, whether the decedent died testate or intestate.

(l) The proposed order should provide in detail the proposed distribution of funds.

Adopted February 1, 1996, effective May 1, 1996. Rule WO604 renumbered 2017, effective 2017.

Rule WO5.21. Petitions for Allowance (Minors Settlement).

(a) All withdrawals from a minor's account require a petition for allowance.

(b) Petitions for allowance shall contain, at minimum, the following averments of fact:

(1) the facts and circumstances surrounding the origination of the minor's fund;

(2) a chronological statement of all prior petitions for allowance, including the reasons therefor, the amounts thereof, and the disposition;

(3) the age of the minor at the time the fund was created and the minor's present age;

(4) the original amount of the minor's funds and the present balance of same; and

(5) the circumstances and reasons supporting the petition for allowance.

(c) All petitions for allowance shall be accompanied by:

(1) a proposed order;

(2) a copy of the original petition for compromise and the order of distribution;

(3) copies of all prior petitions for allowance and the orders with respect to same; and

(4) substantiating documentation to support the petition for allowance.

Explanatory Comments: The court recognizes the parents' legal obligation to support and care for their child. Accordingly, when withdrawal from a minor's account is requested, the court will generally not permit the minor's funds to be used for routine parental obligations.

This Rule applies to those situations in which no guardian is appointed. For a situation in which a guardian is appointed, See Rule W05.6.

Adopted February 1, 1996, effective May 1, 1996. Rule WO605 renumbered 2017, effective 2017.

Rule WO7.2. Motion for Judgment on the Pleadings.

(a) *Requirements for filing and service of a motion for judgment on the pleadings and supporting brief at the office of the Clerk of the Orphans' Court.*

(1) The original motion for judgment on the pleadings shall be filed with the Clerk of the Orphans' Court. A supporting brief is required to be filed with a motion for judgment on the pleadings.

(2) A copy of the motion for judgment on the pleadings and a copy of the supporting brief required shall, at the time the motion is filed, be presented or mailed to the chambers of the judge assigned to the case by the party filing the motion. The judge assigned to the case shall prepare a scheduling order for oral argument, direct the filing of the original order, and give or mail a copy of that order to the moving party.

(3) Within three (3) days of receipt of the scheduling order from the judge assigned to the case, the moving party shall serve copies of the motion for judgment on the pleadings, the scheduling order and the brief on every interested party or attorney of record.

(4) The moving party shall file with the Clerk of the Orphans' Court a certificate of service of the motion, scheduling order and the brief. A copy of the certificate of service shall be mailed or delivered to the judge assigned to the case.

(b) *Filing and service requirements for briefs in opposition to the motion for judgment on the pleadings.*

(1) A party to whom a motion for judgment on the pleadings is directed shall file a brief in opposition with the Clerk of the Orphans' Court within thirty (30) days of service of the moving party's motion and brief.

(2) Within three (3) days of filing the brief, the party to whom the motion is directed shall serve a copy of the brief on every interested party or attorney of record, and shall file a certificate of service with the Clerk of the Orphans' Court.

(3) The party to whom the motion is directed shall deliver or mail a copy of the brief, along with a copy of the certificate of service, to the chambers of the judge assigned to the case on the same day the certificate of service is filed.

Adopted 2017, effective 2017.

Rule WO7.3. Motion for Summary Judgment—Briefs.

(a) *Requirements for filing and service of a motion for summary judgment and supporting brief at the office of the Clerk of the Orphans' Court.*

(1) A party intending to file a motion for summary judgment should note the requirements of Pa.R.C.P. No. 1035.2 (referenced in Pa.O.C. Rule 7.3) that the motion must be made after completion of discovery relevant to the motion, including the production of expert reports, as well as after the relevant pleadings are closed. See the explanatory comments to Pa.R.C.P. No. 1035.2

(2) A supporting brief is required to be filed with a motion for summary judgment.

(3) A copy of the motion for summary judgment and a copy of the supporting brief required shall, at the time the motion is filed, be presented or mailed to the chambers of the judge assigned to the case by the party intending to file the motion. The judge assigned to the case shall prepare a scheduling order for oral argument, file the original order, and give or mail a copy of that order to the moving party.

(4) Within three (3) days of receipt of the scheduling order from the judge assigned to the case, the moving party shall serve copies of the motion for summary judgment, the scheduling order and the brief on every interested party or attorney of record.

(5) The moving party shall file with the Clerk of the Orphans' Court a certificate of service of the motion, brief and scheduling order. A copy of the certificate of service shall be mailed or delivered to the judge assigned to the case.

(b) *Filing and service requirements for briefs in opposition to the motion for summary judgment.*

(1) Within thirty (30) days of service of the moving party's motion and brief, a party to whom a motion for summary judgment is directed shall file a brief in opposition, unless that party has requested and obtained an order of court granting leave to supplement the record pursuant to Pa.R.C.P. No. 1035.3 (incorporated into Pa.O.C. Rule No. 7.3 by reference), in which event the court shall set a briefing schedule. If an order granting such leave is not obtained, there shall be no extension of the thirty (30) day period for filing the brief or continuance of the argument to allow supplementation of the record.

(2) Within three (3) days of filing the brief, a party to whom the motion is directed shall serve a copy of the brief on every interested party or attorney of record and shall file a certificate of service with the Clerk of the Orphans' Court.

(3) A party to whom the motion is directed shall deliver or mail a copy of the brief, the required, specific response filed by that party pursuant to Pa.R.C.P. No. 1035.3 (incorporated into Pa.O.C. Rule 7.3 by reference) and a copy of the certificate of service, to the chambers of the judge assigned to the case on the same day the certificate of service is filed.

Adopted 2017, effective 2017.

Rule WO7.5. Motions Practice.

(a) Argument on contested motions will be heard in Motions Court. The trial judge assigned to a specific case will hear all motions relating to that case. Unless indicated otherwise, Motions Court shall be held each Friday at 9:00 a.m.

(b) The moving party shall serve a copy of the motion and any proposed order on every other person known to have an interest in the outcome or disposition of the matter or attorneys of record, and give written notice of the time, date and location for presentation, at least four (4) days in advance of the date when the presentation is to occur.

(c) The original motion must be accompanied by a certificate stating that a copy of the motion, proposed order and written notice has been so furnished. Failure to provide such certificate may result in the court's refusal to hear the motion.

(d) In the case of an uncontested motion, the certificate shall also state that the motion or petition is, in fact, uncontested or has the consent of all parties.

(e) Copies of complex motions shall be provided to the Court in advance. If so, the certificate shall also reflect this.

Cross References: Motions for Judgment on the Pleadings and Motions for Summary Judgment are governed by WO7.2 and WO7.3 respectively.

Adopted February 1, 1996, effective May 1, 1996. Revised December 3, 2003, effective January 19, 2004. Rule WO107(f) rescinded November 4, 2005; New Rule WO107(f) and Comment adopted November 4, 2005, effective December 25, 2005. Rule WO107(f) amended and renumbered 2017, effective 2017.

Rule WO8.2. Motions for Reconsideration.

The moving party shall present a motion for reconsideration to the court on motions day with an attached scheduling order.

Adopted 2017, effective 2017.

Rule WO10.7. Issuance of a Short Certificate After an Estate is Closed.

(a) For a period of six (6) months after the date of a decree of final distribution, small estates petition or family settlement agreement, the Register of Wills shall issue short certificates to the personal representative or attorney of record for the estate, upon request.

(b) When more than six (6) months have expired from the date of a decree of final distribution, small estates petition or family settlement agreement, the Register of Wills shall issue short certificates to the personal representative or attorney of record for the estate only after the filing of a praecipe. The praecipe shall be signed by the attorney of record or signed and verified by the personal representative and shall set forth:

(1) the caption;

(2) the reason for obtaining the short certificates;

(3) that all unpaid creditors and heirs or beneficiaries who would be affected by newly discovered assets have been notified; and

(4) if there are any newly discovered assets, that a supplemental Inheritance Tax Return will be filed.

Adopted January 7, 1999, effective February 22, 1999. Rule WO408 renumbered 2017, effective 2017.

Rule WO10.8. Family Settlement Agreements.

Before the Register of Wills accepts a family settlement agreement for filing, the family settlement agreement must be accompanied by a certification from the filing party or their counsel that no minor or incapacitated person, whose interest is not represented by a court-appointed guardian, or by a guardian, trustee or custodian appointed under the will has an interest in the decedent's estate. In the absence of such certification, the estate must proceed to audit.

Adopted November 4, 2005, effective December 25, 2005. Rule WO409 renumbered 2017, effective 2017.

Rule WO14.2. Medical Testimony—Guardianships.

(a) It is presumed that the testimony of physicians, psychologists and other medical professionals may be taken in the courtroom by speaker telephone in all guardianship cases, unless objections are filed and upheld by the court prior to the hearing.

(b) When an emergency guardianship petition is presented, the testimony of a physician or psychologist shall be taken in the courtroom by speaker telephone unless otherwise directed by order of court.

(c) All documents in a foreign language shall be translated into English. The translation shall be typed and a certificate of accurate translation shall be attached.

Cross References: See 20 Pa.C.S. § 5518 for provisions regarding testimony by qualified professionals. See 20 Pa.C.S. § 5513 regarding emergency guardianships.

Adopted February 1, 1996, effective May 1, 1996. Rule WO501 renumbered 2017, effective 2017.

Rule WO14.6. Petition.

(a) In addition to the allegations required by statute or Supreme Court Rule, all petitions for appointment of guardian shall set forth:

(1) whether or not the alleged incapacitated person is a fiduciary in any capacity;

(2) whether the alleged incapacitated person was ever a member of the Armed Services of the United States, or is receiving any benefits from the United States Veterans Administration, or its successor; and

(3) whether any other court has ever assumed jurisdiction in any proceeding to determine the incapacity of the alleged incapacitated person.

(b) The notice of the petition and hearing shall be attached as a cover sheet to a citation and petition when served upon the alleged incapacitated person, and shall be in such form as may be adopted by the Supreme Court of Pennsylvania.

(c) Unless the court directs otherwise, a copy of the notice and petition shall be given to those persons entitled to notice under 20 Pa.C.S. § 5511(a) by certified mail, return receipt requested. Proof of service shall be filed with the court at the hearing.

Cross References: See 20 Pa.C.S. § 5511(e) for current required allegations for petitions. See 20 Pa.C.S. § 5511(a) regarding the requirement of notice.

Adopted February 1, 1996, effective May 1, 1996. Rule WO501 amended and renumbered, 2017, effective 2017.

2017. Subparagraph (1) is taken from prior Rule WO19(a)(1). Subparagraph (2) is taken from prior Supreme Court Orphans' Court Rule 14.2(a)(5). Subparagraph (3) is taken from prior Supreme Court Orphans' Court Rule 14.2(a)(9).

Rule WO14.7. Petition to Invade Principal Assets (Incapacitated Persons' Estate).

A petition to invade principal assets shall be presented to the court in all situations where the guardian intends to invade the principal assets of an incapacitated person. Such petition to invade principal assets shall contain, at minimum, the following averments of fact:

(a) name, age and residence of the incapacitated person;

(b) a reference to the original date of the guardian's appointment;

(c) whether the guardian is bonded and, if so, for what amount;

(d) an itemized listing of the assets of the incapacitated person;

(e) an itemized listing of the income and expenses of the incapacitated person;

(f) a listing of the names and addresses of all creditors, and the amount due each;

(g) the purpose for the proposed invasion of principal;

(h) whether any prior petitions to invade principal assets have been presented;

(i) in those cases where the guardianship estate is expected to be insolvent, that the creditors of the incapacitated person have been notified of the presentation of the petition to invade principal assets; and

(j) the maximum amount estimated to be needed per month or per year, and the time period during which such invasion will be necessary.

Cross References: See 20 Pa.C.S. § 5536(a), which permits the expenditure of income for the care and maintenance of an incapacitated person without the necessity of court approval, but which requires court authorization for the expenditure of principal.

Explanatory Comments: Under 20 Pa.C.S. § 5536(a), court approval is required to use income for anyone other than the incapacitated person. In such cases, a petition in essentially the same form as provided by this rule should be filed.

Adopted February 1, 1996, effective May 1, 1996. Rule WO503 Renumbered 2017, effective 2017.

Rule WO14.8. Petition for Sale of Assets.

A petition for sale of assets shall be presented to the court in all situations where the guardian intends to sell real or tangible personal property of an incapacitated person. Such petition for sale of assets shall contain, at minimum, the following averments of fact:

(a) a reference to the original date of the guardian's appointment;

(b) whether the guardian is bonded and, if so, for what amount;

(c) an itemized listing of the assets of the incapacitated person;

(d) an itemized listing of the income and expenses of the incapacitated person;

(e) the reason for the proposed sale and the proposed distribution of proceeds. If the property is real estate, (i) whether the property is expensive to maintain; (ii) whether the property is occupied and/or generating income; and (iii) whether the guardian needs the proceeds for the care of the incapacitated person;

(f) if the purpose for the proposed sale is the payment of debts, a listing of the names of all creditors, and the amount due each;

(g) if the property is tangible personal property, one appraisal shall be attached. If the property is real estate, the petition shall be accompanied by a valuation of two appraisers not related to any of the parties, setting forth the fair market value of the property claimed. The appraisers shall state their profession and shall certify that by virtue of their profession, they are familiar with values of real estate in the vicinity of the subject property;

(h) if the property is the incapacitated person's residence:

(1) that the incapacitated person will not be returning to the property to live. (Indicate where the incapacitated person is currently living, i.e., nursing home, personal care home, etc.); and

(2) if a private sale, that the price is greater than could be obtained at a public sale. If not, or if the price is less than the appraisal, indicate whether a commission is being charged.

(i) notice of the presentation of the petition for sale of assets shall be given to all next of kin of the incapacitated person, whose written consents to the sale are not attached; and

(j) the proposed decree shall contain a provision regarding the posting of bond.

Cross References: See Rules 5.10 and 5.11 the Pa.O.C. Rules regarding sales of property.

See the 1949 Official Comment to 20 Pa.C.S. § 5521, which discusses 20 Pa.C.S. §§ 5151 and 5155 and the concerns regarding the sale of property.

Adopted February 1, 1996, effective May 1, 1996. Rule WO504 amended and renumbered , 2017, effective 2017.

Rule WO14.9. Petition for Compromise of Claim.

A petition for compromise of claim shall be presented to the court in all situations where the guardian proposes to compromise a claim by or against an incapacitated person. Such petition for compromise of claim shall contain, at minimum, the following averments of fact:

(a) a reference to the original date of the guardian's appointment;

(b) whether the guardian is bonded and, if so, for what amount;

(c) an itemized listing of the assets of the incapacitated person;

(d) an itemized listing of the income of the incapacitated person;

(e) a listing of the names and addresses of all creditors, and the amount due each;

(f) a concise description of the claim which is proposed to be compromised;

(g) whether any prior petitions for compromise of claim have been presented;

(h) that the next-of-kin of the incapacitated person have been notified of the presentation of the petition for compromise of claim; and

(i) in those cases where the guardianship estate is expected to be insolvent, that the creditors of the incapacitated person have been notified of the presentation of the petition for compromise of claim.

Cross References: See 20 Pa.C.S. § 5521(b), relating to the guardian's powers, duties and liabilities.

See Pa.R.C.P. No. 2051, et seq., for the settlement procedures applicable to actions commenced in the civil division.

Adopted February 1, 1996, effective May 1, 1996. Rule WO505 renumbered 2017, effective 2017.

Rule WO14.10. Reports.

(a) Guardian of the estate and guardian of the person reports required pursuant to 20 Pa.C.S. § 5521, although separate reports, shall be filed on the same date as hereinafter set forth in subsection (b). The original reports must be filed with the Clerk of the Orphans' Court, and a copy of each report must be filed with the Office of the Court Administrator, Orphans' Court Division.

(1) the Orphans' Court Administrator shall review each report; and

(2) the Orphans' Court Administrator shall bring to the attention of the court any report the contents of which do not conform to report criteria.

(b) Guardian of the person and guardian of the estate reports must be filed on each annual anniversary of the order appointing a guardian.

Adopted December 13, 2006, effective January 29, 2007. Rule WO510 renumbered 2017, effective 2017.

Rule WO15.1. Medical Testimony—Adoptions.

(a) Unless objections are filed at least ten (10) days prior, testimony in termination of parental rights proceedings of experts including physicians, psychologists and other medical professionals may be taken by two-way advanced communication technology including video conferencing equipment and speaker phones.

(b) All documents in a foreign language shall be translated into English. The translation shall be typed and a certificate of accurate translation shall be attached.

Adopted September 17, 2009, effective November 2, 2009. Rule WO305 renumbered 2017, effective 2017.

Rule WO15.2. Voluntary Relinquishment to Agency.

(a) *Court Proceedings—Voluntary Termination of Birth Mother's Parental Rights*

When the birth mother of a child petitions the court to voluntarily terminate her parental rights and alleges in her petition that the identity and/or domicile of the birth father is unknown, she shall testify, under oath, as to the circumstances of the conception including, but not limited to, a physical description of the alleged birth father, his name, nickname or alias, his occupation or alleged occupation, his home or region or origin, and any subsequent contact with him.

(b) When the proposed adoptee has been born outside the Commonwealth of Pennsylvania, any petition for adoption filed with the court shall include as exhibits thereto certified copies of all orders of court or decrees issued by a court of competent jurisdiction, which orders or decrees:

(1) terminate the parental rights of the birth parents of the child proposed to be adopted;

(2) establish rights of guardianship or custody of the child proposed to be adopted in any other person or entity other than the birth parents; and/or

(3) establish or set forth any special conditions and/or considerations concerning placement, custody or guardianship and adoption of the proposed adoptee.

Rescinded September 17, 2009; New Rule WO301 adopted September 17, 2009, effective November 2, 2009. Rule WO301(b) rescinded August 27, 2013, effective October 14, 2013. Rule WO301 renumbered 2017, effective 2017.

Rule WO15.3. Voluntary Relinquishment to Adult Intending to Adopt Child.

(a) *Court Proceedings—Voluntary Termination of Birth Mother’s Parental Rights*

When the birth mother of a child petitions the court to voluntarily terminate her parental rights and alleges in her petition that the identity and/or domicile of the birth father is unknown, she shall testify, under oath, as to the circumstances of the conception including, but not limited to, a physical description of the alleged birth father, his name, nickname or alias, his occupation or alleged occupation, his home or region or origin, and any subsequent contact with him.

(b) When the proposed adoptee has been born outside the Commonwealth of Pennsylvania, any petition for adoption filed with the court shall include as exhibits thereto certified copies of all orders of court or decrees issued by a court of competent jurisdiction, which orders or decrees:

(1) terminate the parental rights of the birth parents of the child proposed to be adopted;

(2) establish rights of guardianship or custody of the child proposed to be adopted in any other person or entity other than the birth parents; and/or

(3) establish or set forth any special conditions and/or considerations concerning placement, custody or guardianship and adoption of the proposed adoptee.

Rescinded September 17, 2009; New Rule WO302 adopted September 17, 2009, effective November 2, 2009. Rule WO302(b) rescinded in part August 27, 2013, effective October 14, 2013. Rule WO302 renumbered 2017, effective 2017.

Rule WO15.4. Involuntary Termination of Parental Rights.

(a) When the proposed adoptee has been born outside the Commonwealth of Pennsylvania, any petition for adoption filed with the court shall include as exhibits thereto certified copies of all orders of court or decrees issued by a court of competent jurisdiction, which orders or decrees:

(1) terminate the parental rights of the birth parents of the child proposed to be adopted;

(2) establish rights of guardianship or custody of the child proposed to be adopted in any other person or entity other than the birth parents; and/or

(3) establish or set forth any special conditions and/or considerations concerning placement, custody or guardianship and adoption of the proposed adoptee.

Adopted September 17, 2009, effective November 2, 2009. Rule WO303(a) rescinded August 27, 2013, effective October 14, 2013. Rule WO303 amended and renumbered 2017, effective 2017.

Rule WO16.2. Abortion Confidentiality.

(a) All proceedings relating to an application shall be confidential.

(b) Upon the initial filing of the application, the court shall review the application and note any information identifying the pregnant woman (such as name and address and social security number) and shall then seal the application in an envelope, denoting on the face thereof a caption using the initials of the pregnant woman and writing an order on the face of the envelope, which shall indicate the contents of the envelope (for example, application for judicial authorization of an abortion, verification of applicant, verification of medical provider, etc.). The court shall direct that the record (application, pleadings, submissions, transcripts, exhibits, orders, evidence and any other written material to be maintained, which shall include its own findings and conclusions) be sealed. The order shall specifically state that the envelope shall remain sealed and confidential.

(c) The Clerk of the Orphans’ Court shall docket the case by using a docket number only. Neither the name nor the initials of the pregnant woman shall appear anywhere upon the docket. All subsequent pleadings and exhibits shall be similarly sealed and maintained. A final decree in the matter, using only the initials of the pregnant woman, may appear on the face of a sealed envelope, but the findings of fact and memorandum opinion of the court shall be sealed.

(d) The identity of the pregnant woman shall not be disclosed in any report or decision of the proceeding.

(e) All persons shall be excluded from hearings upon the application except the pregnant woman, her attorney, her guardian ad litem, her proposed guardian (if she is alleged to be incapacitated), the proposed guardian’s attorney, and witnesses of the applicant or of the applicant’s attorney and guardian ad litem, or other individuals as directed by the court.

(f) The judge hearing the application shall direct all persons present at any hearing or proceeding upon the application not to disclose any information regarding the case.

Cross References: See Pa.O.C. Rule 16.2 and 16.6.

Adopted February 1, 1996, effective May 1, 1996. Rule WO202 renumbered 2017, effective 2017.

Rule WO16.10. Application for Judicial Authorization of an Abortion.

(a) Whenever the term “application” is used in the abortion sections of these rules, it shall refer to an application for judicial authorization of an abortion as set forth in (c) below.

(b) An application may be submitted by a minor, by a guardian on behalf of an incapacitated person, or by a proposed guardian on behalf of an alleged incapacitated person.

(c) An application and supporting documents shall be substantially in the form available from the judge of the Orphans' Court, and the form of verification to be signed by the applicant shall be in the form set forth in Pennsylvania Orphans' Court Rules.

(d) The application and supporting documents shall be available from the judge of the Orphans' Court.

(e) The application shall be submitted to, and filed directly with, the judge of the Orphans' Court for scheduling.

(f) The verification of medical provider required by the Abortion Control Act shall be attached to the application or shall be delivered to the court no later than 24 hours before hearing scheduled upon the application.

(g) The date of filing of the application for purposes of compliance with the Abortion Control Act shall be deemed to be the date when the application is first presented to the judge of the Orphans' Court for scheduling.

Cross References: The Abortion Control Act is set forth at 18 Pa.C.S. § 3200, et seq. See Pa.O.C. Rule 16.10.

Adopted February 1, 1996, effective May 1, 1996. Rule WO201 amended and renumbered 2017, effective 2017.

Rule WO16.11. Consent to an Abortion on Behalf of an Incapacitated Person.

(a) Whenever a person seeks judicial consent to an abortion on behalf of an alleged incapacitated person, a petition for guardianship of the pregnant woman shall be filed either before an application is filed or simultaneously therewith.

(b) A petition for guardianship or consolidated petition for guardianship and application, filed on behalf of an incapacitated pregnant woman, by a petitioner seeking authority to consent to an abortion on behalf of the pregnant woman, shall maintain the anonymity of the pregnant woman, and confidentiality shall be maintained as set forth in Rule WO16.2. If a petition for guardianship alleges that the alleged incapacitated person is in need of a guardian for the purpose of authorizing the guardian to consent to an abortion that would be in the best interests of the incapacitated person, the petition for guardianship shall contain all of the information required by Chapter 55 of the Probate, Estates & Fiduciaries Code and by the abortion sections of these rules.

(c) The court will conduct proceedings to determine the capacity of the pregnant woman in the same manner as provided for in Chapter 55 of the Probate, Estates & Fiduciaries Code, and will render a decision on the incapacity of the pregnant woman before proceeding to rule on the application.

(d) The standard for granting authority to a guardian to consent to an abortion shall be whether or not the procedure would be in the best interests of the incapacitated person.

(e) The statutory requirement that a decision by the court upon an application shall be rendered within three (3) business days of filing of the application shall apply to filing of the application and not to a prerequisite Petition for Guardianship, unless the two (2) petitions are consolidated.

Cross References: See Pa.O.C. Rule 16.1.

Pursuant to the Abortion Control Act, 18 Pa.C.S. § 3206(f)(4), decision upon an Application must be rendered within three (3) business days of the filing of the Application.

In regard to paragraph (d), the rule is in accordance with the Abortion Control Act, 18 Pa.C.S. § 3206(d).

Adopted February 1, 1996, effective May 1, 1996. Rule WO203 renumbered 2017, effective 2017.

Rule WO16.12. Guardian Ad Litem.

(a) The court shall advise the pregnant minor filing an application at the time when she files the application that she has a right to court-appointed counsel or the right to retain private counsel at her own expense, and that she has a right to appointment of a guardian ad litem, and the court shall appoint such counsel or guardian ad litem upon request of the applicant or at its discretion.

(b) The Orphans' Court shall maintain a list of qualified attorneys within the jurisdiction of the court who shall serve by court appointment as counsel for the applicant or as guardian ad litem whenever required by the Abortion Control Act or by these Rules.

(c) A guardian ad litem will be appointed by the court in all cases where it is necessary to obtain records pertaining to an adult applicant's mental capacity to request or to consent to an abortion. The guardian ad litem may act on behalf of the minor or incapacitated pregnant woman to sign authorizations to release medical records to the court.

Cross References: See 18 Pa.C.S. § 3206(e) and Pa.O.C. Rule 16.1, note.

Explanatory Comments: Records essential to the court's decision on an application on behalf of a mentally incapacitated woman should be obtained through written consent of her guardian ad litem. This rule is of particular importance in cases where a medical practitioner or family member seeks authority to consent to an abortion as the guardian of the pregnant woman. Section 106 of the Mental Health Procedures Act, 50 P.S. § 7106, provides that medical records related to proceedings under the Mental Health Procedures Act may not be released without the signed authorization of the patient and that, in no case, may confidential communications between the patient and doctor, resulting from any proceedings under the Mental Health Procedures Act, be released.

Adopted February 1, 1996, effective May 1, 1996. Rule WO204 renumbered 2017, effective 2017.

Rule WO16.13. Medical Testimony.

(a) It is presumed that the testimony of physicians, psychologists and other medical professionals may be taken in the courtroom by speaker telephone in all proceedings conducted in accordance with these rules and pursuant to 18 Pa.C.S. § 3206(c), unless objections are filed and upheld by the court prior to the hearing.

(b) Telephone testimony shall be limited to medical, psychological and other medical personnel who can provide information relevant to the emotional development, maturity, intellect and understanding of the applicant;

the fact and duration of the applicant's pregnancy; the nature, possible consequences, and alternatives to abortion; and any other relevant evidence which the court may find useful in making a determination about the applicant's ability to give informed consent pursuant to 18 Pa.C.S. § 3205 or an allegation that the abortion is in the best interests of the applicant.

(c) All documents in a foreign language shall be translated into English. The translation shall be typed and a certificate of accurate translation shall be attached.

Adopted February 1, 1996, effective May 1, 1996. Rule WO205 renumbered 2017, effective 2017.

Rule WO16.14. Testimony of Applicant's Parents.

The parents of a minor seeking judicial authorization of an abortion may be given an opportunity to be heard, within the discretion of the court, provided said opportunity to be heard does not delay the hearing on the application beyond the time period described by statute, unless the applicant objects to disclosure of her pregnancy to her parents.

Adopted February 1, 1996, effective May 1, 1996. Rule WO206 renumbered 2017, effective 2017.

Rule WO16.15. Transcript of Testimony.

A record of all proceedings before the court upon an application shall be made as a matter of course, and shall be transcribed, insofar as is practicable and necessary to meet the requirements for a prompt appeal, on the same day as the proceeding is conducted.

Explanatory Comments: An applicant for judicial consent to an abortion is entitled to an appeal directly to the Pennsylvania Superior Court after an adverse decision rendered by the Court of Common Pleas. The appeal must be heard within five (5) days. Other time constraints related to gestational age of the fetus may make it imperative that a transcript be prepared expeditiously.

The Pennsylvania Rules of Appellate Procedure, Rule No. 3804, requires that the court reporter, without charge to the applicant, transcribe the notes of testimony and deliver them to the Clerk of the Orphans' Court by 5:00 o'clock P.M. on the business day following receipt of the notice of appeal to the Superior Court.

Cross References: See 18 Pa.C.S. § 2306(f)(4).

Adopted February 1, 1996, effective May 1, 1996. Rule WO207 renumbered 2017, effective 2017.

[Pa.B. Doc. No. 17-706. Filed for public inspection April 28, 2017, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated March 14, 2017, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective April 13, 2017 for Compliance Group 2.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

Battle, Jennifer A. L.
Columbus, OH

Bloom, David Steven
Henderson, NV

Brooks, James Ronald
Baltimore, MD

Frier, Daniel Barnert
Pine Brook, NJ

Garson, Wesley Michael
Baltimore, MD

Joyce, Patrick Charles
Hammonton, NJ

Levy, Adam Eli
Berlin, NJ

McPherson, Kenneth Everett
Riverdale, MD

Sahai, Manjari
Chaska, MN

Tracy, Daniel George
Egg Harbor Township, NJ

Watson, Monica Nicole
Voorhees, NJ

SUZANNE E. PRICE,
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 17-707. Filed for public inspection April 28, 2017, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On March 21, 2017, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by French and Pickering Creeks Conservation Trust, requests the amendment of 25 Pa. Code § 93.9g (relating to Drainage List G) to redesignate Marsh Creek in Chester County from High Quality Waters—Trout Stocking, Migratory Fishes to Exceptional Value Waters.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for this rulemaking petition will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and is accessible on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board (EQB)," then "2017 Meetings," under "Meeting Agendas/Minutes/Handouts," see "March 21, 2017").

PATRICK McDONNELL,
Acting Chairperson

[Pa.B. Doc. No. 17-708. Filed for public inspection April 28, 2017, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Application for Grants for Succession/Transition Planning Under the Agricultural Land Conserva- tion Assistance Grant Program

An application period for grants under the Agricultural Land Conservation Assistance Grant Program (Program) administered by the Department of Agriculture (Department) began on October 1, 2016. The Program is authorized by sections 7.1 and 7.3 of the act of June 18, 1982 (P.L. 549, No. 159) (3 P.S. §§ 1207.1 and 1207.3) and section 1718-B of the act of July 13, 2016 (P.L. 664, No. 85) (Act 85). Notice of grants under the Program was previously published at 46 Pa.B. 5814 (September 10, 2016); this notice is being republished to reflect changes in the Program with respect to eligibility of applicants who are also receiving grants/funding from the Center for Dairy Excellence.

In summary, Act 85 expanded the Program to allow the Department to award grants not to exceed \$3,000 each to owners of land subject to agricultural conservation easements for the purpose of succession planning to ensure that agricultural operations continue on these lands. Grants may be awarded to applicants meeting the following eligibility criteria for use during a 24-month period, beginning on the date of signing a grant agreement (grant period). Grant funds may be used for reimbursement, on a 1:1 matching basis, of costs incurred by applicants for services provided by professionals who are part of a farm succession/transition planning team (team) working toward the development of a succession/transition plan for the farm.

To be eligible for a grant under the Program, an applicant must:

1. Own land that is subject to an agricultural conservation easement under authority of the Agricultural Area Security Law (3 P.S. §§ 901—915).
2. Complete an application on forms provided by the Department. The grant application forms may be obtained from the Center for Farm Transitions, Department of Agriculture, 2301 North Cameron Street, Room 310, Harrisburg, PA 17110-9408, (888) 724-7697.
3. Establish a team consisting of professionals with expertise in the area of farm succession/transition planning and any other identified areas of need, the purpose of which is to ensure that agricultural operations continue on the land subject to an agricultural conservation easement through the development of a farm succession/transition plan.
4. Hold regular meetings, no less than two times per year during the grant period, with members of the team and submit minutes of team meetings to the Department to show progress toward the development of a farm succession/transition plan.
5. Agree to match the amount of grant money received at least 100%, either by sharing in the cost of professional services or by receiving “in-kind” services from professionals on the team, during the grant period. Resources provided from the Center for Dairy Excellence do not qualify towards these matching funds or resources.

6. Submit requests for reimbursement of costs on forms provided by the Department. Requests for reimbursement must include:

- a. Minutes of the previous team meeting.
- b. Invoices for professional services by team members incurred since the last reimbursement request.
- c. Proof of any professional services provided on an “in-kind” basis that applicant wished to be credited toward matching funds.

Applications for the Program are currently being accepted by the Department. There is no deadline for applications; however, grant funding is limited by Act 85 to a total of \$165,000. Applications will be reviewed in the order they are received to determine suitability and acceptance into the Program. Information and grant application forms may be obtained from the Bureau of Farmland Preservation, Department of Agriculture, 2301 North Cameron Street, Room 402, Harrisburg, PA 17110-9408, (717) 783-3167. Applications may also be obtained from the Department’s web site at <http://www.agriculture.pa.gov/Encourage/farmland/Pages/Preserved-Farms-Resource-Center.aspx>.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 17-709. Filed for public inspection April 28, 2017, 9:00 a.m.]

Referendum Order on Proposed Amendments to the Pennsylvania Potato Research Program

A referendum will be held to vote on recommended changes to the Pennsylvania Potato Research Program. In summary, the proposed amendments would: (1) revise the total board member seats from eleven (11), members, one of whom is the Secretary of Agriculture or his/her designee, to a minimum of nine (9), but no more than eleven (11), members, one of whom shall be the Secretary of Agriculture or his/her designee; (2) revise the regular meetings of the Program to be held at least two (2) times per year as opposed to three (3) times per year; (3) revise the producer charge amount from \$5.00 per acre to \$8.00 per acre.

After a public hearing held on November 1, 2016 and in accordance with Section 4503 of the Agricultural Commodities Marketing Act, this office finds that the proposed amendments tend to effectuate the purposes of the Agricultural Commodities Marketing Act.

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 any time there is a proposed change to the program order. The referendum to be held for the Pennsylvania Potato Research Program will determine whether a majority of those voting desire the requested changes.

II. *Referendum Period:* The referendum period shall be from April 24, 2017, until 4 p.m. on May 9, 2017. 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 May 9, 2017. Ballots that are mailed must be postmarked no later than May 9, 2017, and received no later than May 12, 2017.

III. *Notice of Referendum*: This referendum order and an official ballot shall be mailed no later than April 17, 2017, 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 April 17, 2017. 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 2016 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 2017 are eligible to vote.

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., Monday, May 15, 2017, 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. 17-710. Filed for public inspection April 28, 2017, 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 April 18, 2017.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-1-2017	Penn Community Bank Doylestown Bucks County	601 Louis Drive Warminster Bucks County	Effective
4-10-2017	Meridian Bank Malvern Chester County	1760 Market Street Philadelphia Philadelphia County	Approved
4-10-2017	Mid Penn Bank Millersburg Dauphin County	1021 Centre Turnpike Orwigsburg Schuylkill County	Approved

CREDIT UNIONS

No activity.

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 17-711. Filed for public inspection April 28, 2017, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Arcadia University to Amend Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Arcadia University to amend its Articles of Incorporation to reduce the number of trustees.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 17-712. Filed for public inspection April 28, 2017, 9:00 a.m.]

Availability of the 21st Century Community Learning Centers 2017—2020 Request for Applications and 21st Century Community Learning Centers Cohort 9 Grant Paper Application and Instructions

The Department of Education (Department) announces the availability of the 21st Century Community Learning Centers (CCLC) 2017—2020 Request for Applications (RFA) and the 21st CCLC Cohort 9 Grant Paper Application and Instructions for 2017—2020. The Cohort 9 application for the 21st CCLC grant will be created, submitted, collected and competed by a paper application process.

Program Purpose

The purpose of the 21st CCLC program is to provide opportunities for communities to establish or to expand activities in community learning centers that:

1. Provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards.

2. Offer students a broad array of additional services, programs and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students.

3. Offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

Prior to Grant Award

All potential applicants must complete the following steps:

1. Notify the Department by e-mail of the applicant's intent to submit an application. Include the legal name of entity, and either the AUN (school districts/charter schools/intermediate units) or Employer Identification Number (all other organizations) and vendor number for the lead organization. Specify in the letter of intent to apply the target population to be served including grade levels, proposed site locations, district and school names, community based organization partners, and the like. E-mail the letter of intent to Susan D'Annunzio at sdannunzio@pa.gov. The due date is Thursday, May 4, 2017. Note this is due prior to the paper application submission deadline. No extensions will be granted.

2. If the agency is not a school district, charter school or intermediate unit, or never received a grant in prior cohorts, the agency will need to register for a vendor number. Nonprocurement entities can apply for a brand new vendor number using www.vendorregistration.state.pa.us. Applicants must have a vendor number at the time they submit an application for funding to do business with the Commonwealth and so that the applicants can eventually be paid by the Commonwealth, if their application is selected for funding. Once applicants have a vendor number, applicants will provide the vendor number on the Title Page form and grant agreement document. Applicants who already have a vendor number to do business with the Commonwealth will use the previously received vendor number.

3. Include the data universal number system (DUNS) number. DUNS is a unique nine-digit identifier for businesses. In accordance with the Federal Fiscal Accountability Transparency Act (FFATA), all grant recipients must have a valid DUNS number and must also be registered with the System for Award Management (SAM), the successor to the Central Contractor Registration database. DUNS numbers are issued by Dun and Bradstreet and are available for free to all entities required to register under FFATA.

To obtain a DUNS number, go to <http://fedgov.dnb.com/webform/>. To register with the SAM database, go to www.sam.gov.

Applicants are required to submit their DUNS number and expiration date of their SAM registration as part of the EWEG application and must certify that they will ensure that their SAM registration will remain active for the entire grant period.

4. Consult with all eligible nonpublic entities located within the attendance area of the local education agency

regarding participation in the proposed 21st CCLC program. Complete and submit the Certification of Nonpublic Involvement Form located in Appendix A of the 21st CCLC Grant RFA and Guidance for FY 2017–2020. Provide eligible nonpublic entities adequate time before the application due date to receive and respond to the Certification of Nonpublic Involvement Form. The equitable participation and nonpublic involvement should be an ongoing process and applicants selected for funding will be required to retain documentation of all dates of verbal, written and oral communication. Charter schools need not complete this process.

5. Register to attend one preproposal workshop. One preproposal workshop will be simultaneously broadcast from Harrisburg Pennsylvania Training and Technical Assistance Network (PaTTAN) on Monday, May 8, 2017, to the Malvern and Pittsburgh PaTTAN locations. Registration instruction can be found on page 70 of the 21st CCLC 2017–2020 RFA.

6. Review the United States Department of Education's Non-Regulatory Guidance document section F-16:

Students, teachers, and other educational personnel are eligible to participate in 21st CCLC programs on an equitable basis. A public school or other public or private organization that is awarded a grant must provide equitable services to private school students and their families. In designing a program that meets this requirement, grantees must provide comparable opportunities for the participation of both public- and private-school students in the area served by the grant. Grantees must consult with private school officials during the design and development of the 21st CCLC program on issues such as how the children's needs will be identified and what services will be offered. Services and benefits provided to private school students must be secular, neutral, and non-ideological.

7. Review the Every Student Succeeds Act (ESSA) (Pub.L. No. 114-95) for changes that will impact 21st CCLC program implementation effective July 1, 2017.

Application Process

The 2017–2020 21st CCLC application and all attachments are available online on the Department's 21st CCLC web site at www.education.pa.gov (Keywords: 21st CCLC). Applications for the 2017–2020 Cohort 9 21st CCLC grant will be created, submitted, collected and competed by a paper application process. Applications received with all required documents by 12 p.m. on the due date of May 26, 2017, at the Division of Student Services will proceed to the peer review and will be rated on the criteria contained in this document and in the 2017–2020 Paper Application and Instructions document. The narrative format of the proposal must follow the same order as the application evaluation criteria listed as follows. Applications that do not follow this required format order will not be reviewed and will be disqualified from the competitive process without exception. Applications missing any required attachments will be disqualified. All applicants are encouraged to follow the 2017–2020 RFA Guidelines.

Applicants are required to complete each section of the 21st CCLC paper application explained in the 21st Cohort 9 Grant Paper Application and Instructions for 2017–2020 document and submit the completed application to Maribel Martinez at the Department's Division of Student

Services at the address listed as follows by 12 p.m. on Friday, May 26, 2017. No sections of the paper application are optional. Faxed and e-mailed copies will not be accepted. Originals, paper copies and attachments received after the deadline will not be reviewed. Failure to submit the required number of application copies by the deadline or to include copies of all attachments and narrative sections will result in the disqualification of the grant application and denial to proceed to the peer review. Applicants must submit one original and four copies of the completed narrative application with attachments and required signatory documents to Maribel Martinez, Fiscal Technician, Department of Education, Division of Student Services, 333 Market Street, 5th Floor, Harrisburg, PA 17126-0333.

Applications may be hand delivered to the Department at the previous address, or sent by overnight mail or United States Mail. All applications must be postmarked as received by the Department no later than the 12 p.m. deadline on May 26, 2017, to proceed to the peer review. Note that grant applications received through application overnight mail submission and or travel to the Department is not a reimbursable expense under any cohort.

Pre-Grant Workshops / Webinar

The Department will conduct one preproposal workshop in the Harrisburg area and two additional preproposal workshops will be simultaneously live-streamed to additional locations throughout this Commonwealth at PaTTAN Harrisburg, Pittsburgh and Malvern on May 8, 2017. All applicants are required to attend one preproposal meeting, including prior grantees, where the Department will provide information about the goals and priorities of the 21st CCLC, application procedures, evaluation criteria and technical assistance and resource information about high quality programming. Registration instructions can be found on page 70 of the 2017–2020 RFA Guidelines and the 21st CCLC Cohort 9 Grant Paper Application and Instructions for 2017–2020 posted on the Department's 21st CCLC web site at www.education.pa.gov and the Center for Schools and Communities web site at www.21stcccl.org.

Funding Availability

The Department will have approximately \$18 million available for Cohort 9 grants. Applicants may choose to provide out-of-school time programming (for example, before school, afterschool, holidays, weekends and summer school services) focused on providing opportunities for academic enrichment, including tutorial services to assist students, particularly those who attend low performing schools and to assist them in meeting the challenging academic standards in prekindergarten through grade 12. The performance measures of school attendance, classroom performance or reduced disciplinary referrals, or both, and meeting State and local academic achievement standards in reading, math and science must be addressed by all applicants.

Applicants may request funds ranging from a minimum of \$50,000 to a maximum of up to \$400,000. Programs that propose to provide both school year and summer programming are more powerful for results and data; therefore, no funds will be available for applicants who do not propose a minimum of 6 weeks of summer programming. There will be no summer-only applicants in this grant round.

Federal Funding Priorities

As mandated by the ESSA, highest funding priority will be given to applications:

- (A) proposing to target services to—
 - (i) students who primarily attend schools that:
 - (I) are implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) or other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes [priority and focus schools]; and
 - (II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and
 - (ii) the families of students described in clause (i);
 - (B) submitted jointly by eligible entities consisting of not less than 1—(i) local educational agency receiving funds under part A of title I; and
 - (ii) another eligible entity; and
 - (C) demonstrating that the activities proposed in the application—
 - (i) are, as of the date of the submission of the application, not accessible to students who would be served; or
 - (ii) would expand accessibility to high-quality services that may be available in the community.
 - (2) *Special Rule*—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.
 - (3) *Limitation*—A State educational agency may not give a priority or a preference to eligible entities that seek to use funds made available under this part to extend the regular school day.
 - (j) *Renewability of Awards*—A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the preceding subgrant period.
- In determining whether an application has been “submitted jointly,” the Department will look for evidence of:
- a. Collaboration in the planning and design of the program.
 - b. Substantial roles for each partner in the delivery of services and management and oversight of the program.
 - c. Shared grant resources to carry out roles.
 - d. One partner serving as the fiscal agent.
 - e. Integration with the regular school day program.

Only one contract will be issued for each application selected for funding, even for joint proposals. Communities or organizations may apply together to share resources, so long as statutory requirements are met. The Department has determined that for the purpose of the 21st CCLC grant, the following constitute an eligible consortium: two or more individual companies; community based organizations; service related organizations; or educational entities that partner together to benefit the

students at the educational site locations targeted for program implementation for the purpose of the grant and who actively contribute to and collaborate on the 21st CCLC-funded project.

Only one partner will be named as the grantee if selected for funding and will have the fiduciary and fiscal responsibilities for the grant. Consequently, every joint application must identify only one organization to be designated as the grantee and the fiscal agent on behalf of all members of the consortium. That entity will have fiscal and contractual responsibility for carrying out the proposed grant program. The Department strongly encourages joint collaborators to identify a grantee that has expertise in managing the fiscal and contractual obligations required by 21st CCLC. Organizations do not have to demonstrate prior experience in providing afterschool programs to be eligible to apply for a grant but must, however, describe the likelihood of successful implementation and the capability to provide activities and services outlined in the proposal. Members seeking payment for services will be considered providers rather than partners. Letters of endorsement are not by themselves sufficient evidence that organizations or school districts have substantially been involved in the design of a program. Letters of support of applications received will not be reviewed as part of the peer review process. Refrain from submitting letters of support.

The Commonwealth's Funding Priority

For the purposes of this application the Commonwealth will award funds to applicants proposing to provide services to designated focus and priority schools in the lowest 5% to 10% of Title I. All applicants must meet this Commonwealth priority to receive highest funding priority consideration. Highest funding priority will be given to qualified applicants proposing to provide afterschool services before school, afterschool, during the summer and holidays to academically struggling students attending schools designated as “priority” or “focus” schools with school performance profile scores in the lowest 5% to 10% of Title I schools and will receive the highest funding priority consideration for 21st CCLC funds.

Up to 110 additional priority points could be assigned to applications demonstrating prior program experience and that propose highest quality programming for the priority area targeted. Following are the additional priority areas:

The 2017–2020 additional Commonwealth priorities for 21st CCLC funding:

1. *STEM/STEAM*: Preference for funding will be given to qualified applicants with demonstrated prior experience and success in providing services to elementary, middle (6–8) and high school (9–12) students in grades 2–12 who propose offering programs that build skills in science, technology, engineering and mathematics STEM, including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods. Applicants could be eligible for up to 20 extra priority points based on the quality of their proposal.

2. *Workforce/Career Readiness/College Readiness*: Preference for funding will be given to qualified applicants with demonstrated prior experience and success in providing services to middle and high school students in grades 9–12 that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins

Career and Technical Education Act of 2006 (Pub.L. No. 109-270) and the Workforce Innovation and Opportunity Act (29 U.S.C.A. §§ 3101–3361) and assist students in preparing for meaningful engagement in preparing for postsecondary education, workforce training, career pathways and increase college and career readiness. Note that grant funds cannot be used to pay for shadowing and or internships for students and it must occur in an out of school time setting.

Applicants must document evidence of expanding career connections for students while promoting career-technical and college routes. Career and college readiness programming must offer the following: alignment with realistic college attendance aspirations; academic planning for college and career readiness; academic enrichment opportunities to improve grades and college or technical school eligibility; offer assistance in paper and online applications; helping students to prepare for careers and technical school or college; provide structured homework help; college counseling services and afterschool and summer learning programs also provide engaging learning opportunities for youth by connecting learning to careers; college; and other future plans. Applicants could be eligible for up to 20 extra priority points based on the quality of their proposal.

3. Transitional Vocational/Technical Services Planning: Preference for funding will be given to qualified applicants with demonstrated prior experience and success in providing transitional planning services to middle school students in grades 6–12. Transitional planning will involve deliberate sustainable planning between these entities and exploring means to identify student's talents, interests and to provide resources and training reinforced by interaction with local business and industry partners during afterschool hours to emphasize the importance of vocational/technical skills and specific career clusters offered through pursuing career and technical education. Afterschool applicants selected for funding will assist in identifying student post-secondary careers, career acquisition, career retention and advancement and developing tomorrow's entrepreneurs. Applicants could be eligible for up to 20 extra priority points based on the quality of their proposal.

4. High School Credit Recovery: Preference for funding will be given to qualified applicants offering credit recovery to high school students in grades 9–12 through a blended approach. An applicant may propose to use 21st CCLC program funds for a before or afterschool program or activity for which participants may receive credit toward high school graduation requirements if: (1) the program or activity is an expansion of the options for receiving high school credit in a particular area that would not have been provided without the 21st CCLC program; and (2) the program or activity does not replace or reduce the courses and programs normally provided by a local school district or private school (for example, there is no reduction in the course offerings or costs in that particular academic area). Note that drop-in programs are unallowable, credit recovery students must attend the program for all portions of the program and credit recovery must include a blended approach of face-to-face instructor-led components and online programming. The online component cannot be 100% of the teaching methodology. Refer to the Credit Recovery Toolkit in the Standard Aligned System. High school credit recovery programs should align with the Department Credit Recovery Toolkit. Applicants could be eligible for up to 20 extra priority points based on the quality of their proposal.

Note: It is important to note that it is the responsibility of the entity or district to award the credit. Application must include a letter of agreement between the local educational agency (LEA) and the grantee clarifying the responsibility of recording the credits.

5. Underserved Geographic Locations: Preference for funding will be given to qualified applicants proposing services to K–12 students located in the following counties identified by the Department as those that do not currently have 21st CCLC programs or have not received recent funding as an applicant or part of a consortium: Armstrong, Beaver, Blair, Butler, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Forest, Fulton, Greene, Huntingdon, Jefferson, Juniata, Lycoming, Mercer, Mifflin, Montour, Pike, Potter, Somerset, Sullivan, Snyder, Tioga, Union, Wayne and Wyoming. Preference for funding will be given to qualified applications from communities across this Commonwealth that are not currently receiving 21st CCLC funding. To qualify for this priority, no member of the consortium group or any single applicant agency, district or community based agency will have received a 21st CCLC grant under any name since 2010. Applicants could be eligible for up to 30 extra priority points based on the quality of their proposal.

Note that applicants are not permitted to divest more than 20% of the total grant award to any single entity, including partners, collaborators or subgrantees. At a minimum, applicants must maintain direct control of 51% of the total grant award or more during the entire grant cycle. Additionally, applicants are not allowed to divest oversight of the program administration or implementation to another agency, this includes existing 21st CCLC programs and other agencies in a subgrant process. These funds may not be used as a pass-through to another agency to operate a 21st CCLC program.

Period of Availability

The grant period will range from October 1, 2017, to September 30, 2020.

The total grant period is 3 years, which is anticipated to begin October 1, 2017, and end September 30, 2020, subject to availability of funds from the United States Department of Education and satisfactory performance of the grantee in the previous year. Following the initial award, subsequent award years will be contingent upon: (1) availability of funding from the specific funding authority; (2) satisfactory performance by the grantee as evaluated by the Department; and (3) compliance with all grant requirements and meeting all conditions set forth within the 21st CCLC 2017–2020 RFA and Guidance and 21st Cohort 9 Grant Paper Application and Instructions for 2017–2020 for which funding was provided.

Eligible Applicants

Any public or private organization that meets the eligibility requirements can apply for 21st CCLC funding. This includes public school districts, charter schools, private schools, nonprofit agencies, city or county government agencies, faith-based organizations, institutions of higher education, Indian tribes or tribal organizations, and for-profit corporations. All programs must be implemented through a partnership that includes at least one LEA receiving funds under Part A of Title I and at least one nonprofit agency, city or county government agency, faith-based organization, institution of higher education, Indian tribe or tribal organization, or for-profit corporation with a demonstrated record of success in designing and implementing before school, afterschool, summer learning or expanded learning time activities.

All applicants must target students in the lowest 5% to 10% of Title I schools or those listed as focus and priority schools. To be eligible for this grant, at least 85% of the students an applicant is proposing to serve must attend:

1. Schools implementing comprehensive supports and improvement activities or targeted support and improvement activities under section 1111(d) of the ESSA or other schools determined by the LEA to be in need of intervention and support to improve student academic achievement and other outcomes.

2. Students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models.

3. Other schools determined by the LEA to be in need of intervention and the families of these students.

4. Entities that propose in the application to serve students described as eligible for schoolwide programs under Title I, section 1114 of the ESSA and the families of these students or for the purposes of this RFA, "local educational agencies" are defined as public schools and districts, private schools and charter schools.

A complete list of eligible schools, as of February 1, 2017, can be located at <http://www2.ed.gov/admins/lead/account/consolidated/sy12-13part2/papf.pdf>.

Current cohort 7 and 8 grantees are eligible to apply, but cannot duplicate services of their current grants or propose to provide services to the identical target population of students. Cohort 9 applicants selected for funding are not eligible to amend their target populations to include current cohort 7 or 8 grants once funding for previously awarded grants has ended.

Authorized Extended Learning Opportunities

An approved entity that receives an award from the Department may use the funds to carry out a broad array of activities that advance student academic achievement and support student success, including before school and afterschool, summer, Saturdays and holiday programming. A minimum of 50% of daily programming must directly target reading, math and science enrichment with the balance of activities occurring on a rotational basis. No student can be removed from regularly scheduled instructional hours to participate in an extended learning opportunity. Per the ESSA:

Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

(A) the challenging State academic standards and any local academic standards; and

(B) local curricula that are designed to improve student academic achievement;

(2) well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment [mathematics and science activities];

(3) literacy education programs, including financial literacy programs and environmental literacy programs;

(4) programs that support a healthy and active lifestyle, including nutritional education and regular, structured physical activity programs;

(5) services for individuals with disabilities;

(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

(7) cultural programs;

(8) telecommunications and technology education programs;

(9) expanded library service hours;

(10) parenting skills programs that promote parental involvement and family literacy;

(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

(12) drug and violence prevention programs and counseling programs;

(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as 'STEM'), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

(15) extended learning time (ELT) is the time that an LEA extends its normal school day, week or year to provide additional instruction or educational programs for all students beyond the State-mandated requirements for the minimum to support ELT. This must be expanded at the district level for 300 hours, if selecting this option.

External Organizations

Per the ESSA, which reauthorizes the Elementary and Secondary Education Act of 1965 (Pub.L. No. 89-10):

The term 'external organization' means:

(A) a nonprofit organization with a record of success in running or working with before and after school (or summer recess) programs and activities; or

(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a written agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance in running or working with before and after school (or summer recess) programs and activities.

The Department is implementing this Statewide opportunity for nonprofit organizations in this Commonwealth to submit an external organization profile application to be vetted and included on a list of prescreened eligible providers with specific expertise in one or more of the following resource areas pertaining to afterschool programming: quality programming and allowable activities; youth development and empowerment; human relationships and development; health, wellness, safety and nutrition; literacy education; cultural competency and inclusion; parent and community engagement; program

management and administration; sustainability planning; workforce development/career college readiness; and implementing quality programming. This includes all currently funded nonprofit institutions that have previously received an award as well as those that are in the middle of a current 3-year cohort cycle. Information on the prequalification process will be sent to all nonprofit institutions in this Commonwealth.

Application Information

Detailed information outlining grant terms, conditions and additional program requirements, program eligibility, pertinent regulations including expenditure guidelines, evaluation and program accountability requirements, and additional resources are contained in the complete 21st CCLCs Grant RFA and Guidance for Fiscal Years 2017—2020 and in the 21st CCLCs Cohort 9 Grant Paper Application and Instructions for 2017—2020 which can be accessed by:

- Visiting the Department's web site at www.education.pa.gov (Keywords: 21st CCLC).
- E-mail additional questions to RA-21stCCLC@pa.gov.

Due Process for Unsuccessful Applicants

Under 34 CFR 76.401 (relating to disapproval of an application—opportunity for a hearing), the Department must provide an opportunity for a hearing if the applicant alleges that the “[a]pproval of or failure to approve the application or project” violates a Federal statute or regulation. Under 34 CFR 76.401 the Department must provide an opportunity for a hearing if the applicant alleges that the “[a]pproval of or failure to approve the application or project” violates a Federal statute or regulation.

- Upon written request, applicants not selected for funding may submit a request on agency letterhead to the Department within 4 weeks of award notification requesting information on the ranking and scoring of their application to sdannunzio@pa.gov. Include the name of the applicant agency in the request.

- Applicants have 30 days from the time they are informed of their right to a hearing to request a hearing.

- The Department will conduct that hearing within 30 days of the request for a hearing. The Department will issue a final written ruling within 10 days from the date of the hearing, including findings and reasons for the final ruling.

- If the Department does not rescind its ruling, the applicant may apply to the Secretary of the United States Department of Education within 20 days of the applicant receiving a written notification of the results of the hearing.

- The Department will make available records pertaining to the review or appeal process, including the records of other applicants.

For additional program information contact Department of Education, Susan D'Annunzio, 21st CCLC Program Supervisor, 333 Market Street, 5th Floor, Harrisburg, PA 17126-0333, (717) 346-3186, fax (717) 783-4392, sdannunzio@pa.gov.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 17-713. Filed for public inspection April 28, 2017, 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

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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217131 (Sewage)	Rossiter STP 602 Kolter Drive Indiana, PA 15701	Indiana County Canoe Township	Unnamed Tributary to Canoe Creek (17-D)	Yes
PA0253472 (Sewage)	Bavington STP 533 Bavington Road Burgettstown, PA 15021	Washington County Hanover Township	Raccoon Creek (20-D)	Yes
PA0217115 (Sewage)	Jacksonville STP 602 Kolter Road Indiana, PA 15701	Indiana County Black Lick Township	Reeds Run (18-D)	Yes
PA0092860 (Sewage)	Terrace Acres MHP PO Box 168 Connellsville, PA 15425-0168	Fayette County Upper Tyrone Township	Jacobs Creek (19-D)	Yes
PA0218391 (Sewage)	Georges Creek Municipal Authority STP PO Box 338 Smithfield, PA 15478-0338	Fayette County Georges Township	Georges Creek (19-G)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060020 (Sewage)	Milford Sr Care & Rehab Center 264 Route 6 and 209 Milford, PA 18337-9454	Pike County Westfall Township	Delaware River (1-D)	Yes
PAS212212 (Storm Water)	Premier Bluestone Inc. Endless Mountain Stone SR 1021 PO Box 273 Susquehanna, PA 18847	Susquehanna County Oakland Township	Unnamed Tributary of Drinker Creek (4-E)	Yes
PA0060984 (Sewage)	Benton Springs LLC 241 Brian Lane Dalton, PA 18414	Lackawanna County Benton Township	Unnamed Tributary of South Branch Tunkhannock Creek (4-F)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0045004 (Sew)	Lake Meade Muni Authority 59 Curtis Drive East Berlin, PA 17316	Adams County/ Reading Township	Mud Run/7-F	Y
PA0029866 (Sew)	Cumberland Valley School District/ Green Ridge Elementary School 6746 Carlisle Pike Mechanicsburg, PA 17050	Cumberland County/ Silver Spring Township	Conodoguinet Creek/7-B	Y
PA0087700 (Sew)	South Londonderry Township Municipal Authority— Campbelltown East 20 West Market Street, PO Box 3 Campbelltown, PA 17010	Lebanon County/ South Londonderry Township	Killinger Creek/7-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0029831 (Sewage)	Sullivan County School District Treatment Plant PO Box 240 Laporte, PA 18626-0240	Sullivan County Laporte Borough	Unnamed Tributary to Mill Creek (10-B)	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.

PA0011657 A-1, Industrial, SIC Code 4911, **Veolia Energy Philadelphia Inc.**, 3901 North Delaware Avenue, Philadelphia, PA 19137. Facility Name: Veolia Energy Schuylkill Generating Station. This existing facility is located in Philadelphia City, **Philadelphia County**.

Description of Existing Activity: The application is for a transfer of an NPDES permit for an existing discharge of Industrial Waste and stormwater associated with industrial activities.

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-F 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 48.3 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110

The proposed effluent limits for Outfall 101 are based on a design flow of 0.02 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	9.0 Max	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2

The proposed effluent limits for Outfall 201 are based on a stormwater flow.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 301 are based on a design flow of 47.7 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	Report
Total Suspended Solids Effluent Net	XXX	XXX	XXX	30.0	60.0	75
Total Suspended Solids Influent	XXX	XXX	XXX	Report	Report	Report
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2

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

- I. Other Requirements
 - A. Property Rights
 - B. Sludge Disposal
 - C. BAT/BCT
 - D. No PCBs Discharge
 - E. Temperature Requirements
- II. Chemical Additives
- III. Requirements Applicable to Stormwater Outfalls
- IV. PCB Requirements
- V. Cooling Water Intake Structure

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

The EPA Waiver is not in effect.

PA0056472, Storm Water, SIC Code 2011, **Devault Packing Company, Inc.**, PO Box 587, Devault, PA 19432. Facility Name: Devault Foods. This existing facility is located in Charlestown Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to 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 001, 002, and 003 are based on a storm event.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices
- Routine Inspections
- PPC Plans
- Stormwater Monitoring Requirements

- Obtain Necessary Property Rights
- Proper Sludge Disposal

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

The EPA Waiver is in effect.

PA0026816, Sewage, SIC Code 4952, **East Norriton Plymouth Whitpain Joint Sewer Authority**, 200 Ross Street, Plymouth Meeting, PA 19462-2740. Facility Name: East Norriton-Plymouth STP. This existing facility is located in Plymouth Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage and site stormwater to the Schuylkill River. The average annual design flow of the facility is increased from 8.1 MGD to 8.67 MGD.

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-F 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 8.67 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	1,807	2,892	XXX	25	40	50
May 1 - Oct 31	1,446	2,169	XXX	20	Wkly Avg 30	40
					Wkly Avg	
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	2,169	3,254	XXX	30	45	60
					Wkly Avg	
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	2,000.0	2,500.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Avg. Qrtly. 200	XXX	1,000
				Geo Mean		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	1,446	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	867	XXX	XXX	12.0	XXX	24
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Cyanide, Free (Permit Effective Date through Year 3)	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Free (Beginning of Year 4 through Permit Expiration Date)	XXX	XXX	XXX	0.064	0.1	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		
Acrolein	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		
Acrylonitrile	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		
Chloride	XXX	XXX	XXX	Report	Report	XXX
				Avg. Qrtly.		

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Bromide	XXX	XXX	XXX	Report Avg. Qrtly.	Report	XXX
Phenolics, Total	XXX	XXX	XXX	Report Avg. Qrtly.	Report	XXX
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Ceriodaphnia						
Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales						
Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average storm event.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Daily Maximum</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- No stormwater to sanitary sewers
- Necessary property rights
- Proper sludge disposal
- Chlorine minimization
- Notification of designation of responsible operator
- Fecal coliform reporting requirements
- Operations and maintenance plan
- Pretreatment program implementation
- Toxics reduction evaluation
- Whole effluent toxicity
- Requirements applicable to stormwater outfalls
- PCB pollutant minimization plan and monitoring

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

The EPA Waiver is not in effect.

Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone: 570.826.2511.

PA0065374, Pesticides, SIC Code 0782, **PA American Water Co.**, 100 North Pennsylvania Avenue, Wilkes-Barre, PA 18701-1397.

Description of Existing Activity: The application is for a renewal of an NPDES permit for a discharge associated with the application of pesticides to control algae blooms at the Nesbitt Reservoir in Spring Brook Township, **Lackawanna County**.

The receiving stream(s), Nesbitt Reservoir to Spring Brook, is located in State Water Plan watershed 5-A and is classified for High Quality—Cold Water Fishes, aquatic life, water supply and recreation. 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. The discharges associated with the pesticide applications are not expected to affect public water supplies. PA American Water Co. is the local public water supplier.

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 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 on this case by calling the File Review Coordinator at 570-826-5472. 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.

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

Application No. PA0260223 A-1, Concentrated Animal Feeding Operation (CAFO), **Riverview Farms (Riverview Farms CAFO)**, 323 Riverview Road, Peach Bottom, PA 17563.

Riverview Farms has submitted an application for an Individual NPDES permit for an amendment of an CAFO known as Riverview Farms CAFO, located in Fulton Township, **Lancaster County**.

The CAFO is situated near Haines Branch in Watershed 7-K, which is classified for HQ-CWF. The CAFO is designed to maintain an animal population of approximately 626.06 animal equivalent units (AEUs) consisting of 3,000 Swine, 40,000 proposed Layers, and 20 Dairy Heifers. Manure from the swines is stored in deep pit underbarn storages beneath the barns. Manure from the Dairy is stored as a bedded pack within the dairy barns, and the layer manure will be stored in facilities at the end of each layer barn. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

NPDES Permit No. PA0088064, CAFO, **Country View Family Farms LLC**, 1301 Fulling Mill Rd, Suite 3000, Middletown, PA 17057.

This existing facility is located in Jackson Township, **Perry County**.

Description of size and scope of existing operation/activity: Swine (Sow, Sow and Litter, Gilts, Boars): 1,342.25 AEUs.

The receiving stream, Unnamed Tributary to Sherman Creek and Shultz Creek, is in watershed 7-A and classified for: High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish.

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

NPDES Permit No. PA0259802, CAFO, **Wen Crest Farms LLC**, 549 Shaeffer Road, Lebanon, PA 17042.

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

Description of size and scope of existing operation/activity: Poultry (Broilers), Dairy (Heifers and Steer), Horses, Sheep: 890.03 AEUs.

The receiving stream, Unnamed Tributary to Hammer Creek, is in watershed 7-J and classified for: High Quality Waters—Cold Water Fishes.

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

PA0020826, Sewage, SIC Code 4952, **Dover Township York County**, 2480 W Canal Road, Dover, PA 17315. Facility Name: Dover Township STP. This existing facility is located in Dover Township, **York County**.

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

The receiving stream(s), Little Conewago Creek, is located in State Water Plan watershed 7-F 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 8.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
CBOD ₅						
May 1 - Oct 31	667	1,000 Wkly Avg	XXX	10	15 Wkly Avg	20
Nov 1 - Apr 30	1,334	2,000 Wkly Avg	XXX	20	30 Wkly Avg	40
BOD ₅						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	2,000	3,000	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	100	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	300	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	133	XXX	XXX	2.0	XXX	4.0

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
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 ³	Report	146,117	XXX	XXX	XXX	XXX
Net Total Phosphorus ³	Report	19,482	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 Requirements
- Whole Effluent Toxicity Testing Requirements
- Stormwater 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.

PA0034886, Industrial, SIC Code 3351, **St Products LLC Db a Small Tube Products**, PO Box 1017, Duncansville, PA 16635-1017. Facility Name: St Products LLC. This existing facility is located in Allegheny Township, **Blair County**.

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

The receiving stream(s), Beaverdam Branch, is located in State Water Plan watershed 11-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 0.2276 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
Chromium, Hexavalent	Report	XXX	XXX	Report	XXX	XXX
Chromium, Total	0.62	1.53	XXX	Report	Report	XXX
Copper, Total	0.31	0.61	XXX	0.16	0.32	0.4
Iron, Total	Report	XXX	XXX	Report	XXX	XXX
Lead, Total	0.21	0.42	XXX	0.11	0.22	0.28
Manganese, Total	Report	XXX	XXX	Report	XXX	XXX
Nickel, Total	2.79	5.58	XXX	1.47	2.94	3.68
Zinc, Total	2.13	4.25	XXX	1.12	2.24	2.8

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0143 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0881 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 004 and 005 are based on a design flow of 0 MGD.

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

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

- Chemical Additive usage requirement
- Stormwater management requirement

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.

PA0266426, Sewage, SIC Code 6514, **Stroup Donna M**, 1123 Shippen Dam Road, Millersburg, PA 17061. Facility Name: Stroup Res. This proposed facility is located in Upper Paxton Township, **Dauphin County**.

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

The receiving stream(s), Unnamed Tributary of Susquehanna River, is located in State Water Plan watershed 6-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)	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.

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

PA0232882, Storm Water, SIC Code 4789, **Glenn O Hawbaker Inc.**, 1952 Waddle Road, State College, PA 16803-1649. Facility Name: Pleasant Gap Rail Facility. This proposed facility is located in Spring Township, **Centre County**.

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

The receiving stream(s), Unnamed Tributary to Gap Run, is located in State Water Plan watershed 9-C 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, 002, 003, and 004:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease*						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Chloride						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX

*Applicable only to 001, 002, and 003.

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

- Stormwater BMPs

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 0406201 A-1, Industrial, **Ashland LLC**, 5200 Blazer Parkway, DA-5, Dublin, OH 43017.

This existing facility is located in Freedom Borough, **Beaver County**.

Description of Proposed Action/Activity: Addition of granular activated carbon treatment to the existing treatment system.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit WQG02231704, Sewage, **Middletown Township Sewer Authority**, P.O. Box 9, Media, PA 19037.

This proposed facility is located in Middletown Township, **Delaware County**.

Description of Action/Activity: Construction and operation of sewage pump station.

WQM Permit No. 0917401, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This proposed facility is located in Bensalem Township, **Bucks County**.

Description of Action/Activity: Replacement of sewage pumps and appurtenances required to increase the pumping capacity.

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

WQM Permit No. 2117402, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Marion Avenue pump station.

WQM Permit No. 6795415, Amendment No. 2, Sewerage, **Eastern York County Sewer Authority**, 46 Walnut Springs Road, Hellam, PA 17408-9000.

This proposed facility is located in Hellam Borough, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new influent pump station and wet well and conversion of an existing pump station and wet well to a sludge transfer facility.

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

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

Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown, PA 18104.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390028	The Residuary Trust of Andrew Yastishok 6500 Chapmans Road Allentown, PA 18106	Lehigh	Lower Macungie Township	Cedar Creek (HQ-CWF, MF)
PAD390031	PPL Electric Utilities Corp. 2 North 9th St. Allentown, PA 18101	Lehigh	Lower Milford Township	UNT to Hosensack Creek Southwest (CWF, MF) UNT to Hosensack Creek Central (HQ-CWF, MF) UNT to Hosensack Creek Northeast (HQ-CWF, MF) EV Wetland

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480015	Mr. Joel Russell UGI Energy Services, LLC 5665 Leesport Avenue Reading, PA 19605	Northampton	City of Bethlehem	Saucon Creek (HQ-CWF, MF)
PAD480016	Ms. Meghan Madeira Lafayette College 9 North Campus Lane Easton, PA 18042	Northampton	City of Easton	Bushkill Creek (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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD220001	Pennsylvania Department of Transportation Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	Dauphin County	Lower Paxton Township	UNT Asylum Run (WWF) Asylum Run (WWF) UNT Paxton Creek (WWF, MF) UNT Slotznick Run (CWF, MF) UNT Spring Creek (CWF, MF) Wetlands (EV)

**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>Renewal/ New</i>
Zugstead Farm, Inc. 558 Freed Rd. Mifflintown, PA 17059	Juniata	885.53	41,267.09	Dairy	None	New

**CAFO NMP
PUBLIC NOTICE SPREADSHEET—APPLICATIONS (Submission)**

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Meiserville Milling, LLC	Snyder	408	714	Swine	NA	N

**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

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

Application No. 4517509, Public Water Supply.

Applicant	The Shepherds of Monroe County 1 Trinity Drive East, Suite 201 Dillsburg, PA 17019
Municipality	Barrett Township

County **Monroe**
 Responsible Official R. Casey Jones, Director
 1 Trinity Drive East, Suite 201
 Dillsburg, PA 17019

Type of Facility PWS
 Consulting Engineer Russell D. Scott IV, P.E.
 RKR Hess, A Division of UTRS,
 Inc.
 112 North Courtland Street
 East Stroudsburg, PA 18301

Application Received Date April 7, 2017

Description of Action Proposed reconnection of two existing booster pumps to the water system in a back-up capacity, and replacement of piping within the existing well utility building, at the Shepherds of Presbyterian Senior Living Community.

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

Permit No. 2217506, Public Water Supply.

Applicant **Camp Hebron**
 Municipality Halifax Township
 County **Dauphin**
 Responsible Official Dustin Musser, Executive Director
 957 Camp Hebron Road
 Halifax, PA 17032

Type of Facility Public Water Supply
 Consulting Engineer Stephen R. Morse, P.E.
 Skelly & Loy, Inc.
 449 Eisenhower Boulevard
 Harrisburg, PA 17111

Application Received: 3/30/2017

Description of Action Installation of pH adjustment equipment utilizing soda ash as treatment under the Lead and Copper Rule.

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

Permit No. 1017504, Public Water Supply.

Applicant **JNK Parks**
 Township or Borough Brady Township
 County **Butler**
 Responsible Official Jerry Kroczek
 Type of Facility Non Community Water System
 Consulting Engineer Justin Knapik, P.E.
 Application Received Date April 11, 2017

Description of Action 4 Log Treatment of Viruses for Groundwater Sources

Permit No. 3717502, Public Water Supply.

Applicant **PA American Water Company**
 Township or Borough Hickory and Union Townships
 County **Lawrence**

Responsible Official William Lage
 Type of Facility Public Water Supply
 Consulting Engineer William Lage
 Application Received Date April 17, 2017

Description of Action Construction of booster station

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 1192501-T1, Minor Amendment.

Applicant Lilly Borough Water Authority
 421 Main Street
 Lilly, PA 15938

[Township or Borough] Lilly Borough

Responsible Official Paul Sklodowski, Chairman
 Lilly Borough Water Authority
 421 Main Street
 Lilly, PA 15938

Type of Facility Water system
 Consulting Engineer N/A
 Application Received Date April 11, 2017

Description of Action Transfer from Lilly Borough to Lilly Borough Water Authority.

Application No. 1111501-T1, Minor Amendment.

Applicant **Lilly Borough Water Authority**
 421 Main Street
 Lilly, PA 15938

[Township or Borough] Lilly Borough

Responsible Official Paul Sklodowski, Chairman
 Lilly Borough Water Authority
 421 Main Street
 Lilly, PA 15938

Type of Facility Water system
 Consulting Engineer N/A
 Application Received Date April 11, 2017

Description of Action Transfer from Lilly Borough to Lilly Borough Water Authority.

Application No. 1192508-T1, Minor Amendment.

Applicant **Lilly Borough Water Authority**
 421 Main Street
 Lilly, PA 15938

[Township or Borough] Lilly Borough

Responsible Official Paul Sklodowski, Chairman
 Lilly Borough Water Authority
 421 Main Street
 Lilly, PA 15938

Type of Facility Water system
 Consulting Engineer N/A

Application Received April 11, 2017
Date

Description of Action Transfer from Lilly Borough to
Lilly Borough Water Authority.

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

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

WA 34-521A, Water Allocations. McAlisterville Area Joint Authority (PWS ID No. 4340002), Juniata County. The Department of Environmental Protection has received an application from the McAlisterville Area Joint Authority, Juniata County. The applicant is requesting the right to withdraw 36,000 gallons per day from each of their two (2) spring sources. Applicant Address: Cory S. Fronk, Manager, McAlisterville Area Joint Authority, PO Box 61, McAlisterville, PA 17049. Consulting Engineer: Charles L. Myers, P.E., RETTEW Associates, Inc., 950 East Main Street, Suite # 220, Schuylkill Haven, PA 17972. Application Received: 3/2/2017.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

WA65-1006, Water Allocations. Municipal Authority of Westmoreland County, 124 Park & Pool Road, New Stanton, PA 15672, Westmoreland County. The applicant is requesting the right to purchase 3,500,000 gallons of water per day (average day) from the Greater Johnstown Water Authority located in Cambria County.

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

WA 33-40C, Water Allocations. Brookville Municipal Authority, 720 Water Plant Road, Brookville, PA 15825, Borough of Brookville, Jefferson County. Water Allocation Permit application requesting the right to withdraw 1.5 MGD as a peak daily flow rate from the North Fork Redbank Creek, 0.228 MGD as a peak daily flow rate from Well No. 1, and 0.432 MGD as a peak daily flow rate from Well No. 2 in the Borough of Brookville, Jefferson County.

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.

601 North Main Street Property, Taylor Borough, Lackawanna County. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Brent Hudak, 601 North Main Street, Taylor, PA 18517, submitted a Notice of Intent to Remediate. Due to historic dry cleaning operations soils at this site have been found to be contaminated with VOCs. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Scranton Times* on March 25, 2017.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Rebecca Kichman Property, 1900 Lower Bailey Road, Newport, PA 17074, Miller Township, Perry County. Environmental Products & Services of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Rebecca Kichman, 1900 Lower Bailey Drive, Newport,

PA 17074, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is to remain as a residential property. The Notice of Intent to Remediate was published in the *Patriot News* on January 29, 2017.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Pennsylvania General Energy Company, LLC—Johnson Central Impoundment, McHenry Township, **Lycoming County**. Moody and Associates, Inc., 11548 Cotton Road, Meadville, PA 16335 on behalf of Pennsylvania General Energy Co., LLC, 120 Market Street, Warren, PA 16365, has submitted a Notice of Intent to Remediate concerning remediation of site soils contaminated with brine. The applicant proposes to remediate the site to meet the Statewide Health and Background Standards. A summary of the Notice of Intent to Remediate was published in the *Williamsport Sun Gazette* on January 25, 2017.

Southwest Region: Environmental Cleanup & Brown-field Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Former McKeesport Tubular, 301 4th Avenue, McKeesport, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of RIDC of Southwest PA, 210 6th Avenue, Pittsburgh has submitted a Notice of Intent to Remediate this site associated with long-term use of property as a steel manufacturing facility. Elevated concentrations of metals, SVOCs and VOCs were found in site soils and groundwater. Notice of the intent to remediate was published in the *Pittsburgh Post-Gazette* February 1, 2017.

Chateau Parcels, 780-801 Knoll Drive, 801-1025 Beaver Avenue, Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of NSIDC, 700 River Avenue, Pittsburgh, 15212 has submitted a Notice of Intent to Remediate the site where elevated concentrations of metals, SVOCs and VOCs were found in site soil and groundwater. Notice of the intent to remediate was published in the *Pittsburgh Post-Gazette* April 1, 2017.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No. 101714. Susquehanna Transfer, LLC, 297 Ellsworth Drive, Montrose, PA 18801. An application for a new municipal and residual waste transfer facility located in Bridgewater Township, **Susquehanna County**. The application was submitted to the Department on January 31, 2017 and was subject to the Local Municipality Involvement Process (LMIP). The LMIP meeting took place on April 5, 2017. The application was found to be administratively complete by the Northeast Regional Office on April 11, 2017.

Comments concerning the application should be directed to Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protec-

tion, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18704-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compli-

ance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

40-00007B: Bemis Company, Inc. (20 Jaycee Drive, West Hazleton, PA 18202) for installation of a two (2) new flexographic printing presses at their Bemis Performance packaging facility in West Hazleton Borough, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received a Plan Approval for Bemis Company, Inc. (20 Jaycee Drive, West Hazleton, PA 18202) for their Bemis Performance packaging facility in West Hazleton Borough, Luzerne County. This Plan Approval No. 40-00007B will be incorporated into a Title V Permit through an administrative amendment at a later date.

Plan Approval No. 40-00007B is for the installation of two (2) new flexographic printing presses and one (1) new regenerative thermal oxidizer (RTO) to replace two (2) existing catalytic oxidizers to control VOC emissions at their facility. The estimated increase in VOC emissions for this source is 54.0 tons/year. The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 40-00007. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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. 40-00007B 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.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

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

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

15-0133: Immaculata University (1145 King Road, Immaculata, PA 19345-9903), for a plan approval to modify the operating hour limit for two chiller engines, remove the Boiler NESHAP (40 CFR Part 63 Subpart JJJJJ) conditions for the two boilers which are each rated at 1.12 MMBtu/hr, and remove the RICE NESHAP (40 CFR Part 63 Subpart ZZZZ) conditions from the emergency generator engines at their existing facility in East Whiteland Township, **Chester County**. The facility will remain a synthetic minor facility for NO_x emissions. The Plan Approval will contain monitoring, recordkeeping requirements, and work practice standards designed to keep the sources and facility operating within all applicable air quality requirements.

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

Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

PA 66-00001I: Procter and Gamble Company (P. O. Box 32, Route 87 South, Mehoopany, PA 18629) for the use of six solvent-based cold cleaning parts washers in the Facility to clean and degrease miscellaneous machine parts from various sources within the Facility. All requirements that have already been established in the facilities current Title V Permit will be complied with in Washington Township, **Wyoming County**.

PA 66-00001K: Procter and Gamble Company (P. O. Box 32, Route 87 South, Mehoopany, PA 18629) for the modification of one existing line, known as Line MK85, which currently converts only a single ply product, to add the capability to convert a two-ply product. This project is known internally as "Project MK85." The existing converting line that will be modified is one of 23 existing converting lines at the Facility collectively identified as Source ID CV1—Converting Fugitive Emissions, as listed in the Facility's Title V Operating Permit (TVOP) No. 66-00001. All requirements that have already been established in the facilities current Title V Permit will be complied with in Washington Township, **Wyoming County**.

PA 66-00001L: Procter and Gamble Company (P. O. Box 32, Route 87 South, Mehoopany, PA 18629) for the installation of one new diaper line at the Mehoopany,

Pennsylvania Facility (Facility). The new diaper line that will be installed will produce diapers at similar speeds and using a similar diaper formula as other lines that are currently operating at the Facility. There are currently 18 existing diaper lines at the Facility permitted under Source ID DP18—(Upon issuance of this plan approval there will be 19 total diaper lines and the source will be re-designated as DP19) Diaper Operations. All requirements that have already been established in the facilities current Title V Permit will be complied with in Washington Township, **Wyoming County**.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

63-00988B: Amity Energy, LLC (North Shore Place I, 358 North Shore Dr., Suite 201, Pittsburgh, PA 15212) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 63-00988B to allow the construction and initial temporary operation of three (3) 9,708 bhp (7.2 MW) 4-stroke lean burn Rolls Royce Bergen B-35:40V16AG2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Amwell Township, **Washington County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater, four (4) storage tanks ranging in size from 1,000 gallons to 5,236 gallons, one (1) desiccant dehydration system, and fugitive emissions.

Potential to emit from the facility is estimated to be 16.57 tons of nitrogen oxides (NO_x), 32.28 tons of carbon monoxide (CO), 14.01 tons of particulate matter less than 10 microns in diameter (PM₁₀), 0.5 ton of sulfur dioxide (SO₂), 10.61 tons of volatile organic compounds (VOC), and 5.13 tons of total hazardous air pollutants (HAPs). Best available technology (BAT) for the proposed natural gas-fired engines is lean burn combustion technology, installation and proper operation of catalytic oxidation and SCR, good combustion practices, and proper maintenance and operation.

The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.21, 123.31, and 123.41, Federal New Source Performance Standards including 40 CFR Part 60 Subpart JJJJ for spark ignition internal combustion engines, and National Emission Standards for Hazardous Air Pollutants including 40 CFR Part 63 Subpart ZZZZ for Stationary Reciprocating Internal Combustion Engines. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

The plan approval application, the Department's review memorandum, the proposed plan approval, and other relevant information are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the plan approval application for the facility, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environ-

mental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; asandy@pa.gov; or fax 412.442.4194. 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 Plan Approval (PA-63-00988B), and concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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.

38-05019: TC Ironwood, LLC (305 Prescott Road, Lebanon, PA 17042) for the electric generating station located in South Lebanon Township, **Lebanon County**. The Title V operating permit is undergoing a significant modification to incorporate 25 Pa. Code §§ 129.96—129.100 (RACT II) requirements and an emissions averaging plan in accordance with 25 Pa. Code § 129.98 for Source IDs T001 & T002 (Nos. 1 & 2 Combustion Turbines). TC Ironwood, LLC is a major facility and is subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code, Chapter 127, Subchapters F and G. Furthermore, the facility is subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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.

09-00147: Northtec, LLC (411 Sinclair Street, Bristol, PA 19007) for renewal of a State Only Operating Permit for an inorganic pigment manufacturing facility in Bristol Township, **Bucks County**. The facility has VOC emissions from cleanup solvent use. This Operating Permit renewal includes emission restrictions, monitoring, recordkeeping, reporting and work practice requirements designed to ensure this facility complies with all applicable air quality regulations.

09-00091: Hubbell, Inc./Columbia Lighting (1119 Beaver Street, Bristol, PA 19007) for renewal of a State Only Operating Permit in Bristol Borough, **Bucks County**. The facility manufactures, powder coats, and assembles commercial lighting fixtures. The sources have not been modified and no new sources have been added. The facility is categorized as a natural minor facility. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

11-00277: Northern Cambria School District (600 Joseph Street, Northern Cambria, PA 15714-1233), In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal State Only Operating Permit (SOOP-11-00277) to Northern Cambria School District (“NCS D”) to authorize the continued operation of boilers, emergency generator, and other combustion sources located at their Northern Cambria Borough, **Cambria County**.

The facility’s air contamination sources consist of one (1) CNB tri-fuel boiler rated at 7.74 MMBtu/hr. burning primarily coal, one (1) Burnham boiler rated at 8.37 MMBtu/hr burning # 2 fuel fired, and one (1) diesel fired Kohler emergency generator rated at 150 kW. The CNB boiler is equipped with a Breslove separator for control of particulate matter. Potential emissions from the facility are based on a limit of burning 2,000 tons of coal per consecutive 12-month period in the tri-fuel boiler and are estimated to be 15.0 tons NO_x, 12.4 tons CO, 97.0 tons SO_x, 5.4 tons PM, and 1.4 ton VOC. Actual emissions from the facility are much lower.

This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. Proposed SOOP renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements. The emergency generator is subject to the applicable requirement of 40 CFR Part 63 Subpart ZZZZ.

NCS D State Only Operating Permit renewal application, the Department’s Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department’s Air Quality Review Memorandum, or to receive an electronic copy of the Department’s proposed Air Quality State Only Operating Permit for this project, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4097.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the following the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 11-00277) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests, and requests for a public hearing should be directed to Jesse Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, fax 412.442.4194).

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-00891: Corry Contract, Inc. (21 Maple Avenue, Corry, PA 16407-1630), the Department intends to issue the renewal of the Synthetic Minor Permit to operate a manufacturing facility for metal office furniture and miscellaneous metal parts in the City of Corry, **Erie County**. The emitting sources include liquid and powder coating paint booths, ovens, laser cutters, a boiler, and a degreaser unit. To be Synthetic Minor, the facility has elective restrictions to maintain its emissions of VOC, single HAP, and multiple HAPs less than 49.9 TPY, 9.9 TPY, and 24.9 TPY, respectively. Starting with this permit renewal, the facility is subject to applicable VOC content limits, recordkeeping, and work practices of 25 Pa. Code §§ 129.52a and 129.52d for surface coating.

This is a republish notice to inform of modifications in facility-wide elective restrictions and implementation of §§ 129.52 (surface coating processes), 129.52a and 129.52d limits and requirements. The first *Pennsylvania Bulletin* notice was published on March 4, 2017.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

OP16-000040: HP Hood (10975 Dutton Street, Philadelphia, PA 19154) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility’s air emission sources include a 33.6 MMBtu/hr No. 2 oil- and natural gas-fired boiler, a 33.5 MMBtu/hr natural gas-fired boiler, and a 0.84 MMBtu/hr natural gas-fired boiler.

The operating permit will be reissued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a

concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

The City of Philadelphia, Air Management Services (AMS) intends to reissue a Minor State Only Operating Permit for the following facility:

S15-015: Jeanes Hospital (7600 Central Avenue, Philadelphia, PA 19111) for the operation of a hospital facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include: two (2) natural gas-fired 304 HP boilers, one (1) No. 4 oil-fired 304 HP boiler, one (1) 750 kW diesel emergency generator (EG), three (3) 400-75 kW emergency generators, and one (1) 125 kW natural gas-fired emergency generator.

The operating permit will be reissued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

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: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

39-00094A: Blend Pro, Inc. (601 South Tenth Street, Suite 300, Allentown, PA 18103) for their facility in the City of Allentown, **Lehigh 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 for Blend Pro, Inc. (601 South Tenth Street, Suite 300, Allentown, PA 18103) for their dry mix concrete manufacturing facility in the City of Allentown, Lehigh County. This Plan Approval No. 39-00094A will be incorporated into a State Only Operating Permit through an administrative amendment at a later date.

Plan Approval No. 39-00094A is for the installation and operation of two (2) cement storage silos and two (2) pneumatic conveying systems which will be controlled by two (2) bin vent baghouse dust collectors to control particulate matter (PM). The main emissions from these

sources are PM. The sources will be required to comply with 25 Pa. Code § 123.13 particulate matter standards. 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.: 39-00094A 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 Vita-Line Products Inc. (1111 North Park Drive, Humboldt Industrial Park, Hazleton, PA 18202) for their facility to be located in Hazle Twp., **Luzerne County**. This Plan Approval No. 40-00123B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00123B is for a third Kibble Dryer, Cutter, Cooler and the installation of an odor control device. 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. 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.

40-00123B 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.

03851601 and NPDES No. PA0214540. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Dutch Run Prep Plant in Plumcreek Township, **Armstrong County** and related NPDES permit. No additional discharges. The application was considered administratively complete on April 10, 2017. Application received December 22, 2016.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

17080116 and NPDES PA0256978. Forcey Coal, Inc. (475 Banion Road, Madera, PA 16661). Revision on an existing bituminous surface coal mine revising the permit boundary and add 1.0 acre to the existing 42.0 acre permit to construct and maintain two long term water treatment facilities. Included is a request for a 100-foot road variance on SR 0053. The permit is located in Bigler Township, **Clearfield County**. Receiving streams: Unnamed Tributary to Clearfield Creek classified as CWF and Clearfield Creek classified as WWF. Application received: April 10, 2017.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

65970103 and NPDES Permit No. PA0201898. Derry Stone & Lime Co., Inc. (117 Marcia Street, Latrobe, PA 15650). Renewal application for reclamation only to an existing bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 139.1 acres. Receiving streams: unnamed tributaries to McGee Run and Stony Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: April 5, 2017.

03120101 and NPDES Permit No. PA0252204. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Revision application to include quarrying of incidental sandstone and shale to an existing bituminous surface mine, located in Freeport Borough, **Armstrong County**, affecting 97 acres. Receiving streams: unnamed tributary 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. Application received: April 13, 2017.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 49870202R6 and NPDES Permit No. PA0593834. Susquehanna Coal Company, (P.O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Mt. Carmel and Coal Townships, **Northumberland County** affecting 788.0 acres, receiving stream: Coal Run tributary to Shamokin Creek, classified for the following uses: cold water and migratory fishes. Application received: March 30, 2017.

Noncoal Applications Received

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

Table 2

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

*The parameter is applicable at all times.

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

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 06100301T and NPDES Permit No. PA0224898. New Enterprise Stone & Lime Co., Inc., (P.O. Box 77, New Enterprise, PA 16664), transfer and correction of an existing quarry and NPDES Permit for discharge of treated mine drainage from Berks Products Corporation in Ontelaunee Township, **Berks County** affecting 366.6 acres (originally 351.2 acres), receiving streams: Maiden Creek and Schuylkill River, classified for the following uses: warm water fishes and migratory fishes. Application received: March 17, 2017.

Permit No. 5476SM4A1C5 and NPDES Permit No. PA0612049. Glasgow, Inc., (P.O. Box 1089, Glenside, PA 19038), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Montgomery Township, **Montgomery County** affecting 23.7 acres, receiving stream: unnamed tributary to Little Neshaminy Creek, classified for the following uses: warm water and migratory fishes. Application received: March 27, 2017.

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:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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. PA0219649 (Mining permit no. 17930124), RES Coal LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, revised NPDES permit for mine drainage treatment facilities in Woodward Township, **Clearfield County** affecting 279.0 acres. Receiving stream(s): North Branch Upper Morgan Run to Clearfield Creek to West Branch Susquehanna River, classified for the following use(s): CWF, MF. North Branch Upper Morgan Run TMDL, Clearfield Creek TMDL, and West Branch Susquehanna River TMDL. Application received: March 17, 2017.

The outfall listed below requires a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
019	No

There is no proposed surface discharge from the above listed facilities to the receiving stream due to the implementation of Best Management Practices. Outfall 019 (MP041T) is a passive mine drainage treatment system consisting of a limestone bed with a flushing pond for periodic flushing of the treatment system. The operator has proposed a non-discharge alternative manifold system. The proposed effluent limits prior to discharging to the non-discharge alternative manifold system are follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				20.7
Manganese (mg/l)				13.3
Aluminum (mg/l)				5.3
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)				90.0
Osmotic Pressure (milliosmoles/kilogram)				N/A

¹ The parameter is applicable at all times.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

NPDES Permit No. PA0225533 on Underground Mining Permit No. 54151301. Nova Coal, LLC (668 Main Street, Tremont, PA 17981), new NPDES Permit for an underground mine operation in Tremont Township, **Schuylkill County**, affecting 9.0 surface acres (112.0 subsurface acres). Receiving streams: Baird Run, classified for the following use: EV—migratory fishes and Lorberrry Creek, classified for the following uses: cold water and migratory fishes. Application received: December 9, 2014. There is no discharge proposed for this site.

Non-discharge BMP's will apply to this site.

Noncoal NPDES Draft Permits

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

NPDES Permit No. PA022567 on Surface Mining Permit No. 6278031. Pennsylvania Granite Corporation, (375 Trythall Road, Elverson, PA 19520), new NPDES Permit for a granite quarry operation in Warwick Township, **Chester County**, affecting 46.3 acres. Receiving stream: unnamed tributary to French Creek, classified for the following use: EV—migrator fishes. Application received: January 18, 2017.

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

The outfalls listed below discharge to unnamed tributary to French Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
N/A		

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

Non-Discharging Best Management Practices.

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

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

EA29-001: Fulton County Conservation District, 216 North Second Street, McConnellsburg, PA in Ayr Township, **Fulton County**, U.S. Army Corps of Engineers Baltimore District.

The applicant seeks to relocate and restore 700 linear feet of Big Cove Creek (CWF, MF) by use of log roller

structures, habitat logs, log vanes, toe wood, mud sills and bank grading. The project is located adjacent to the intersection of Confederate Lane and SR 0522 in Ayr Township, Fulton County (Latitude: 39.920462, Longitude: -78.007750).

E44-152: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor Pittsburgh, PA 15275, in Armaugh Township, **Mifflin County**, U.S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to install and maintain an 89.0-foot long, 37-foot, 8-inch wide single span adjacent box beam bridge having an under clearance of 5.11 feet over Honey Creek (HQ-CWF, MF), permanently impacting 0.01 acre of exceptional value palustrine scrub shrub wetlands all for the purpose of improving safety standards. The project is located near the intersection of Barefoot Road and Honey Creek Road (Latitude 40°42'18", Longitude -77°32'00") in Armaugh Township, Mifflin County. Wetland impacts are de minimus and replacement is not required.

E36-962: Lancaster Township, 1240 Maple Avenue, Lancaster, Pennsylvania, 17603 in Lancaster Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structures and to install and maintain the following over and in an unnamed tributary to Little Conestoga Creek (WWF, MF): 1) 100 linear of concrete curb and 5 foot wide concrete sidewalk 2) 22.75 lineal feet of 47 inch high by 71 inch wide corrugated metal pipe, a 10 foot by 10 foot inlet box, 18.25 lineal feet of 44 inches high by 70 inches wide corrugated metal pipe, and 10 lineal feet of 18 inch diameter smooth lined corrugated plastic pipe; linking 2 existing culverts, creating a 192 foot long stream enclosure.

Both activities are proposed to increase safety standards. The project is located along Hillcrest Road near its intersection with Hamilton Road (Latitude: 40°03'7.5", Longitude: -76°19'41") in Lancaster Township, Lancaster County. No wetlands will be impacted by this project.

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

E42-374, JBR Partners, LP, 214 West 4th Street, Emporium, PA 15834. Robbins Brook Road Bridge Replacement, in Norwich Township, **McKean County**, ACOE Pittsburgh District (Crosby, PA Quadrangle N: 41°, 44', 1.67"; W: 78°, 24', 36.68").

To remove the existing structure and construct and maintain a single-span, premanufactured steel I-beam bridge with a timber deck and supported by a 2' x 2' x 6' landscape block abutments having a span of approximately 29 feet and an underclearance of approximately 8 feet across Robbins Brook on Robbins Brook Road approximately 1 mile from intersection with West Valley Road in Norwich Township, McKean County.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) 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

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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0218561 (Sewage)	Duman Lake Park STP 200 South Center Street Ebensburg, PA 15931-1941	Cambria County Barr Township	Crooked Run (18-D)	Yes
PA0218634 (Sewage)	Heilwood Sewage Treatment Plant 602 Kolter Drive Indiana, PA 15701	Indiana County Pine Township	Yellow Creek (18-D)	Yes

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0244333	East Brandywine Township Municipal Authority 1214 Horseshoe Pike Downingtown, PA 19335	Chester County East Brandywine Township	Beaver Creek 3-H	N

NOTICES

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<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0042978	DCNR Bureau of State Parks PO Box 103 Washington Crossing, PA 18977	Bucks County Solebury Township	Delaware River 2-E	Y
PA0244198	Ha SRSTP 2565 Wayland Road Berwyn, PA 19312-2146	Chester County Easttown Township	Unnamed Tributary Crum Creek 3-G	Y
PA0054810	Perkiomen Crossing STP 2205 Big Road P.O. Box 597 Frederick, PA 19435-0597	Montgomery County Upper Frederick Township	Goshenhoppen Creek 3-E	Y
PA0050504	East Goshen Municipal Authority 1580 Paoli Pike West Chester, PA 19380-6107	Chester County East Goshen Township	Ridley Creek 3-G	Y
PA0053538 A-1	Merck Sharp & Dohme Corp 770 Sumneytown Pike P.O. Box 4, WP 20-2205 West Point, PA 19486	Montgomery County Upper Gwynedd Township	Unnamed Tributaries to Towamencin Creek Unnamed Tributaries to Wissahickon Creek 3-E & 3-F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0247707	William Bratton, SRSTP 275 Guyer Corner Road New Enterprise, PA 16664	South Woodbury Township Bedford County	Dry Swale to UNT to Beaver Creek in Watershed(s) 11-D	Y
PA0020214	Mount Union Municipal Authority P.O. Box 90 9 West Market Street Mount Union, PA 17066	Mount Union Borough Huntingdon County	Juniata River in Watershed(s) 12-C	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS224804 (Storm Water)	Kuhns Brothers Lumber Co. 434 Swartz Road Lewisburg, PA 17837-7659	Union County Buffalo Township	Unnamed Tributary to Spruce Run (10-C)	Yes
PA0232785 (Industrial)	Cargill Feed & Nutrition 70 Agway Lane Winfield, PA 17889-9131	Union County Union Township	Winfield Creek and Unnamed Tributary to Winfield Creek (10-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0239712 (Sewage)	Bruin STP 259 Argyle Street Petroia, PA 16050	Butler County Parker Township	Bear Creek (17-C)	Yes
PA0239739 (Sewage)	Karns City STP 259 Argyle Street Petroia, PA 16050	Butler County Fairview Township	South Branch Bear Creek (17-C)	Yes
PA0239721 (Sewage)	Fairview STP 258 Argyle Street Petroia, PA 16050	Butler County Fairview Township	Unnamed Tributary of Bear Creek (17-C)	Yes
PA0094200 (Sewage)	Petroia STP 259 Argyle Street Petroia, PA 16050-9702	Butler County Fairview Township	South Branch Bear Creek (17-C)	Yes
PA0221627 (Sewage)	Stone Ridge Park MHP 49 Silverbrook Lane Mercer, PA 16137	Mercer County Lackawannock Township	Unnamed Tributary to Little Neshannock Creek (20-A)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0093378 (Sewage)	Assoc Ceramics & Tech 400 N Pike Road Sarver, PA 16055-8634	Butler County Winfield Township	Unnamed Tributary to Sarver Run (18-F)	Yes

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

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

NPDES Permit No. PA0244899, Sewage, **Mr. Stephen Sitko**, 157 N. Williamson Road, Blossburg, PA 16912-1215.

This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: Issuance of an NPDES permit for discharge of treated sewage.

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

NPDES Permit No. PA0275727 A-1, Storm Water, SIC Code 4911, **Lackawanna Energy Center LLC**, 1 S Wacker Drive, Suite 1800, Chicago, IL 60606-4630.

This existing facility is located in Jessup Borough, **Lackawanna County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of Storm Water. No proposed Industrial Wastewater will be discharged as designed and the Permit has been changed to Stormwater only.

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

NPDES Permit No. PA0232858, CAFO, SIC Code 0213, **Boop's Family Hog Farm, LLC**, 1555 Swengle Road, Mifflinburg, PA 17844-8149.

This proposed facility is located in Lewis Township, **Union County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new individual CAFO.

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. 4616406, Sewage, **Schwenksville Borough Authority**, 298 Main Street, P.O. Box 458, Schwenksville, PA 19473.

This proposed facility is located in Schwenksville Borough, **Montgomery County**.

Description of Action/Activity: Conversion of gaseous chlorine to liquid chlorine for disinfection at the WWTP.

WQM Permit No. WQG02461609, Sewage, **Lower Frederick Township**, 53 Spring Mount Road, Zieglerstown, PA 19492.

This proposed facility is located in Lower Frederick Township, **Montgomery County**.

Description of Action/Activity: Construction of the Riverside Avenue pump station and sanitary sewer extension connecting 75 existing homes.

WQM Permit No. WQG02461703, Sewage, **Franconia Sewer Authority**, 671 Allentown Road, Telford, PA 18969.

This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Action/Activity: Construction of a capped 6" force main.

WQM Permit No. WQG010060, Sewage, **Farmstead Development, Inc.**, 1244 West Chester Pike, Suite 406, West Chester, PA 19382.

This proposed facility is located in Westtown Township, **Chester County**.

Description of Action/Activity: Construction and operation of a single residence sewage treatment plant.

WQM Permit No. WQG010058, Sewage, **Mr. David & Deborah Sonnie**, 118 North Quicksilver Avenue, Castle Rock, CO 80104.

This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a single residence sewage treatment plant.

WQM Permit No. WQG010059, Sewage, **Farmstead Development Inc.**, 1244 West Chester Pike, Suite 406, West Chester, PA 19382.

This proposed facility is located in Westtown Township, **Chester County**.

Description of Action/Activity: Construction and operation of a single residence sewage treatment plant.

WQM Permit No. 0998415, Sewage, Amendment, **Warrington Township**, 852 Easton Road, Warrington, PA 18976.

This proposed facility is located in Warrington Township, **Bucks County**.

Description of Action/Activity; Construction of replacement headworks facilities, including replacement of mechanical bar.

WQM Permit No. 1509411, Sewage, Amendment, **West Vincent Township**, 729 St. Matthews Road, Chester Springs, PA 19425.

This proposed facility is located in West Vincent Township, **Chester County**.

Description of Action/Activity: Modifications to the drip fields.

WQM Permit No. 1599417, Sewage, Renewal, **Kendal Crossings Communities**, P.O. Box 100, Kennett Square, PA 19348-0100.

This proposed facility is located in Kennett Township, **Chester County**.

Description of Action/Activity: Approval for renewal to allow the continued operation of a sewage treatment plant with a spray irrigation.

WQM Permit No. 4615401, Sewage, **Schwenksville Borough Authority**, 298 Main Street, P.O. Box 458, Schwenksville, PA 19473-0458.

This proposed facility is located in Schwenksville Borough, **Montgomery County**.

Description of Action/Activity: Organic and hydraulic loading capacities.

WQM Permit No. 0994405, Sewage, Amendment, **Stephen Sitko**, 157 N. Williamson Road, Blossburg, PA 16912-1215.

This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: This permit amendment is being returned to the original owner because the sale to the potential buyer was not completed for the property located at 101 Shady Lane, Sellersville, PA.

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

WQM Permit No. 0616406, Sewerage, **Paul Darrah Spring Township**, 2850 Windmill Road, Sinking Spring, PA 19608.

This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Modification of the existing Penn State Pumping Station from a triplex configuration to a duplex configuration. The two new pumps will be rated for 262 gpm at 64.24 ft. TDH; increasing the size of the impeller of the pumps will allow for a maximum flow rate of 410 gpm at 76.56 ft. TDH. As part of the proposed project, the existing 8" forcemain will be replaced with a new 6" forcemain that will discharge into existing MH 14.

WQM Permit No. 0516201, CAFO, **CFC Everett Properties LLC**, 2700 Clemens Road Hatfield, PA 19440.

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

Description of Proposed Action/Activity:

This permit approves the construction of manure storage facilities consisting of:

A new swine operation with 3 buildings, each with their own underbarn manure storage. The 161'-6" x 767' x 9' gestation barn will be able to store 7,228,100 gallons at a 6" freeboard. The 71' x 338' x 6' gilt grower barn will be able to store 869,417 gallons at a 6" freeboard. There is also a 120'-6" x 584' x 2' farrowing barn storage pit that can store up to 686,664 gallons. However, this storage is emptied into the gestation barn about every 3 weeks, so the storage will most likely never be close to its capacity. Leak detection drain tiles will be installed at the perimeter of each new manure storage footing and an observation well will be found at each barn.

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

WQM Permit No. 6017201, CAFO, SIC Code 0213, **Boop's Family Hog Farm, LLC**, 1555 Swengle Road, Mifflinburg, PA 17844-8149.

This proposed facility is located in Lewis Township, **Union County**.

Description of Proposed Action/Activity: Construction of two new swine barns with underbarn manure storage.

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

WQM Permit No. 1090402 A-4, Sewage, **Concordia Lutheran Health & Human Care**, 134 Marwood Road, Cabot, PA 16023-2299.

This existing facility is located in Jefferson Township, **Butler County**.

Description of Proposed Action/Activity: Replacement of existing anoxic tank internal components with new fixed media filters.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD450017	Brodhead Creek Regional Authority 410 Mill Creek Road East Stroudsburg, PA 18301	Monroe	Pocono Township	Pocono Creek (HQ-CWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI204515009	Greenview Management, LLC 1360 Beaver Valley Road Stroudsburg, PA 18360	Monroe	Hamilton Township	McMichaels Creek (HQ-CWF, MF) Appenzell Creek (HQ-CWF, MF)
PAD350002	Academy II, LP 100 Colliery Road Dickson City, PA 18512	Lackawanna	Moscow Borough	Unnamed Tributary to Roaring Brook (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030716001	PA Department of Transportation Engineering District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Blair County	Frankstown Township	UNT Canoe Creek (HQ-CWF) UNT Frankstown Branch Juniata River (WWF) Frankstown Branch Juniata River (WWF) Wetlands (EV)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140008	Potter Township 124 Short Road Spring Mills, PA 16875	Centre	Potter Twp	Potter Run CWF, MF Sinking Creek CWF, MF
PAD140002	Pennsylvania State University 139J Office of Physical Plant University Park, PA 16802	Centre	College Twp	Thompson Run HQ-CWF

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

PAG-13 Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
 PAG-14 (To Be Announced)
 PAG-15 General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Jessup Borough Lackawanna County	PAC350011	Kiewit Power Constructors Co. 1000 Sunnyside Road Jessup, PA 18434	Sterry Creek (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Courtdale Borough Luzerne County	PAC400009	Courtdale Borough c/o Carl Hodorowski 5 Blackman Street Courtdale, PA 18704	Toby Creek (WWF, MF) Susquehanna River (WWF, MF)	Luzerne Conservation District 570-674-7991

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Snake Spring Township Bedford County Issued	PAC050010	Homewood at Spring House Estates, Inc. PO Box 250 Williamsport, MD 21795	UNT Raystown Branch Juniata River (WWF, MF)	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900 x4
Gratz Borough Dauphin County Issued	PAG02002216006	Benjamin E. Kauffman, Jr. 704 E. Market St. Lykens, PA 17048	Mahantongo Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
South Hanover Township Dauphin County Issued	PAC220008	Michael Kint 235 Red Fox Ln. Harrisburg, PA 17112	Beaver Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Thompson Township Fulton County Issued	PAC290002	Keith Watkins 1705 Arcola Ave. Silver Spring, MD 20902	UNT Ditch Run (WWF, MF)	Fulton County Conservation District 216 North Second Street Suite 15 McConnellsburg, PA 17233 717.485.3547 x4
Swatara Township Lebanon County Issued	PAC380017	Leon E. Snyder 230 Poplar Road Fleetwood, PA 19522	UNT Swatara Creek (WWF, MF) UNT Swatara Creek (TSE, MF) Swatara Creek (WWF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275

Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Facility Location and Municipality

<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
PAC260005	Menallen Township Sewer Authority 427 Searights Herbert Road Uniontown, PA 15401	UNT to Redstone Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497

<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>
Cecil Township	PAC630012	PTV XXVIII, LLC 3576 Millers Run Road Cecil, PA 15321	Millers Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Smith Township	PAC630015	West Penn Power Company 800 Cabin Hill Drive Greensburg, PA 15601	UNT to Raccoon Creek (WWF) Raccoon Creek (WWF) UNTs to Little Raccoon Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
South Strabane Township	PAC630021	W & W Realty Enterprises, LP 2100 Washington Pike Heidelberg, PA 15106	UNT to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Peters Township	PAC630022	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	Brush Run (WWF) Ohio River (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Amwell Township	PAG02006316013	Plenary Walsh Keystone Partners 2000 Cliff Mine Road Park West Two Third Floor Pittsburgh, PA 15275	Tenmile Creek (TSF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Millcreek Twp Erie County	PAC250005	David Baldwin 1440 High Street Erie, PA 16509	Mill Creek WWF; MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
City of Erie Erie County	PAC250011	Barber National Institute 136 East Avenue Erie, PA 16507	Lake Erie/ Presque Isle Bay WWF; WWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Millcreek Twp Erie County	PAC250010	Voices for Independence 1107 Payne Avenue Erie, PA 16503	Unnamed Tributary to Lake Erie CWF; CWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

NOTICES

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*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Allegheny Twp Butler County	PAC100027	Columbia Gas of PA 2021 West State Street New Castle, PA 16101	UNTs to North Branch Bear Creek	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Hickory Slippery Rock and Shenango Twps Lawrence County	PAC370006	American Transmission Systems Inc. 800 Cabin Hill Drive Greensburg, PA 15601	UNT to and Big Run WWF	Lawrence County Conservation District Lawrence County Government Center 430 Court Street New Castle, PA 16101 724-652-4512
Horton Twp Elk County	PAC240002	Allegheny Contracting 13374 Boot Jack Road Ridgway, PA 15853	Phalen Creek CWF	Elk County Conservation District 850 Washington Street St. Marys, PA 15857 814-776-5373

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
South Coatesville Boro Chester County	PAR230069 A-2	Thomas Mannix, Jr. Airgas USA LLC 9811 Katy Freeway Suite 100 Houston, TX 77024-1274	Unnamed Tributary to West Branch Brandywine Creek 3-H	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Pittston Township Luzerne County	PAG032223	FedEx Ground Package System Inc. Environmental Services 1000 Fedex Drive Moon Township, PA 15108	Lidy Creek and Collins Creek—5-A	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Greene Township Franklin County	PAG033560	Russell Standard Corporation/ Hammaker East Ltd. 285 Kappa Drive Suite 300 Pittsburgh, PA 15238	Conococheaque Creek in Watershed(s) 13-C	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-4

*Facility Location
Municipality &
County*

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Plumstead Township Bucks County	PAG040033A-1	Kenneth Jonathan & Rajasekar Lydia 7263 Tohickon Hill Road Pipersville, PA 18947	Tohickon Creek 2-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
New Hanover Township Montgomery County	PAG040211	Mr. David Sonnie 118 North Quicksilver Ave Castle Rock, CO 80104	Sanatoga Creek 3-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Westtown Township Chester County	PAG040212	Mr. William Dalusio Farmstead Development Inc. 1244 West Chester Pike Suite 406 West Chester, PA 19382	Unnamed Tributary of Chester Creek 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Westtown Township Chester County	PAG040213	Mr. William Dalusio Farmstead Development Inc. 1244 West Chester Pike Suite 406 West Chester, PA 19382	Unnamed Tributary of Chester Creek 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
North Annville Township/ Lebanon County	PAG08	Amerigas, Inc. 96 Commerce Drive PO Box 170 Wyomissing, PA 19610	Richard Weaver Farm North Annville Township/ Lebanon County	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Richhill Township Greene County	PAG106200	Columbia Gibraltar Gathering LLC 5151 San Felipe Suite 2400 Houston, TX 77056	Enlow Fork—20-E	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Monroe Township Bedford County	PAG123841	Country View Family Farms LLC 2700 Clemens Road Hatfield, PA 19440	Watershed 11-C	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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>
Eggs Newburg, LLC 310 Three Square Hollow Road Newburg, PA 17240	Cumberland	172.3	537.7	Layers	NA	Approved
Peach Glen Farm, LLC 267 Georgetown Road Gardners, PA 17324	Cumberland	42	648.5	Turkeys/ Swine	HQ	Approved
M.W Smith 851 Meadow Grove Rd Newport, PA 17074	Perry	1,324	1,222.43	Dairy Cow	All Watershed is WWF	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. 3916506, Public Water Supply.
Applicant **Nestle Waters North America, Inc.**
Attention: Mr. Michael Franceschetti
305 Nestle Way
Breinigsville, PA 18031

[Borough or Township] Breinigsville
County **Lehigh County**
Type of Facility PWS
Consulting Engineer Mr. Edward E. Davis Sr., PE
Miller Brothers Construction, Inc.
P.O. Box 472
Schuylkill Haven, PA 17972-0472
(570) 385-1662
Permit Issued Date 02/27/2017

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

Permit No. 2816504 MA, Minor Amendment, Public Water Supply.

Applicant **Shippensburg Borough Authority**
Municipality Lurgen Township
County **Franklin**
Responsible Official John Eply, Borough Manager
111 North Fayette Street
PO Box 129
Shippensburg, PA 17257-2147
Type of Facility Relocation of the post filtration chlorine injection point at the Gunter Valley Water Treatment Plant.
Consulting Engineer Dennis Hammaker, PE
RETTEW Associates, Inc.
3020 Columbia Avenue
Lancaster, PA 17603
Permit to Construct Issued 3/29/2017

Permit No. 0516503 MA, Minor Amendment, Public Water Supply.

Applicant **Fishertown Water Association**
Municipality East St. Clair Township
County **Bedford**
Responsible Official William J. Lochner, President
PO Box 149
206 Hammond Hill Road
Fishertown, PA 15539

Type of Facility Inspection and rehabilitation of the 260,000 gallon finished water storage tank.

Consulting Engineer Steven C. Roselle, P.E.
GHD Inc
321 Washington Street
Huntingdon, PA 16652

Permit to Construct Issued 4/10/2017

Permit No. 0616516 MA, Minor Amendment, Public Water Supply.

Applicant **Irish Creek Village MHP**

Municipality Centre Township

County **Berks**

Responsible Official Harold A. Spatz, Owner and Operator
552 Irish Creek Road
Mohrsville, PA 19541

Type of Facility Addition of manganese removal filters to existing Wells No. 1 & No. 2.

Consulting Engineer Joseph H. Body, P.E.
Box 188
Virginville, PA 19564

Permit to Construct Issued 4/11/2017

Permit No. 2117504, Public Water Supply.

Applicant **North Middleton Authority**

Municipality North Middleton Township

County **Cumberland**

Responsible Official E Lee. Koch, Authority Manager
240 Clearwater Drive
Carlisle, PA 17013

Type of Facility A new chlorine booster station will be installed at the existing Cranes Gap Road water storage tank. The station will feed sodium hypochlorite to tank effluent.

Consulting Engineer Peter Lusardi, PE
GHD, Inc.
1240 N. Mountain Rd.
Harrisburg, PA 17112

Permit to Construct Issued 4/17/2017

Permit No. 4417501 MA, Minor Amendment, Public Water Supply.

Applicant **The Municipal Authority of the Borough of Lewistown**

Municipality Granville Township

County **Mifflin**

Responsible Official Craig Bubb, Superintendant
70 Chestnut Street
Lewistown, PA 17004-2216

Type of Facility The existing West End Storage Tank will be demolished and a new glass-lined steel tank will be installed at the same location.

Consulting Engineer Patrick J. Ward, PE
Uni-Tec Consulting Engineers, Inc.
2007 Cato Avenue
State College, PA 16801

Permit to Construct Issued 4/17/2017

Operation Permit No. 2216507 issued to: **Capital Region Water (PWS ID No. 7220049)**, Harrisburg, **Dauphin County** on 4/10/2017 for facilities approved under Construction Permit No. 2216507.

Operation Permit No. 6716509 MA issued to: **Conewago Isle Campground, Inc. (PWS ID No. 7671267)**, Dover Township, **York County** on 4/4/2017 for facilities at Conewago Isle Campground approved under Construction Permit No. 6716509 MA.

Operation Permit No. 3617501 issued to: **New Haven Mennonite School (PWS ID No. 7360783)**, Elizabeth Township, **Lancaster County** on 4/6/2017 for facilities approved under Construction Permit No. 3617501.

Operation Permit No. 2817501 MA issued to: **Mont Alto Municipal Authority (PWS ID No. 7280040)**, Mont Alto Borough, **Franklin County** on 4/10/2017 for facilities submitted under Application No. 2817501 MA.

Comprehensive Operation Permit No. 7500018 issued to: **Borough of Blain (PWS ID No. 7500018)**, Blain Borough, **Perry County** on 4/10/2017 for the operation of facilities submitted under Application No. 7500018.

Transferred Comprehensive Operation Permit No. 7360094 issued to: **Zerbe Sisters Nursing Center, Inc. (PWS ID No. 7360094)**, Caernarvon Township, **Lancaster County** on 3/29/2017. Action is for a Change in Ownership for Zerbe Sisters Nursing Center, Lancaster County for the operation of facilities previously issued to Guradian Elder Care, Inc.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 4115502-MA—Operation—Public Water Supply.

Applicant **Muncy Borough Municipal Authority**

Township/Borough Muncy Creek Township

County **Lycoming**

Responsible Official Edward E. Breon
Chairman
14 N. Washington St.
Muncy, PA 17756

Type of Facility Public Water Supply

Consulting Engineer Eric J. Moore, P.E.
West Branch Regional Authority
PO Box 428
Muncy, PA 17756

Permit Issued April 11, 2017

Description of Action Authorizes operation of the sodium hypochlorite feed systems at Well Nos. 5—8 where appropriately sized peristaltic feed pumps have replaced diaphragm feed pumps.

Permit No. 0814503—Operation—Public Water Supply.

Applicant **Towanda Municipal Authority**
 Township/Borough Towanda Township
 County **Bradford**
 Responsible Official Fred Johnson
 Superintendent
 PO Box 229
 724 Main St.
 Towanda, PA 18848
 Type of Facility Public Water Supply
 Consulting Engineer Fredrick E. Ebert, PE
 Ebert Engineering Inc.
 PO Box 540
 4092 Skippack Pike, Suite 202
 Skippack, PA 19474
 Permit Issued April 11, 2017
 Description of Action Authorizes Towanda Municipal Authority to operate the Hemlock Hills Booster Pump Station to serve the lots in the two pressure zones in the Hemlock Hills Subdivision.

Permit No. 4917501-MA—Construction—Public Water Supply.

Applicant **Pennsylvania American Water Company**
 Township/Borough Northumberland Borough
 County **Northumberland**
 Responsible Official David Kaufman
 Vice President—Engineering
 800 West Hersheypark Drive
 Hershey, PA 17033
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued April 17, 2017
 Description of Action Authorizes rehabilitation and repainting of the 1 million gallon Prince Street Tank, while daily drinking water demands are supplied by the operating procedure described in the application.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No.0216540, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Borough or Township] City of McKeesport
 County **Allegheny**
 Type of Facility Alpine storage tank mixer
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Permit to Construct April 17, 2017
 Issued

Operations Permit issued to: **Authority of the Borough of Charleroi**, 3 McKean Avenue, PO Box 211, Charleroi, PA 15022, (PWSID # 5630039) Charleroi Borough, **Washington County** on April 13, 2017 for the operation of facilities approved under Construction Permit # 6316512.

Operations Permit issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, (PWSID # 5020038) City of Pittsburgh, **Allegheny County** on April 17, 2017 for the operation of facilities approved under Construction Permit # 0217507.

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

Operation Permit issued to **St Marys Area Water Authority, PWSID No. 6240016**, City of St. Marys, **Elk County**. Permit Number 2470501-MA6 for operation of the sodium permanganate and polyaluminum chloride feed systems. This permit is issued in response to an operation inspection conducted by Department personnel on March 2, 2017, and the Certificate of Construction/Modification and Completion Form that was accepted by the Department on March 13, 2017.

Permit No. 2517501, Public Water Supply.

Applicant **Westway Lanes RPA, Inc.**
 Township or Borough Girard Township
 County **Erie**
 Type of Facility Public Water Supply
 Consulting Engineer Mark J. Corey, PE
 Mark J. Corey & Associates
 PO Box 268
 Harborcreek, PA 16421
 Permit to Construct April 14, 2017
 Issued

WATER ALLOCATIONS

Actions taken on 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.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

WA 17-632B, Water Allocations. Westover Municipal Authority, 143 Tannery Road, Westover, PA 16692, Westover Borough, **Clearfield County**. This Water Allocation Permit grants Westover Municipal Authority the right to withdraw a maximum of 50,000 gallons per day (gpd) when available from Rogues Harbor Run, located in Chest Township, Clearfield County for the first 5 years of the date of the permit; thereafter, the permitted withdrawal will reduce to a maximum of 45,000 gpd. A passby flow of not less than 0.26 cfs or 168,042 gpd shall be allowed to overflow the weir at all times.

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

Source Water Protection Plan Approval issued to **Newtown Water Company**, 201 N. Lincoln Avenue, Newtown, PA 18940, **PWSID 1090043**, Newtown Borough, **Bucks County** on January 24, 2017.

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:

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

Chris Diaz Property, 116 Outers Drive, Delaware Township, **Pike County**. Geo Solutions, 68 Dry Road, Blairstown, NJ 07825, on behalf of Chris Diaz, 193 North Henry Street, Brooklyn, NY 11222, submitted a Final Report concerning remediation of site soils contaminated with # 2 fuel oil and petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Max-Mile Car Care Center, 145 Guy Street, Hallam, PA 17406, Hallam Borough, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Jump Start Garage, 2739 Black

Bear Road, Needmore, PA 17238, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

FCI USA, Inc., 320 Busser Road, Emigsville, PA 17318-0248, Manchester Township, **York County**. HRP Associates, Inc., 197 Scott Swamp Road, Farmington, CT 06032, on behalf of AFCI Americas, 825 Old Trail Road, Eppers, PA 17319, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents, VOCs and inorganics. The Report is intended to document remediation of the site to meet the Site Specific and Residential Statewide Health Standards.

Former Quaker Oats Facility, 485 Saint John's Church Road, Shiremanstown, PA 17011, Hampden Township, **Cumberland County**. HRG, Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of QB Limited Partnership, 5351 Jaycee Avenue, Harrisburg, PA 17112, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with No. 6 oil. The report is intended to document remediation of the site to meet the Statewide Health, Background and Site-Specific Standards.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Liquid Transport Release, Bradford Township, **Clearfield County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Liquid Transport, 8470 Allison Pointe, Suite 400, Indianapolis, IN 46250, has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

PPL-Lock Haven Service Center, City of Lock Haven, **Clinton County**. Penn E & R, Inc, 2755 Bergey Road, Hatfield, PA 19440, on behalf of PPL Electric Utilities, 1639 Church Road, Allentown, PA 18104, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

US 1 Trucking Inc., Turbot Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of US 1 Trucking, Inc., 3203 Tremley Point Road, Linden, NJ 07036, has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document

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

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

The Department has received the following plans and reports:

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

Aaron Smith Property, 1936 Abbruzzi Avenue, Lower Mount Bethel Township, **Northampton County**. Patriot Environmental Management, LLC, 21 Unionville Road, PO Box 629, Douglassville, PA 19518, on behalf of Fuel Cell Petrol, Inc., PO Box 100, Stockertown, PA 18083, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, MTBE, Isopropylbenzene, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 12, 2017.

Fox Property, 12 Fox Manor Road, Hazle Township, **Luzerne County**. United Environmental Services, Inc., PO Box 701, 1143 Long Run Road, Schuylkill Haven, PA 17972, on behalf of Rod Fox Motors, Inc./Fox Truck Caps, 12 Fox Manor Road, Hazle Township, PA 18202, submitted a Final Report concerning the remediation of site soils contaminated with MTBE, Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,2,4-Trimethylbenzene,

and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 14, 2017.

Hibbard 1H/3H Well Site, 7115 State Route 29, Dimock Township, **Susquehanna County** Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with Wellsite Constituents of Potential Concern (drilling mud). The Final Report demonstrated attainment of the Statewide Health and Background Standards, and was approved by the Department on April 17, 2017.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

750L Release Site-416 Weaver Road-Buckeye Pipeline, 416 Weaver Road, Manheim, PA 17545-9141, Rapho Township, **Lancaster County**. Groundwater and Environmental Services, Inc., 440 Creamery Way, Suite 500, on behalf of Buckeye Pipe Line Transportation, LLC, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031, and RJR Leasing, LLC, 416 Weaver Road, Manheim, PA 17545, submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with unleaded gasoline. The combined Report did not demonstrate attainment of the Residential Statewide Health and Site-Specific Standards, and was disapproved by the Department on April 10, 2017.

Warriors Mark Fuel Tanker Release, Route 350, Warriors Mark, PA 16877, Warriors Mark Township, **Huntingdon County**. ATC Group Services LLC, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Sel-Lo Oil, Inc., 7043 Ellenberger Drive, Altoona, PA 16601 and Marilee Ormsby, 1858 Quebec Street, Severn, MD 21144 submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on April 12, 2017.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

PPL-Lock Haven Service Center, City of Lock Haven, **Clinton County**. Penn E & R, Inc, 2755 Bergey Road, Hatfield, PA 19440, on behalf of PPL Electric Utilities, 1639 Church Road, Allentown, PA 18104, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 12, 2017.

Schneider National, Chapman Township, **Snyder County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Schneider National Carriers, Inc., 7101 W 17th Street, Gary, IN 46406, has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 14, 2017.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Former Robin Hill Compressor Station, 721 Washington Road, Bulger, Robinson Township, **Washington**

County. Moody and Associates, Inc., 11548 Cotton Road, Meadville, PA 16335 on behalf of Williams Northeast Gathering & Processing Laurel Mountain Midstream, Park Place 2, 2000 Commerce Drive, Pittsburgh, PA 16276 has submitted a Final Report concerning the remediation of site soils contaminated with petroleum type lubricants. The Department approved the Final Report for a residential Statewide health standard for soils on April 12, 2017.

Former Mulach Steel Property, South Fayette Township, **Allegheny County.** American Geosciences, Inc, 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 on behalf of South Fayette Hotel Associates, LP, 375 Southpointe Boulevard, Suite 410, Canonsburg, PA 15317 has submitted a Remedial Investigation Report (RIR). Notice of the RIR was published in the *Pittsburgh Post-Gazette* on January 12, 2017. The Department approved the report which attained a residential Statewide health standard for soils on April 12, 2017.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit(s) issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No. 101392. Lehigh Valley Recycling, Inc., 3947 Portland Street, Coplay, PA 18037. A permit renewal application for the continued operation of this municipal waste transfer facility in North Whitehall Township, **Lehigh County.** The application was approved by the Regional Office on April 11, 2017.

Permit Application No. 101628. Tully Environmental Inc. d/b/a Natural Soil Products, 2286 East Center Street, P.O. Box 283, Tremont, PA 17981. A permit renewal application for the continued operation of this municipal biosolids composting facility located in Frailey Township, **Schuylkill County.** The application was approved by the Regional Office on April 14, 2017.

Persons interested in reviewing the permit may contact Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

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

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

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

15-0041C: Eastern Shore Natural Gas Company—Daleville Compressor Station (604 Street Rd., Cochranville, PA 19330) On April 13, 2017 issued for the

construction, installation, and operation of a new natural gas-fired reciprocating internal combustion engine for a natural gas compressor at their facility in Londonderry Township, **Chester County.**

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

Contact: Alan Binder, PE, Environmental Engineer Manager—Telephone: 412-442-4168.

63-00999A: Rice Poseidon Midstream, LLC (400 Woodcliff Drive, Canonsburg, PA 15317) on April 11, 2017 to allow the installation and initial temporary operation of one Caterpillar G3612 lean-burn natural gas-fired compressor engine rated at 3,550 bhp, controlled by an oxidation catalyst, and equipped with an ADEM3 controller (Unit 6); four Caterpillar G3616 lean-burn natural gas-fired compressor engines rated at 5,000 bhp, controlled by selective catalytic reduction (SCR) and oxidation catalysts, and equipped with ADEM4 controllers (Units 7—10); two tri ethylene glycol dehydrators controlled by flash tanks with emissions capture and routing to the reboilers and enclosed flare, 200 MMscf/day each; four produced water storage tanks, 400 barrel capacity each; three low pressure pig receivers; one high pressure pig launcher; miscellaneous storage tanks containing new and used lubrication oil; and piping components in natural gas service at the Blue Moon Compressor Station located in West Pike Run Township, **Washington County.**

This Plan Approval also incorporates and allows the continued temporary operation of five Caterpillar G3612 lean-burn natural gas-fired compressor engines rated at 3,550 bhp, controlled by oxidation catalysts, and equipped with ADEM3 controllers (Units 1—5); two tri ethylene glycol dehydrators controlled by flash tanks with emissions capture and routing to the reboilers and enclosed flare, 200 MMscf/day each; four produced water storage tanks, 400 barrel capacity each; miscellaneous storage tanks containing new and used lubrication oil; and piping components in natural gas service. These sources and controls were previously authorized under GP5-63-00999A. Since originally proposed on January 7, 2017, this Plan Approval now also includes and requires installation of SCR on Units 7—10, more stringent NO_x, VOC, and formaldehyde emission limitations on Units 1—6, and operational hour restrictions on each compressor engine as well as each emergency generator engine. Each of these requirements is a more stringent control or emission limitation than that which has been determined to represent the application of best available technology (BAT) requirements. Blue Moon Compressor Station will now remain a minor facility and area source upon issuance of PA-63-00999A.

Potential to emit (PTE) from the facility with the installation of SCR and with operational restrictions has been reduced to 97.89 tons of nitrogen oxides (NO_x), 70.26 tons of carbon monoxide (CO), 27.17 tons of volatile organic compounds (VOC), 13.57 tons of particulate matter less than 10 microns in diameter (PM₁₀), 13.57 tons of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 8.67 tons of formaldehyde, 2.21 tons of acetaldehyde, 1.35 ton of acrolein, 0.66 ton of methanol, 13.26 tons of total hazardous air pollutants (HAP), and 227,957 tons of carbon dioxide equivalents (CO₂e) per year.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

24-120D: Dominion Transmission—Ardell Compressor Station (925 White Oaks Blvd., Bridgeport, WV 26330), on April 14, 2017 issued a Plan Approval for revising emission limits and conditions, established in Plan Approval 24-120C, with regards to non-SoLoNO_x operation for the Solar Compressor Turbine (Source ID:107) in Benezette Township, **Elk County**. This is a Title V facility.

25-029D: Erie Coke Corp (925 E Bay Dr., Erie, PA 16507), on April 7, 2017 issued a Plan Approval for the installation of equipment designed to control emissions of VOC HAP's from the open top of an existing process vessel (Thionizer) used in the Absorber/Thionizer (AT) Process Unit (C805A) in Erie City, **Erie County**. This is a Title V facility.

42-246A: National Fuel Gas, Keelor Compressor Station (6363 Main Street, Williamsville, NY 14221), on April 17, 2017 issued a Plan Approval to construct and initially operate the Keelor Compressor Station facility in Wetmore Township, **McKean County**.

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.

46-0100: Saint-Gobain Abrasives (200 Commerce Drive, Montgomeryville, PA 18936-9640) On April 13, 2017 for an extension to widen surface coating Line 2 from 19 inches to 25 inches in Montgomery Township, **Montgomery County**.

09-0210A: Waste Management of Fairless (1000 New Ford Mill Road, Morrisville, PA 19067-3704) On April 13, 2017 for an extension to install an interim and permanent landfill gas collection and treatment systems for the sale of landfill gas and 2 backup flares in Falls Township, **Bucks 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.

21-05026C: Carlisle SynTec Inc. (PO Box 7000, Carlisle, PA 17013) on April 11, 2017, for the construction of a de-vulcanization process to recycle sheet roofing material from the manufacturing process at the facility in Carlisle Borough, **Cumberland County**. The plan approval was extended.

36-03161C: Compass Quarries Inc. (47 McIlvaine Road, Paradise, PA 17562) on April 11, 2017, for the construction of a new stone plant to replace the old stone plant at the Paradise Quarry located in Paradise Township, **Lancaster County**. A new baghouse and wet suppression system will control PM emissions. The plan approval was extended.

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

Contact: Alan Binder, PE, Environmental Engineer Manager—Telephone: 412-442-4168.

PA-11-00497A: Gautier Steel Ltd. (80 Clinton Street, Johnstown, PA 15901-2200). Extension effective April 18, 2017, to extend the period of temporary operation of two new 56" Plate Mill Reheat Furnaces each rated at 8.0 MMBtu/hr at their Gautier Steel Johnstown Plant located in the City of Johnstown, **Cambria County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

10-171E: Butler Color Press (119 Bonnie Drive, Butler, PA 16002), on March 30, 2017, effective April 30, 2017, has issued a plan approval extension for the construction of a new web offset pressline controlled by a new dryer/afterburner control system in Summit Township, **Butler County**. This expires October 30, 2017. This is a State Only facility.

25-1043A: Barrel O' Fun Snack Foods Company East (821 Route 97 South, Waterford, PA 16441) on April 7, 2017, effective April 30, 2017, has issued a plan approval extension for the proposed construction of 6 Batch Kettle Fryers (2,700 #/hr of chips), a Corn Puff Line, a Corn Popper, and a hot water boiler in Waterford Township, **Erie County**. This expires October 31, 2017. This is a State Only facility.

42-004J: American Refining Group Inc. (77 North Kendall Ave., Bradford, PA 16701) on April 7, 2017, effective April 30, 2017, has issued a plan approval extension for the installation, startup, and shakedown of the new gas fired # 6 Boiler (Source ID 035) in Bradford City, **McKean County**. This expires October 31, 2017. This is a Title V facility.

42-158P: Georgia Pacific Panel Products (147 Temple Drive, Mt Jewett, PA 16740) on April 7, 2017, effective April 30, 2017, has issued a plan approval extension for the increase in permitted annual hours of operation from 7,600 to 8,760 and for various changes in source mapping and operational restrictions in Sergeant Township, **McKean County**. This expires October 31, 2017. This is a Title V Facility.

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.

23-00099: Haven Memorial Park (2500 Concord Road, Chester, PA 19013) On April 18, 2017 issued a renewal permit for a non-Title V (State only) facility operation of a human crematory in Chester Township, **Delaware County**.

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

Contact: Norman Frederick, PE, Environmental Engineer Manager—Telephone: 570-826-2409.

39-00052: Eastern Industries, Inc./Ormrod Plant (3724 Crescent Court West, Whitehall, PA 18052) The Department issued on 4/12/17, a State-Only (Synthetic Minor) Operating Permit renewal for operation of an asphalt paving mixture and block manufacturing facility in North Whitehall Township, **Lehigh County**.

48-00051: Eastern Industries, Inc./Bath Plant (3724 Crescent Court West, Whitehall, PA 18052) The Department issued on 4/12/17, a State-Only (Synthetic Minor) Operating Permit renewal for operation of an asphalt paving mixture and block manufacturing facility in North Whitehall Township, **Lehigh County**.

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.

44-05016: Lewistown Cabinet Center, Inc. (PO Box 507, Reedsville, PA 17084) on April 12, 2017, for the wood cabinet manufacturing facility located in Armagh Township, **Mifflin County**. The State-only permit was renewed.

34-03006: Stella Jones Corp. (PO Box 251, McAlisterville, PA 17049-0251) on April 12, 2017, for the pressure-treated railroad tie manufacturing facility located in Fayette Township, **Juniata County**. The State-only permit was renewed.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

25-00688: UPMC Hamot Erie (201 State Street, Erie, PA 16550-0002) on April 11, 2017, the Department issued the State Only Operating Permit for the medical and surgical hospital located in Erie City, **Erie County**. The sources at the facility include, three natural gas/oil fired boilers, emergency generators, a plants parts washer, and an ethylene oxide sterilizer controlled by a scrubber. Five of the emergency generators are subject to the New Source Performance Standards (NSPS) of 40 CFR Part 60 Subpart IIII pertaining to stationary combustion ignition internal combustion engines (ICE). An additional engine is subject to the NSPS of 40 CFR Part 60 Subpart JJJJ pertaining to spark ignition ICE. The ethylene oxidize sterilizer is subject to 40 CFR Part 63 Subpart WWWW pertaining to National Emission Standards for Hospital Ethylene Oxide Sterilizers. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The potential emissions from the facility are 72.2 TPY NO_x, 5.3 TPY SO_x, 35.1 TPY CO, 3.0 TPY PM₁₀, 3.0 TPY PM_{2.5}, 6.0 TPY VOCs, and 0.58 TPY HAPs. The facility is a natural minor.

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.

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

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

23-00089: Marcus Hook Energy, LP (100 Green Street, Marcus Hook, PA 19061-4800) On April 13, 2017 for an administrative amendment to Title V operating permit changing the name from FPL Energy MH750, LP to Marcus Hook 750, LP of their power generation plant, located in Marcus Hook Borough, **Delaware County**.

23-00084: Marcus Hook 50, LP (100 Green Street Marcus Hook, PA 19061) On April 13, 2017 for an administrative amendment to Title V operating permit changing the name from FPL Energy MH50, LP to Marcus Hook 50, LP in Marcus Hook Borough, **Delaware County**.

46-00033: Waste Management Disposal Services of PA, (WMDSPI), (1425 Sell Road, Pottstown, PA 19464) On April 13, 2017 a minor modification to the Title V Operating permit for the removal of Enclosed Flare 2 in West Pottsgrove Township, **Montgomery County**.

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.

38-03014: Pennsy Supply, Inc. (1001 Paxton Street, PO Box 3331, Harrisburg, PA 17405-3331) on April 11, 2017, for the Millard Stone plant, stone crushing facility located in North Londonderry Township, **Lebanon County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 38-03014E.

06-05088: New Enterprise Stone & Lime Co., Inc. (PO Box 77, New Enterprise, PA 16664) on April 7, 2017 for the road asphalt manufacturing operation located in Ontelaunee Township, **Berks County**. The State-only permit was administratively amended in order to reflect a change of ownership.

06-05097: New Enterprise Stone & Lime Co., Inc. (167 Berks Products Drive, Leesport, PA 19533-8686) on April 7, 2017 for the stone crushing facility located in Ontelaunee Township, **Berks County**. The State-only permit was administratively amended in order to reflect a change of ownership.

29-05001: JLG Industries, Inc. (1 JLG Drive, McConnellsburg, PA 17233) on April 11, 2017, to modify the Title V Operating Permit for the aerial work platform and telescoping material handler manufacturing facility located in Ayr Township, **Fulton County**. The Title V Operating permit underwent a significant modification to incorporate applicable requirements of 25 Pa. Code § 129.52d for the coating operations at the facility, and to address the applicability of the RACT II requirements of §§ 129.96—129.100.

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

Contact: Thomas Joseph, PE, Facilities Permitting Chief—Telephone: 412-442-4336.

56-00298: Garrett Limestone Company, Inc./Romesburg Quarry (3307 Garrett Road, Garrett, PA 15542) on April 11, 2017, the Department amended the Natural Minor Operating Permit for the incorporation of GP3-56-00298 for the sand and gravel processing plant located in the Black Township, **Somerset County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

43-00309: Bucks Fabricating (3547 Perry Highway, Hadley, PA 16130-2325). On April 7, 2017 issued an administrative amendment to the State Only Operating

Permit to incorporate the change in responsible official for the facility located in Sandy Creek Township, **Mercer County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** and related NPDES Permit to install the 4L-3 Degas Borehole. Surface Acres Proposed 4.5. No additional discharges. The application was considered administratively complete on January 4, 2017. Application received August 25, 2016. Permit issued April 13, 2017.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 56030106 and NPDES No. PA0249513. Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557 transfer of an existing bituminous surface mine from Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201 located in Summit Township, **Somerset County**, affecting 353.0 acres. Receiving streams: unnamed tributaries to/and Casselman River and unnamed tributaries to/and Elk Lick Creek classified for the following uses: warm water fishes and cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 15, 2016. Permit issued: April 7, 2017.

Permit No. 56110104 and NPDES No. PA0263206. Wilson Creek Energy LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 132.5 acres. Receiving streams: unnamed tributaries to/and Hoffman Run classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority, Quemahoning Reservoir. Application received: December 9, 2016. Permit issued: April 14, 2017.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

17060112. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Permit renewal for reclamation only of a bituminous surface coal and auger mine located in Bell Township, **Clearfield County** affecting 367.0 acres. Receiving stream(s): Lost Run and Laurel Run classified for the following use(s): HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 13, 2016. Permit issued: April 6, 2017.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 40110201R. Mineral Reclamation, LLC, (P.O. Box 866, Pittston, PA 18640), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Dupont and Avoca Boroughs, **Luzerne County** affecting 25.3 acres, receiving stream: Mill Creek. Application received: August 18, 2016. Renewal issued: April 11, 2017.

Permit No. PAM111023R. Mineral Reclamation, LLC, (PO Box 866, Pittston, PA 18640), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 4011020 in Dupont and Avoca Boroughs, **Luzerne County**, receiving stream: Mill Creek. Application received: July 18, 2016. Renewal issued: April 11, 2017.

Permit No. 40-305-007GP12R. Mineral Reclamation, LLC, (P.O. Box 866, Pittston, PA 18640), renewal of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40110201 in Dupont and Avoca Boroughs, **Luzerne County**. Application received: July 18, 2016. Renewal issued: April 11, 2017.

Permit No. 49910201R5. Rosini Enterprises, Inc., (P.O. Box 568, Shamokin, PA 17872), renewal of an existing anthracite coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 67.4 acres, receiving stream: Carbon Run. Application received: January 30, 2017. Renewal issued: April 12, 2017.

Permit No. 49910201C3. Rosini Enterprises, Inc., (P.O. Box 568, Shamokin, PA 17872), correction of an existing anthracite coal refuse reprocessing operation to update the post-mining land use to unmanaged natural habitat in Coal Township, **Northumberland County** affecting 67.4 acres, receiving stream: Carbon Run. Application received: January 30, 2017. Renewal issued: April 12, 2017.

Permit No. PAM112043R. Rosini Enterprises, Inc., (P.O. Box 568, Shamokin, PA 17872), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49910201 in Coal Township, **Northumberland County**, receiving stream: Carbon Run. Application received: January 30, 2017. Renewal issued: April 12, 2017.

Noncoal Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

53112803 and NPDES PA0257664. Duffy, Inc. (P.O. Box 374, Smethport, PA 16649). NPDES renewal to an existing small noncoal surface mining site located in Pike Township, **Potter County** affecting 5.0 acres. Receiving stream(s): Elk Run. Application received: January 23, 2017. Permit issued: April 11, 2017.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 45950301C12 and NPDES Permit No. PA0223506. Bill Barry Excavating, Inc., (174 Quarry Road, Cresco, PA 18326), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Barrett Township, **Monroe County** affecting 152.0 acres, receiving stream: unnamed tributary to Cranberry Creek. Application received: August 26, 2013. Renewal issued: April 12, 2017.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

59174102. Meshoppen Stone, Inc. (P.O. Box 127, Meshoppen, PA 18630). Blasting for Shell TB 6076 well site, tank pad, and access road located Deerfield Township, **Tioga County** with an expiration date of April 6, 2018. Permit issued: April 14, 2017.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

03174101. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Wray Road Route 422, located in Kittanning Township, **Armstrong County** with an expiration date of December 31, 2018. Blasting permit issued: April 10, 2017.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 40174105. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting at Eagle Rock Resort in Black Creek, Hazle, Bear Creek and North Union Townships, **Luzerne and Schuylkill Counties** with an expiration date of April 30, 2018. Permit Issued: April 12, 2017.

Permit No. 48174104. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Carriage Hill Estates in Upper Nazareth and Bushkill Townships, **Northampton County** with an expiration date of March 31, 2018. Permit Issued: April 12, 2017.

Permit No. 58174105. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Owego South 24" & Loomis 24" natural gas pipeline in Lathrop, Brooklyn and Harford Townships, **Susquehanna County** with an expiration date of April 6, 2018. Permit Issued: April 12, 2017.

Permit No. 58174106. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Beaver Meadow 16" natural gas pipeline in Harford Township, **Susquehanna County** with an expiration date of April 6, 2018. Permit Issued: April 12, 2017.

Permit No. 58174107. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Beeman 24" natural gas pipeline in Brooklyn Township, **Susquehanna County** with an expiration date of April 6, 2018. Permit Issued: April 12, 2017.

Permit No. 58174108. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Holley 24" natural gas pipeline project in Lathrop Township, **Susquehanna County** with an expiration date of April 6, 2018. Permit Issued: April 12, 2017.

Permit No. 58174109. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Macnew Discharge 20" and Loomis 24" natural gas pipeline in Brooklyn Township, **Susquehanna County** with an expiration date of April 6, 2018. Permit Issued: April 12, 2017.

Permit No. 58174110. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Pascoe 24" natural gas pipeline in Lathrop and Brooklyn Townships, **Susquehanna County** with an expiration date of April 6, 2018. Permit Issued: April 12, 2017.

Permit No. 66174101. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Hayduk Enterprises site development in Lemon Township, **Wyoming County** with an expiration date of April 30, 2018. Permit Issued: April 12, 2017.

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.

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E48-436. Northampton Borough, 1401 Laubach Avenue, Northampton, PA 18067. Northampton Borough, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a timber deck steel I-beam superstructure with a span of 54', a width of 12' and an underclearance of 9.4', over Dry Run that is associated with the Delaware and Lehigh Heritage Trail. Construction will also include the rehabilitation of an existing abutment on the north end and construction of a new abutment on the south end; rock protection will be placed for scour protection around the abutments. The project is located south of the intersection of Line Alley and Main Street (Catasauqua, PA Quadrangle Latitude: 40°40'19.6"; Longitude: -75°29'4.8").

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E28-386: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Letterkenny and Lurgan Townships, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to: 1) construct and maintain a pre-stressed concrete spread box beam bridge with a span of 83.00 feet, an out-to-out width of 40.00 feet, and an underclearance of 9.88 feet, all over the Conodoguinet Creek (WWF, MF), temporarily impacting; 0.02 acre of Palustrine Emergent (PEM) wetland, 0.03 acre of Palustrine Scrub Shrub (PSS) wetland, 0.05 acre of Palustrine Forested Wetland (PFO), 121 linear feet of Conodoguinet Creek, 65 linear feet of stream (unnamed tributary to the Conodoguinet Creek), and 0.1 acre of floodway and permanently impacting; 0.01 acre of PEM/PSS wetland, 0.01 acre of PFO wetland, 95 linear feet of Conodoguinet Creek, and 0.07 acre of floodway, and 2) relocate 99 linear feet of a UNT to Conodoguinet Creek (WWF, MF). All impacts are associated with the SR 0997 bridge replacement over Conodoguinet Creek (Latitude 40.0917; Longitude -77.6481) for the purpose of improving safety standards. Wetland impacts are de minimus and wetland replacement is not required.

E07-463: Pennsylvania Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648 in Frankstown Township, **Blair County**, U.S. Army Corps of Engineers Baltimore District.

To (1) widen and construct roadway improvements along 1-mile of SR 2022 and SR 1011 between (40° 28' 17.45", -78° 17' 3.93") and (40° 28' 30.09", -78° 16' 23.83") in and along the floodway and floodplain of Canoe Creek (HQ-CWF, MF); (2) relocate 476-linear feet of UNT Canoe

Creek (HQ-CWF, MF); (3) remove existing culvert and install and maintain a 113-linear foot 8-foot × 6-foot box culvert with baffles, 1 foot uniform depression and R-7 scour protection in UNT Canoe Creek (HQ-CWF, MF); (4) remove existing culvert and install and maintain a 66-linear foot 8-foot × 6-foot box culvert with baffles, 1 foot uniform depression and R-7 scour protection in UNT Canoe Creek (HQ-CWF, MF); (5) remove existing bridge and install and maintain a 76-foot × 56-foot 9.75-inch bridge over Canoe Creek (HQ-CWF, MF); (6) remove existing culvert and install and maintain a 93 linear foot 42-inch diameter culvert with 6-inch uniform depression in UNT Frankstown Brach Juniata River (WWF, MF); (7) install five (5) 18 inch diameter outfalls to UNT Canoe Creek (HQ-CWF, MF); (8) install one (1) temporary 18-inch diameter outfall to UNT Canoe Creek (HQ-CWF, MF); (9) remove one (1) outfall to UNT Canoe Creek (HQ-CWF, MF); (10) install one (1) 18-inch diameter outfall to Canoe Creek (HQ-CWF, MF); (11) install two (2) 18 inch diameter outfalls to UNT Frankstown Brach Juniata River (WWF, MF); (12) install two (2) 18 inch diameter outfalls to Frankstown Brach Juniata River (WWF, MF); (13) install then remove two (2) temporary causeways during construction in Canoe Creek (HQ-CWF, MF); (14) install then remove 24-inch diameter and 42-inch diameter culverts for two temporary stream crossings in UNT Canoe Creek (HQ-CWF, MF); (15) place 1,275 cubic yards of fill within the floodway of UNT Canoe Creek (HQ-CWF, MF); (16) place 280 cubic yards of fill within the floodway of UNT Frankstown Brach Juniata River (WWF, MF); (17) install and remove one temporary aerial (1) 6-inch diameter utility crossing of UNT Canoe Creek (HQ-CWF, MF); (18) install and remove one temporary aerial (1) 6-inch diameter utility crossing of Canoe Creek (HQ-CWF, MF); (19) permanently impact a total 0.01 acre of Exceptional Value (EV) PEM and PSS wetlands across four (4) different wetlands from the construction of the road widening, culvert replacements, and bridge replacements across the project; (20) and temporarily impact 0.03 acre of EV PEM/PSS/PFO wetlands across four different wetlands from the construction of the bridge replacement, construction activities, and erosion and sediment control measures; all for the purpose of improving transportation safety and roadway standards. The permittee will construct a total of 315 linear feet of compensatory stream mitigation in Mary Ann's Creek (HQ-CWF, MF) located in Canoe Creek State Park. The project is located along State Route 22 (Frankstown, PA Quadrangle, Latitude: 40° 28' 16.4" N; Longitude: 78° 17' 6.3" W) in Frankstown Township, Blair County.

E01-318: Gettysburg Borough, 59 East High Street, Gettysburg, PA 17325 in Gettysburg Borough, **Adams County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain (1) 12-foot × 45-foot bridge over Stevens Run (WWF, MF) with scour protection and (2) one (1) 36-inch diameter outfall, one (1) 18-inch diameter outfall, and one (1) 15-inch diameter outfall to Stevens Run (WWF, MF) for the purpose of constructing a bike/walking trail. The project proposed 20 linear feet of stream impact, and 0.08 acre of permanent floodway impact and 0.03 acre of temporary floodway impact. The project is located in Gettysburg Borough, Adams County (Latitude: 39° 49' 49.4"; Longitude: -77° 14' 15.1"). No wetland impacts proposed.

E36-957: TCCC-Lancaster Holding, LP, 1853 William Penn Way, Lancaster, PA 17601-6713 in Manheim and East Hempfield Townships, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To install and maintain the following impacts to the Little Conestoga River:

1) a 30 foot long mud sill and 70 foot long rock deflector, permanently impacting 372 square feet of stream and 560 square feet of floodway;

2) a 50 foot long mud sill and 120 foot long boulder wall, permanently impacting 384 square feet of stream and 2,206 square feet of floodway;

3) a 75 foot long boulder wall, permanently impacting 311 square feet of floodway;

4) a 30 foot long mud sill, 40 foot long boulder wall, and a 40 foot long 10 foot wide steel and wood pedestrian bridge with bituminous walkway approaches, permanently impacting 1,158 square feet of stream and 2,130 square feet of floodway;

5) 175 lineal feet of 10 inch diameter, SDR-35 sewer line with a manhole, permanently impacting 45 square feet of stream and 133 square feet of floodway. This impact was reviewed under a General Permit 5 registration application (GP-05-36-16-203);

And to install and maintain the following impacts to an unnamed tributary to the Little Conestoga River and its floodway:

6) a temporary rock road crossing with 36 inch diameter HDPE pipe;

7) an 8 foot wide by 785 foot long bituminous bike path, permanently impacting 4,262 square feet of floodway;

8) a relocation of 376 feet of stream, including the installation of 242 linear feet of boulder wall, a j-hook vane and a rock cross vane, permanently impacting 4,049 square feet of stream and 16,989 square feet of floodway;

9) a 24 inch diameter reinforced concrete pipe outfall with concrete headwall and riprap apron and a 42 inch diameter reinforced concrete pipe outfall with concrete headwall and riprap apron, permanently impacting 261 square feet of stream and 545 square feet of floodway. These impacts were reviewed under a General Permit 4 registration application (GP-04-36-16-204);

10) a 33 foot long, 8 foot wide by 6.5 foot tall concrete box culvert extension with concrete endwall and riprap apron, permanently impacting 157 square feet of stream and 422 square feet of floodway;

11) a 133 foot long, 24 inch diameter, concrete encased, SDR-35 sewer line with a manhole, permanently impacting 285 square feet of floodway. This impact was reviewed under a General Permit 5 registration application (GP-05-36-16-204);

12) a 102 foot long, 6 inch diameter, concrete encased, polyethylene pipe, permanently impacting 138 square feet of floodway. This impact was reviewed under a General Permit 5 registration application (GP-05-36-16-205);

The impacts are proposed to facilitate the development of property into a commercial use facility located in Manheim and East Hempfield Townships, Lancaster County (Latitude 40°03'34.41", Longitude -76°20'26.55").

Southwest Region: Waterways & Wetlands Program, 500 Waterfront Drive, Pittsburgh, PA 15222, Rita A. Coleman (412) 442-4149.

E04-001-A2, FirstEnergy Generation, LLC, 341 White Pond Drive, Stat Route 3016, Akron, OH 44320, Shippingport Borough, **Beaver County**, Pittsburgh ACOE District.

Has been given consent to:

Amend Permit No. E04-001-A1 to construct and maintain three (3) 10' × 10' additional anchor structures consisting of four (4) pipe pilings at each corner of the structure impacting 60 square feet of riverbed at Mile Marker 35 on the Ohio River. Prior authorizations included; construct and maintain a 29' diameter, steel sheet coffer mooring cell and construct and maintain a portion of a conveyor system in the floodplain. The purpose is to adding additional mooring barges to the existing Bruce Mansfield Plant, which is located at (USGS Hookstown, PA Quadrangle; Latitude: 40° 37' 50.9"; Longitude: -80° 25' 31.6") located at 128 Ferry Hill Road, Shippingport, PA 15077.

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA.

E5329-013: JKLM Energy, LLC, 2200 Georgetown Drive, Suite 500, Sewickley, PA 15143, Summit & Sweden Townships, **Potter County**, ACOE Baltimore District.

To construct, operate and maintain the Sweden Valley Pipeline Connector Project, which consists of two (2) twelve-inch (12") diameter steel natural gas pipeline, with the following impacts:

1. 44.0 linear feet of a UNT to Nelson Run (HQ-CWF) and 1,564 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary road crossing (Ayers Hill, PA Quadrangle, Latitude: N 41°44'01.18", Longitude: W 77°53'56.69");

2. 46.0 linear feet of a UNT to Nelson Run (HQ-CWF) and 275 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary road crossing (Ayers Hill, PA Quadrangle, Latitude: N 41°44'18.51", Longitude: W 77°54'41.65");

3. 236 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands for a temporary access road crossing (Ayers Hill, PA Quadrangle, Latitude: N 41°44'46.28", Longitude: W 77°54'05.72"); and

4. 300 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands for a temporary access road crossing (Ayers Hill, PA Quadrangle, Latitude: N 41°44'48.41", Longitude: W 77°53'52.01").

The project will result in 90.0 linear feet of temporary stream impacts, 1,839 square feet (0.04 acre) of permanent EV PFO wetland impacts, and 536 square feet (0.01 acre) of temporary EV PEM wetland impacts, all for the purpose of installing a natural gas gathering line and associated access roadways for Marcellus shale development.

Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335; 814-332-6860.

E10-08-012. XTO Energy Inc., 190 Thorn Run, Warrendale, PA 15086. Stein Temporary Water Pipeline in Franklin Township, **Butler County**, Army Corps of Engineers Pittsburgh District (Prospect, PA Quadrangle 40.917456N; 80.002158W).

The applicant proposes to construct and maintain approximately 9,018 feet of one 12" overland temporary water pipeline located in Franklin Township, Butler County. The pipeline would convey water from PAWC vault on Old Route 422 to the Stein Well Pad.

The water obstructions and encroachments are described below:

To construct and maintain:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude/Longitude</i>
1	One (1) 12" temporary above ground waterline with associated right-of-way and a temporary road crossing through PEM Wetland (Wetland 1B) having 0.009 acre of temporary wetland impacts.	40.9054300 N 80.0116280 W
2	One (1) 12" temporary above ground waterline with associated right-of-way and temporary road crossing to cross floodway of UNT to Mulligan Run (CWF) (Stream 5) and PEM Wetland (Wetland 11A) having 14,286 square feet of temporary floodway impact and 0.1 acre of temporary wetland impacts.	40.9061810 N 80.0096440 W
3	One (1) 12" temporary above ground waterline with associated right-of-way and a temporary road crossing through PEM Wetland (Wetland 10A) having 0.08 acre of temporary wetland impacts.	40.9062530 N 80.0081640 W
4	One (1) 12" temporary above ground waterline with associated right-of-way and temporary road crossing to cross UNT to Mulligan Run (CWF) (Stream 7) and PEM Wetland (Wetland 10B) having 32 linear feet of temporary stream impact, 4,176 square feet of temporary floodway impact and 0.05 acre of temporary wetland impacts.	40.9064030 N 80.0078330 W
5	One (1) 12" temporary above ground waterline with associated right-of-way and a temporary road crossing through PEM Wetland (Wetland 11B) having 0.1 acre of temporary wetland impacts.	40.9069940 N 80.0078830 W
6	One (1) 12" temporary above ground waterline with associated right-of-way and a temporary road crossing through PEM/PSS Wetland (Wetland 12A) having a total of 0.1 acre of temporary wetland impacts.	40.9118140 N 80.0102720 W
7	One (1) 12" temporary above ground waterline with associated right-of-way and a temporary road crossing through PEM/PSS/PFO Wetland (Wetland 13A/13/13B) having a total of 0.2 acre of temporary and 0.04 acre of permanent wetland impacts.	40.9154500 N 80.0097140 W
8	One (1) 12" temporary above ground waterline with associated right-of-way and temporary road crossing to cross UNT to Mulligan Run (CWF) (Stream 2) and PEM Wetland (Wetland 12) having 53 linear feet of temporary stream impact, 4,208 square feet of temporary floodway impact and 0.002 acre of temporary wetland impacts.	40.9159560 N 80.0091530 W
9	One (1) 12" temporary above ground waterline with associated right-of-way and temporary road crossing to cross UNT to Mulligan Run (CWF) (Stream 1) having 41 linear feet of temporary stream impact and 4,950 square feet of temporary floodway impact.	40.9162310 N 80.0043560 W
10	One (1) 12" temporary above ground waterline with associated right-of-way and a temporary road crossing through PEM Wetland (Wetland 2) having 0.02 acre of temporary wetland.	40.9173690 N 80.0033810 W

The project will result in 126 linear feet of temporary stream impacts. Total floodway impacts are 27,620 square feet. Wetland impacts include 0.66 acre of temporary and 0.04 acre of permanent, for a total of 0.7 acre of wetland 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.

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

ESCGP-2 # ESX17-059-0005
Applicant Name LOLA Energy
Contact Person Jayson Johnson
Address 8000 Brookstone Road, Suite 200
City, State, Zip Wexford, PA 15090
County Greene County
Township(s) Gilmore Township
Receiving Stream(s) and Classification(s) Pennsylvania Fork Dunkard Creek (WWF) and Clawson Run (WWF)
Secondary—Dunkard Creek

ESCGP-2 # ESX16-005-0005
Applicant Name Snyder Brothers Inc
Contact Person Carl Rose
Address 90 Glade Drive
City, State, Zip Kittanning, PA 16201
County Armstrong County
Township(s) South Buffalo Township
Receiving Stream(s) and Classification(s) Tributary 46137 to Knapp Run, Knapp Run, Tributary 46148 to Hill Run, Hill Run, Tributary 46143 to Allegheny River (all WWF)
Secondary—Allegheny River

ESCGP-2 # ESX11-051-0017
Applicant Name Burnett Oil Company Inc
Contact Person Dan Tomley
Address 375 Southpointe Blvd, Suite 430
City, State, Zip Cannonsburg, PA 15317
County Fayette County
Township(s) German Township
Receiving Stream(s) and Classification(s) UNT to North Branch Browns Run (WWF)
Secondary—North Branch Browns Run

ESCGP-2 # ESX16-059-0001
Applicant Name Rice Drilling B LLC
Contact Person Dan Tomley
Address 2200 Rice Drive
City, State, Zip Cannonsburg, PA 15317
County Greene County
Township(s) Richhill Township
Receiving Stream(s) and Classification(s) UNTs to Polen Run, Polen Run, UNTs to North Fork Dunkard Fork (all TSF)
Secondary—Polen Run and North Fork Dunkard Fork

ESCGP-2 # ESX17-125-0001
Applicant Name Range Resources Appalachia LLC
Contact Person Karl Matz
Address 3000 Town Center Blvd
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Donegal
Receiving Stream(s) and Classification(s) UNT to Middle Wheeling Ck (WWF)
Secondary—Wheeling Ck

ESCGP-2 # ESX11-125-0085
Applicant Name CNX Gas Co LLC
Contact Person Erika Whetstone
Address 200 Evergreene Dr

City, State, Zip Waynesburg, PA 15370
County Washington
Township(s) Morris & South Franklin
Receiving Stream(s) and Classification(s) UNTs to Ten Mile Ck (TSF)
Secondary—Ten Mile Ck (TSF)

ESCGP-2 # ESX14-125-0099
Applicant Name Rice Drilling B LLC
Contact Person Joseph Mallow
Address 2200 Rice Drive
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Somerset
Receiving Stream(s) and Classification(s) North Branch Pigeon Ck (WWF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESG17-031-0001—Stacey Road Freshwater Impoundment
Applicant Laurel Mountain Production, LLC
Contact Joel Hoffman
Address 61 McMurray Road, Suite 300
City Pittsburgh State PA Zip Code 15241
County Clarion Township Perry Township
Receiving Stream(s) and Classification(s) UNT to Allegheny River/Catfish Run—Allegheny River and UNT to Clarion River/Turkey Run—Clarion River

ESCGP-2 # ESG16-019-0032—Stein to Kyne Gas Pipeline
Applicant Mountain Gathering, LLC
Contact Mr. Dewey Chalos
Address 810 Houston Street
City Fort Worth State TX Zip Code 76102
County Butler Township(s) Franklin and Connoquenessing
Receiving Stream(s) and Classification(s) UNT to Mulligan Run CWF, Mulligan Run, Little Connoquenessing Creek CWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX29-015-17-0017
Applicant Name Jon Jorgenson
Contact Person EOG Resources Inc
Address 2049 S Sixth St
City, State, Zip Indiana, PA 15701
County Bradford
Township(s) Springfield
Receiving Stream(s) and Classification(s) Mill Ck (TSF, MF)
Secondary—Sugar Ck

ESCGP-2 # ESX12-117-0036(01)
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 150 N Dairy Ashford, E1296-E
City, State, Zip Houston, TX 77079
County Tioga
Township(s) Richmond
Receiving Stream(s) and Classification(s) North Elk Run (CWF)

ESCGP-2 # ESX10-117-0268(01)
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 150 N Dairy Ashford, E1296-E
City, State, Zip Houston, TX 77079
County Tioga
Township(s) Delmar
Receiving Stream(s) and Classification(s) Marsh Ck (CWF)

ESCGP-2 # ESG29-081-17-0005
 Applicant Name Inflection Energy PA LLC
 Contact Person Thomas Gillespie
 Address 101 W Third St, 5th Fl
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Shrewsbury
 Receiving Stream(s) and Classification(s) UNT to Big Run
 (EV)
 Secondary—Big Run (EV)

ESCGP-2 # ESG29-105-17-0001
 Applicant Name JKLM Energy LLC
 Contact Person Scott Blauvelt
 Address 2200 Georgetown Dr, Suite 500
 City, State, Zip Sewickley, PA 15143
 County Potter
 Township(s) Ulysses
 Receiving Stream(s) and Classification(s) Cushing Hollow
 (HQ-CWF); UNTs to Cushing Hollow (HQ-CWF)
 Secondary—Genessee Forks (HQ-CWF); Cushing Hol-
 low (HQ-CWF)

[Pa.B. Doc. No. 17-714. Filed for public inspection April 28, 2017, 9:00 a.m.]

Aggregate Advisory Board; Regulatory, Legislative and Technical Committee Meeting

The Aggregate Advisory Board's (Board) Regulatory, Legislative and Technical Committee will meet on May 5, 2017, from 10 a.m. to 12 p.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals interested in attending the meeting by webinar should access the Board's web site as follows.

Questions concerning the meeting can be directed to Daniel E. Snowden at (717) 783-8846 or dsnowden@pa.gov. The agenda and meeting materials for the meeting will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-715. Filed for public inspection April 28, 2017, 9:00 a.m.]

Aggregate Advisory Board Rescheduled Meeting

The Aggregate Advisory Board meeting originally scheduled for May 10, 2017, at the Department of Environmental Protection's (Department) Southcentral Regional Office has been rescheduled to May 31, 2017, from 10 a.m. to 12 p.m. This meeting has also been moved to the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the meeting can be directed to Daniel E. Snowden at (717) 783-8846 or dsnowden@pa.

gov. The agenda and meeting materials for the meetings are available through the Public Participation tab on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-716. Filed for public inspection April 28, 2017, 9:00 a.m.]

Bid Opportunity

EC177082717, Environmental Cleanup and Brownfield Project, Removal and Disposal of Four Underground Storage Tank, Ma and Pa's Old Country Store and Restaurant, Burnside Borough, Clearfield County. The principal items of work and approximate quantities include: Department of Environmental Protection-certified UMR oversight; excavation and removal of tank systems; removal and disposal of residual liquids 17 drums; disposal of 4 steel tanks with fiberglass piping 4 tanks; soil sampling 18 samples; water sampling (if encountered) 3 samples; backfill 110 tons; and closure report completion.

This bid issues on May 26, 2017, and bids will be opened on July 6, 2017, at 2 p.m. There is a mandatory prebid site inspection at 10 a.m. on June 15, 2017, at 7494 Main Street, Burnside, PA 15721. Failure to attend the mandatory prebid site inspection will be cause for rejection of the bid. Bid documents may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-717. Filed for public inspection April 28, 2017, 9:00 a.m.]

Climate Change Advisory Committee Rescheduled Meeting

The May 9, 2017, meeting of the Climate Change Advisory Committee has been rescheduled for May 30, 2017, at 10 a.m. in Conference Room 105, Rachel Carson State Office Building, Harrisburg, PA 17101.

Questions concerning the May 30, 2017, meeting should be directed to Mark Brojakowski, Bureau of Air Quality, at mbrojakows@pa.gov or (717) 772-3429. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should con-

tact Mark Brojakowski at (717) 772-3429, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-718. Filed for public inspection April 28, 2017, 9:00 a.m.]

Small Water Systems Technical Assistance Center Board Meeting Cancellation

The May 4, 2017, meeting of the Small Water Systems Technical Assistance Center Board has been cancelled. The next regular meeting is scheduled for Thursday, June 8, 2017, beginning at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the June 8, 2017, meeting should be directed to Dawn Hissner, Bureau of Safe Drinking Water, at dhissner@pa.gov or (717) 772-2189. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Dawn Hissner at (717) 772-2189, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-719. Filed for public inspection April 28, 2017, 9:00 a.m.]

DEPARTMENT OF HEALTH

Health Research Advisory Committee Meeting

The Department of Health's Health Research Advisory Committee (Committee), established by section 903(b) of the Tobacco Settlement Act (35 P.S. § 5701.903(b)), will hold a public meeting on Tuesday, May 9, 2017, from 9 a.m. to 11 a.m. The meeting will be held in Room 812, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

The purpose of this meeting is to discuss and decide the priorities for State Fiscal Year 2017-2018 for the nonformula grant application. The meeting is open to the public; however, it is not a hearing and therefore neither public testimony nor comment will be taken during the meeting. No reservations are required to attend.

For additional information or persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact Penny E. Harris, MEd, CAC, LPC, Public Health Program Manager, Health Research Office, or Sylvia Golas, DMD, MPH, Public Health Program Administrator, Health Research Office, Health and Welfare Building, Room 833, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 231-2825, ra-healthresearch@pa.gov, or for speech and/or hearing impaired persons at V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-720. Filed for public inspection April 28, 2017, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospital has filed a request for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). Department regulations governing hospital licensure can be found in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals). The following hospital is requesting exceptions to 28 Pa. Code § 153.1 (relating to minimum standards) which contains minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Geisinger Medical Center	2.1-8.5.3.2	Size (TDRs)	2014

The previously listed request 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. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing impaired persons 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. 17-721. Filed for public inspection April 28, 2017, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold public meetings on Wednesday, May 10, 2017, and Thursday, May 11, 2017, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention grant for Comprehensive HIV Prevention Programs for Health Departments. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the meetings who require an auxiliary aid, service or other accommodation to do so should contact Cynthia Findley, Bureau Director, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department reserves the right to cancel this meeting without prior notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-722. Filed for public inspection April 28, 2017, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Rothermel L. Caplan Transitional Care Unit
Willow at Fourth Street
P.O. Box 1282
Lebanon, PA 17046
FAC ID # 121102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(b) (relating to nurses' station):

Courtyard Gardens Nursing and Rehabilitation Center
999 West Harrisburg Pike
Middletown, PA 17057
FAC ID # 150302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a) (relating to utility room):

Courtyard Gardens Nursing and Rehabilitation Center
999 West Harrisburg Pike
Middletown, PA 17057
FAC ID # 150302

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Lebanon Valley Brethren Home
1200 Grubb Street
Palmyra, PA 17078
FAC ID # 380602

Richfield Healthcare and Rehabilitation Center
631 Main Street
P.O. Box 248
Richfield, PA 17086
FAC ID # 260202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons 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. 17-723. Filed for public inspection April 28, 2017, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Crack the Safe Fast Play Game 5004

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Crack the Safe (hereinafter "Crack the Safe"). The game number is PA-5004.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *SAFE*: A specific, pre-defined area of a game ticket located in the play area that contains play symbols and a prize symbol that, when played according to the instructions, determine whether a player wins a prize. Each SAFE is played separately, but winning combinations in more than one SAFE can be combined to win larger prizes as described in section 6 (relating to prizes available to be won and determination of prize winners).

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any "SAFE," determine whether a player wins a prize.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Crack the Safe ticket is \$3.

4. *Description of the Crack the Safe lottery game*:

(a) The Crack the Safe lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Crack the Safe tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Crack the Safe is played by matching three play symbols in the "WINNING NUMBERS" area to the play symbols located in any "SAFE." A player matching three play symbols in this manner will win the prize shown under that "SAFE." If the player matches two play symbols in the "WINNING NUMBERS Area" in any "SAFE" with a Key (DBL) symbol, the player wins double the prize shown under that "SAFE." A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Crack the Safe game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Crack the Safe game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Crack the Safe game ticket and select the Crack the Safe option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Crack the Safe ticket characteristics*:

(a) A Crack the Safe ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of nine "SAFE" areas and each "SAFE" is played separately.

(b) *Play Symbols*: Each Crack the Safe ticket play area will contain a "WINNING NUMBERS" area and nine "SAFE" areas. The play symbols located in the "Winning Number 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), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY). The play symbols located in the "SAFE" areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FRTY) and a Key (DBL) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the "SAFE" areas are: \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$9⁰⁰ (NIN DOL), \$10⁰⁰ (TEN DOL), \$12⁰⁰ (TWELV), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$60⁰⁰ (SIXTY), \$90⁰⁰ (NINTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO) and \$30,000 (TRY THO).

(d) *Prizes*: The prizes that can be won in this game are: \$3, \$5, \$6, \$9, \$10, \$12, \$20, \$30, \$50, \$60, \$90, \$100, \$300, \$1,000, \$3,000 and \$30,000. A player can win up to 9 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 7,200,000 tickets will be available for sale for the Crack the Safe lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Crack the Safe prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Crack the Safe ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

\$12.⁰⁰ (TWELV) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$12.

(x) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match two of the play symbols in the same “SAFE” with a Key (DBL) symbol also appearing in that “SAFE,” and a prize symbol of \$6.⁰⁰ (SIX DOL) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$12.

(y) Holders of tickets upon which any three of the “WINNING NUMBERS” play symbols match the three play symbols in the same “SAFE,” and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match two of the play symbols in the same “SAFE” with a Key (DBL) symbol also appearing in that “SAFE,” and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$10.

(aa) Holders of tickets upon which any three of the “WINNING NUMBERS” play symbols match the three play symbols in the same “SAFE,” and a prize symbol of \$9.⁰⁰ (NIN DOL) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$9.

(bb) Holders of tickets upon which any three of the “WINNING NUMBERS” play symbols match the three play symbols in the same “SAFE,” and a prize symbol of \$6.⁰⁰ (SIX DOL) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$6.

(cc) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match two of the play symbols in the same “SAFE” with a Key (DBL) symbol also appearing in that “SAFE,” and a prize symbol of \$3.⁰⁰ (THR DOL) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$6.

(dd) Holders of tickets upon which any three of the “WINNING NUMBERS” play symbols match the three play symbols in the same “SAFE,” and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$5.

(ee) Holders of tickets upon which any three of the “WINNING NUMBERS” play symbols match the three play symbols in the same “SAFE,” and a prize symbol of \$3.⁰⁰ (THR DOL) appears in the “PRIZE” area under that “SAFE,” on a single ticket, shall be entitled to a prize of \$3.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

Match Any Three Winning Numbers In The Same Safe, Win Prize Shown Under That Safe. Win With:

\$3
\$5
\$3 w/ KEY
\$6
\$6 + \$3
(\$3 w/ KEY) + \$3
\$9
\$5 × 2
\$5 w/ KEY
\$10
\$6 × 2
(\$3 × 2) + \$6
(\$3 w/ KEY) × 2
\$6 w/ KEY
\$12
(\$6 × 2) + \$5 + \$3
(\$5 × 2) + \$10
(\$5 w/ KEY) × 2
\$10 w/ KEY
\$20
(\$10 × 2) + (\$5 × 2)
(\$9 w/ KEY) + (\$3 × 2) + \$6
(\$5 w/ KEY) × 3
(\$12 w/ KEY) + (\$3 w/ KEY)
\$30
(\$20 × 2) + (\$5 × 2)
(\$5 w/ KEY) + (\$10 × 3) + (\$5 × 2)
(\$5 w/ KEY) × 2 + (\$10 × 2) + (\$5 × 2)
(\$20 w/ KEY) + (\$5 × 2)
\$50
\$30 × 2
(\$10 × 3) + (\$9 × 3) + \$3

<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets</i>
\$3	10	720,000
\$5	16.67	432,000
\$6	50	144,000
\$6	66.67	108,000
\$9	100	72,000
\$9	100	72,000
\$9	100	72,000
\$10	333.33	21,600
\$10	500	14,400
\$10	500	14,400
\$12	333.33	21,600
\$12	333.33	21,600
\$12	333.33	21,600
\$12	333.33	21,600
\$12	333.33	21,600
\$20	333.33	21,600
\$20	1,000	7,200
\$20	1,000	7,200
\$20	500	14,400
\$20	1,000	7,200
\$30	4,800	1,500
\$30	600	12,000
\$30	600	12,000
\$30	4,800	1,500
\$30	4,800	1,500
\$50	1,200	6,000
\$50	4,800	1,500
\$50	1,200	6,000
\$50	4,800	1,500
\$50	4,800	1,500
\$60	8,000	900
\$60	2,400	3,000

Match Any Three Winning Numbers In The Same Safe, Win Prize Shown Under That Safe. Win With:

Win:	Approximate Chances Of Winning Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets	
(\$10 w/ KEY) × 3	\$60	4,000	1,800
\$30 w/ KEY	\$60	2,400	3,000
\$60	\$60	8,000	900
\$30 × 3	\$90	12,000	600
(\$20 × 2) + (\$10 × 3) + (\$6 × 2) + \$5 + \$3	\$90	8,000	900
(((\$12 w/ KEY) × 3) + (\$9 w/ KEY))	\$90	8,000	900
(((\$20 w/ KEY) × 2) + (\$5 × 2))	\$90	12,000	600
\$90	\$90	12,000	600
(\$20 × 3) + (\$10 × 2) + (\$6 × 2) + \$5 + \$3	\$100	12,000	600
(((\$20 w/ KEY) × 2) + (\$5 w/ KEY) + \$10)	\$100	12,000	600
(((\$20 w/ KEY) × 2) + (\$10 × 2))	\$100	24,000	300
\$50 w/ KEY	\$100	12,000	600
\$100	\$100	24,000	300
(((\$60 w/ KEY) × 2) + (\$20 × 2) + (\$10 × 2))	\$300	48,000	150
(\$100 w/ KEY) + \$100	\$300	48,000	150
\$300	\$300	48,000	150
(\$300 × 2) + (\$90 × 2) + (\$60 × 2) + (\$50 × 2)	\$1,000	240,000	30
(((\$90 w/ KEY) × 3) + (\$50 × 2) + (\$30 × 2) + \$300)	\$1,000	240,000	30
\$1,000	\$1,000	240,000	30
(\$1,000 w/ KEY) + (\$300 × 3) + (\$50 × 2)	\$3,000	240,000	30
\$3,000	\$3,000	240,000	30
\$30,000	\$30,000	720,000	10

Match any two "WINNING NUMBERS" in any "SAFE" with a "KEY" (DBL) symbol, win double the prize shown under that "SAFE." Each "SAFE" is played separately.

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

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Crack the Safe lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Crack the Safe lottery game tickets.

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

either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Crack the Safe or through normal communications methods.

19. *Applicability:* This notice applies only to the Crack the Safe lottery game announced in this notice.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 17-724. Filed for public inspection April 28, 2017, 9:00 a.m.]

Pennsylvania Crazy 8s Fast Play Game 5007

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Crazy 8s (hereinafter "Crazy 8s"). The game number is PA-5007.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play games are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against "YOUR NUMBERS," determine whether a player wins a prize.

(k) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(l) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "WINNING NUMBERS," determine whether a player wins a prize.

3. *Price*: The price of a Crazy 8s ticket is \$1.

4. *Description of the Crazy 8s lottery game*:

(a) The Crazy 8s lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Crazy 8s tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Crazy 8s is played by matching the play symbols in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. If the player's ticket contains an "8" (EIGHT) symbol, the player wins \$8 instantly. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Crazy 8s game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Crazy 8s game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Crazy 8s game ticket and select the Crazy 8s option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Crazy 8s ticket characteristics*:

(a) A Crazy 8s ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code.

(b) *Play Symbols*: Each Crazy 8s ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN),

14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE), and 30 (THIRTY). The play symbols located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE), 30 (THIRTY), and an 8 (EIGHT) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN), \$800 (EGT HUN) and \$8,000 (EGT THO).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$100, \$400, \$800 and \$8,000. A player can win up to 8 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 4,800,000 tickets will be available for sale for the Crazy 8s lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Crazy 8s prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Crazy 8s ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(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 \$8,000 (EGT THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$8,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$800 (EGT HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$800.

(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 \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (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.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$10⁰⁰ (TEN DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any one of the "WINNING NUMBERS" play symbols and a prize symbol of \$8⁰⁰ (EGT DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(k) Holders of tickets upon which an 8 (EIGHT) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$8⁰⁰ (EGT DOL) appears in the "prize" area under that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$8.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV 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.

(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 \$4⁰⁰ (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.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO 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.

(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 \$1⁰⁰ (ONE DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of 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 Crazy 8s game ticket.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

When Any Of Your Numbers
Match Any Winning Number,
Win Prize Shown Under The
Matching Number.
Win With:

Win:	Approximate Chances Of Winning Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
FREE	FREE \$1 TICKET	10
\$1	\$1	100
\$1 x 2	\$2	20
\$2	\$2	28.57
\$1 x 4	\$4	166.67
\$2 x 2	\$4	166.67
\$4	\$4	166.67
(\$2 x 2) + \$1	\$5	200
\$5	\$5	200
\$2 x 4	\$8	500
(\$2 x 3) + (\$1 x 2)	\$8	500
\$8 w/ 8 SYMBOL	\$8	125
\$8	\$8	1,000
\$5 x 2	\$10	10,000
(\$2 x 3) + \$4	\$10	10,000
(\$4 x 2) + (\$1 x 2)	\$10	3,333
(\$8 w/ 8 SYMBOL) + (\$1 x 2)	\$10	400
\$10	\$10	10,000
\$10 x 2	\$20	10,000
(\$8 x 2) + (\$2 x 2)	\$20	10,000
(\$4 x 2) + (\$1 x 2) + \$10	\$20	10,000
(\$5 x 2) + (\$4 x 2) + (\$1 x 2)	\$20	3,333
(\$8 w/ 8 SYMBOL) x 2 + (\$1 x 4)	\$20	5,000
(\$8 w/ 8 SYMBOL) + (\$4 x 2) + (\$2 x 2)	\$20	3,333
\$20	\$20	10,000
\$20 x 2	\$40	4,800
(\$10 x 3) + (\$5 x 2)	\$40	9,600
(\$8 w/ 8 SYMBOL) + (\$10 x 3) + (\$1 x 2)	\$40	4,800
(\$8 w/ 8 SYMBOL) x 2 + (\$10 x 2) + (\$1 x 4)	\$40	4,800
\$40	\$40	12,000
(\$40 x 2) + (\$10 x 2)	\$100	48,000

When Any Of Your Numbers
Match Any Winning Number,
Win Prize Shown Under The
Matching Number.

Win With:

$(\$8 \text{ w/ } 8 \text{ SYMBOL}) \times 2) + (\$40 \times 2) + (\$2 \times 2)$
 $(\$8 \text{ w/ } 8 \text{ SYMBOL}) + (\$40 \times 2) + (\$5 \times 2) + (\$1 \times 2)$
 \$100
 $\$100 \times 4$
 $(\$100 \times 3) + (\$40 \times 2) + (\$10 \times 2)$
 \$400
 $\$400 \times 2$
 \$800
 \$8,000

Win:	Approximate Chances Of Winning Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
\$100	24,000	200
\$100	48,000	100
\$100	48,000	100
\$400	48,000	100
\$400	48,000	100
\$400	48,000	100
\$800	480,000	10
\$800	480,000	10
\$8,000	480,000	10

Get an "8" (EIGHT) symbol, win \$8 instantly!

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

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the winning Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the winning Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors.

tors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Crazy 8s lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Crazy 8s lottery game tickets.

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

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Crazy 8s or through normal communications methods.

19. *Applicability:* This notice applies only to the Crazy 8s lottery game announced in this notice.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 17-725. Filed for public inspection April 28, 2017, 9:00 a.m.]

Pennsylvania Fat Wallet Fast Play Game 5005

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Fat Wallet (hereinafter "Fat Wallet"). The game number is PA-5005.

2. *Definitions:*

(a) *Authorized Retailer* or *Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *Progressive Top Prize:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased until a winning top prize ticket is sold and then resets to the minimum prize amount.

(k) *WALLET MULTIPLIER:* The area on a ticket which reveals a symbol that determines the extent to which a winning combination is multiplied to award a larger prize.

(l) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the "YOUR NUMBERS" area, determine whether a player wins a prize.

(m) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(n) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area and generated via quick pick that, when matched against the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price:* The price of a Fat Wallet ticket is \$2.

4. *Description of the Fat Wallet lottery game:*

(a) The Fat Wallet lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Fat Wallet tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Fat Wallet is played by matching the play symbols in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A bet slip is not used to play this game.

(c) Fat Wallet tickets contain a "WALLET MULTIPLIER" area by which a player may multiply any prize won in the play area by multiplying the prize by the multiplier amount shown in the "Wallet Multiplier Area." The Progressive Top Prize symbol will only appear on tickets with the 1X symbol.

(d) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) A Fat Wallet game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Fat Wallet game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Fat Wallet game ticket and selecting the Fat Wallet option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Fat Wallet ticket characteristics:*

(a) A Fat Wallet ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols:* Each Fat Wallet ticket play area will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, and a "WALLET MULTIPLIER" area. The play symbols located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols located in the "WALLET MULTIPLIER" area are: 1X symbol, 2X symbol, 3X symbol, 4X symbol and 5X symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the "Your Numbers Area" are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$200, \$500 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$7,500 and increases by 7¢ every time a Fat Wallet ticket is purchased until a winning top prize ticket is sold, at which point it resets to \$7,500. A player can win up to 8 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 4,800,000 tickets will be available for sale for the Fat Wallet lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Fat Wallet prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Fat Wallet ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 1X symbol appears in the "WALLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize as of the time the winning ticket was purchased. The amount won will be a minimum of \$7,500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol and a 1X symbol appears in the "WALLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol and a 5X symbol appears in the "WALLET MULTIPLIER" area, 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 matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol and a 2X symbol appears in the "WALLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol and a 1X symbol appears in the "WALLET MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$5.00 (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol and a 2X symbol appears in the “WALLET MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$10.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol and a 5X symbol appears in the “WALLET MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$10.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol and a 1X symbol appears in the “WALLET MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$5.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.00 (FOR DOL) appears under the matching “YOUR

NUMBERS” play symbol and a 1X symbol appears in the “WALLET MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$4.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol and a 2X symbol appears in the “WALLET MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$4.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol and a 1X symbol appears in the “WALLET MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

\$2
 \$2 x 2
 \$2 w/ 2X
 \$4
 \$5
 \$5 x 2
 \$2 w/ 5X
 \$5 w/ 2X
 \$10
 \$5 w/ 3X
 \$15
 (\$5 x 2) + \$10
 (\$5 x 2) + (\$4 x 2) + \$2
 \$4 w/ 5X
 \$5 w/ 4X
 \$20
 (\$5 x 2) + (\$4 x 2) + \$20 + \$2
 (\$15 x 2) + (\$5 x 2)
 (\$4 x 2) w/ 5X
 \$10 w/ 4X
 \$20 w/ 2X
 \$40
 (\$10 x 3) + (\$5 x 2) + (\$4 x 2) + \$2
 (\$15 x 2) + \$20
 (\$15 + \$10) w/ 2X
 (\$20 + \$5) w/ 2X
 \$10 w/ 5X
 \$50
 (\$20 x 2) + (\$15 x 2) + (\$10 x 2) + (\$5 x 2)
 \$20 w/ 5X
 \$50 w/ 2X
 \$100
 (\$15 x 3) + \$100 + \$50 + \$5
 (\$20 x 2) w/ 5X
 \$50 w/ 4X
 \$100 w/ 2X
 \$200
 ((\$50 x 2) + \$15 + \$10) w/ 4X
 (\$200 + \$50) w/ 2X
 \$100 w/ 5X

<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$2	8.33	576,000
\$2 x 2	66.67	72,000
\$2 w/ 2X	23.81	201,600
\$4	62.5	76,800
\$5	37.74	127,200
\$5 x 2	1,000	4,800
\$2 w/ 5X	166.67	28,800
\$5 w/ 2X	153.85	31,200
\$10	500	9,600
\$5 w/ 3X	1,667	2,880
\$15	2,000	2,400
(\$5 x 2) + \$10	1,000	4,800
(\$5 x 2) + (\$4 x 2) + \$2	2,000	2,400
\$4 w/ 5X	2,000	2,400
\$5 w/ 4X	1,000	4,800
\$20	1,000	4,800
(\$5 x 2) + (\$4 x 2) + \$20 + \$2	2,000	2,400
(\$15 x 2) + (\$5 x 2)	1,250	3,840
(\$4 x 2) w/ 5X	1,250	3,840
\$10 w/ 4X	1,250	3,840
\$20 w/ 2X	1,429	3,360
\$40	2,500	1,920
(\$10 x 3) + (\$5 x 2) + (\$4 x 2) + \$2	10,000	480
(\$15 x 2) + \$20	10,000	480
(\$15 + \$10) w/ 2X	10,000	480
(\$20 + \$5) w/ 2X	10,000	480
\$10 w/ 5X	2,500	1,920
\$50	5,000	960
(\$20 x 2) + (\$15 x 2) + (\$10 x 2) + (\$5 x 2)	6,000	800
\$20 w/ 5X	6,000	800
\$50 w/ 2X	6,316	760
\$100	6,316	760
(\$15 x 3) + \$100 + \$50 + \$5	80,000	60
(\$20 x 2) w/ 5X	80,000	60
\$50 w/ 4X	80,000	60
\$100 w/ 2X	80,000	60
\$200	80,000	60
(\$50 x 2) + \$15 + \$10) w/ 4X	240,000	20
(\$200 + \$50) w/ 2X	240,000	20
\$100 w/ 5X	240,000	20

When Any Of Your Numbers Match Any
Winning Number, Win Prize Shown Under
The Matching Number.
Win With:

	Win:	Approximate Chances of Winning Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
\$500	\$500	240,000	20
PROGRESSIVE TOP PRIZE	\$7,500*	192,000	25

* PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$7,500. The PROGRESSIVE TOP PRIZE increases by 7¢ every time a ticket is purchased until a top prize ticket is sold, at which time the PROGRESSIVE TOP PRIZE resets to \$7,500.

WALLET MULTIPLIER: Multiply any prize won in the play area by the multiplier shown in the WALLET MULTIPLIER area.

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

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a

winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 7¢ from the sale of each Fat Wallet ticket will be accumulated in the Progressive Top Prize pool until a winning top prize ticket is sold.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Fat Wallet game, this notice and the data contained in the Lottery's Central Computer System shall govern.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Fat Wallet lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Fat Wallet lottery game tickets.

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

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Fat Wallet or through normal communications methods.

20. *Applicability:* This notice applies only to the Fat Wallet lottery game announced in this notice.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 17-726. Filed for public inspection April 28, 2017, 9:00 a.m.]

Pennsylvania In Between Fast Play Game 5006

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania In Between (hereinafter "In Between"). The game number is PA-5006.

2. *Definitions:*

(a) *Authorized Retailer* or *Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *PRIZE LEGEND:* The area on the ticket that shows a player the corresponding prize that can be won by matching different winning scenarios.

(k) *IN BETWEEN NUMBERS:* The numbers found in the play area that, when compared to "YOUR NUMBERS" as instructed on the game ticket, determine whether a player wins a prize.

(l) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The numbers found in the play area that, when compared to the “IN BETWEEN NUMBERS” as instructed on the game ticket, determine whether a player wins a prize.

3. *Price*: The price of an In Between ticket is \$2.

4. *Description of the In Between lottery game*:

(a) The In Between lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. In Between tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) In Between is played by comparing the play symbols in the “YOUR NUMBERS” area to the play symbols located in the “IN BETWEEN NUMBERS” area. A player wins a prize indicated in the “PRIZE LEGEND” when four or more numbers in the “YOUR NUMBERS” area fall, numerically, in between the numbers in the “IN BETWEEN NUMBERS” area. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) An In Between game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting an In Between game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of an In Between game ticket and select the In Between option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *In Between ticket characteristics*:

(a) An In Between ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code.

(b) *Play Symbols*: Each In Between ticket play area will contain an “IN BETWEEN NUMBERS” area and a “YOUR NUMBERS” area. The play symbols located in the “IN BETWEEN” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), and 35 (THYFIV). The play symbols located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15

(FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), and 35 (THYFIV).

(c) *Prizes*: The prizes, located in the “PRIZE LEGEND,” that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$1,000 and \$10,000. A player can win up to 1 time on a ticket.

(d) *Approximate Number of Tickets Available for the Game*: Approximately 4,800,000 tickets will be available for sale for the In Between lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All In Between prize payments will be made as one-time, lump-sum cash payments.

(b) A winning In Between ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which twelve “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which eleven “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which ten “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which nine “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which eight “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which seven “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which six “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which five “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets upon which four “YOUR NUMBERS” play symbols are between the “IN BETWEEN NUMBERS,” numerically, on a single ticket, shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Chances of Winning*: The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

When Four Or More Your Numbers Fall Between The In Between Numbers, Win Corresponding Prize Shown In The Prize Legend. Win With:

<i>Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
4 NUMBERS IN BETWEEN	\$2	7.94	604,800
5 NUMBERS IN BETWEEN	\$4	17.86	268,800
6 NUMBERS IN BETWEEN	\$5	28.57	168,000
7 NUMBERS IN BETWEEN	\$10	50	96,000
8 NUMBERS IN BETWEEN	\$20	200	24,000
9 NUMBERS IN BETWEEN	\$50	480	10,000
10 NUMBERS IN BETWEEN	\$100	1,297	3,700
11 NUMBERS IN BETWEEN	\$1,000	6,000	800
12 NUMBERS IN BETWEEN	\$10,000	480,000	10

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

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the winning Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the winning Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee,

contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the In Between lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell In Between lottery game tickets.

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

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote In Between or through normal communications methods.

19. *Applicability:* This notice applies only to the In Between lottery game announced in this notice.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 17-727. Filed for public inspection April 28, 2017, 9:00 a.m.]

Pennsylvania Millionaire Raffle XXVI Raffle Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 874.4 (relating to notice of raffle lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following raffle lottery game:

1. *Name:* The name of the raffle game is Pennsylvania Millionaire Raffle XXVI.

2. *Price:* The price of one Pennsylvania Millionaire Raffle XXVI lottery game ticket is \$20.

3. *Ticket Sales and Drawing Date:* Pennsylvania Millionaire Raffle XXVI lottery game ticket sales will commence on or after May 2, 2017, and will continue until all 500,000 tickets have been sold, or 8:00 p.m. on July 8, 2017, whichever occurs earlier.

4. *Ticket Characteristics:* Each Pennsylvania Millionaire Raffle XXVI lottery game ticket will contain one unique computer-generated eight-digit number between 00000001 and 00500000, the drawing date, amount bet, and validation data.

5. *Prizes:* The prizes that can be won in this game are \$100, \$1,000, \$100,000 and \$1,000,000.

6. *Maximum Number of Tickets Printed and Sold for the Game:* There will be no more than 500,000 tickets printed and sold for the Pennsylvania Millionaire Raffle XXVI lottery game. The chances will be sequentially issued on a statewide basis from the range of individual unique numbers representing the chances available for the game.

7. *Early Bird Bonus Drawings:*

(a) *Conduct of Early Bird Bonus Drawings.* The Lottery will conduct nine (9) Early Bird Bonus Drawings, each of which will award one (1) prize of \$100,000, for a total of 9 prizes.

(1) Each ticket purchased during the entry period for each Early Bird Bonus Drawing will be automatically entered into that week's Early Bird Bonus Drawing, as described in section 7(b) (relating to Early Bird Bonus Drawing entry periods), as well as the Millionaire Raffle Drawing on July 8, 2017, as described in section 8 (relating to conduct of Millionaire Raffle Drawing).

(2) A computer-generated randomizer will be used to conduct each Early Bird Bonus Drawing. One (1) unique eight-digit number will be drawn from the range of numbers representing the chances sold during each Early Bird Bonus Drawing entry period. The unique eight-digit number drawn will be the winning number.

(3) The winning ticket number for each Early Bird Bonus Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(b) *Early Bird Bonus Drawing Entry Periods:*

(1) All tickets sold between May 2, 2017 at 12:00:00 a.m. and May 8, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 1, held between May 9, 2017 and May 11, 2017, with winners announced by May 11, 2017.

(2) All tickets sold between May 9, 2017 at 12:00:00 a.m. and May 15, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 2, held between May 16, 2017 and May 18, 2017, with winners announced by May 18, 2017.

(3) All tickets sold between May 16, 2017 at 12:00:00 a.m. and May 22, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 3, held between May 23, 2017 and May 25, 2017, with winners announced by May 25, 2017.

(4) All tickets sold between May 23, 2017 at 12:00:00 a.m. and May 29, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 4, held between May 30, 2017 and June 1, 2017, with winners announced by June 1, 2017.

(5) All tickets sold between May 30, 2017 at 12:00:00 a.m. and June 5, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 5, held between June 6, 2017 and June 8, 2017, with winners announced by June 8, 2017.

(6) All tickets sold between June 6, 2017 at 12:00:00 a.m. and June 12, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 6, held between June 13, 2017 and June 15, 2017, with winners announced by June 15, 2017.

(7) All tickets sold between June 13, 2017 at 12:00:00 a.m. and June 19, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 7, held between June 20, 2017 and June 22, 2017, with winners announced by June 22, 2017.

(8) All tickets sold between June 20, 2017 at 12:00:00 a.m. and June 26, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 8, held between June 27, 2017 and June 29, 2017, with winners announced by June 29, 2017.

(9) All tickets sold between June 27, 2017 at 12:00:00 a.m. and July 3, 2017 at 11:59:59 p.m. will be entered into Early Bird Bonus Drawing 9, held between July 4, 2017 and July 6, 2017, with winners announced by July 6, 2017.

(10) All tickets sold after July 3, 2016 at 11:59:59 p.m. will only be eligible for the Millionaire Raffle drawing.

(c) *Determination of Early Bird Bonus Drawing Prize Winners.*

(1) The first unique eight-digit number drawn from among the tickets automatically entered into each of the Early Bird Bonus Drawings will be a winning number and the holder of the ticket that matches the winning number shall be entitled to a prize of \$100,000.

(2) The ticket bearing the winning number from each Early Bird Bonus Drawing shall be ineligible to win a prize in any subsequent Early Bird Bonus Drawing, but shall be entered into the Millionaire Raffle Drawing, as described in section 8 (relating to conduct of Millionaire Raffle Drawing), and shall be eligible to win a prize described in section 9 (relating to determination of Millionaire Raffle Drawing winners).

(d) *Conduct of Early Bird Bonus Drawings in the Event that All Tickets Are Sold.*

(1) If all Raffle tickets are sold during the Early Bird Bonus Drawings described in section 7(b) (relating to Early Bird Bonus Drawing entry periods), the Lottery will

conduct the Early Bird Bonus Drawing for that entry period from among all tickets sold during that entry period. For all subsequent Early Bird Bonus Drawings, all non-winning tickets from the prior Early Bird Bonus Drawing(s) will be eligible to be entered into any remaining Early Bird Bonus Drawings.

(2) A winning ticket selected in any Early Bird Bonus Drawing conducted under subsection 7(d) (relating to conduct of Early Bird Bonus Drawings in the event that all tickets are sold) will be ineligible to win in any subsequent Early Bird Bonus Drawings conducted under this subsection.

(e) The odds of an entry being selected in each Early Bird Bonus Drawing depend upon the number of tickets sold during the entry period for each Early Bird Bonus Drawing.

(f) The entry periods for the Early Bird Bonus Drawings will be posted to the Pennsylvania Lottery's publicly accessible website.

8. *Conduct of Millionaire Raffle Drawing:* The results of the Pennsylvania Millionaire Raffle XXVI lottery game will be posted to the Lottery's publicly accessible website on July 8, 2017, after 10:00 p.m. A computer-generated randomizer will be used to conduct the drawing. Six-thousand (6,000) unique eight-digit numbers will be drawn from the range of numbers representing the chances sold. The first four unique eight-digit numbers drawn will be the first-prize-tier winning numbers. The fifth through eighth unique eight-digit numbers drawn will be the second-prize-tier winning numbers. The ninth through 108th unique eight-digit numbers drawn will be the third-prize-tier winning numbers. The 109th through 6,000th unique eight-digit numbers drawn will be the fourth-prize-tier winning numbers. A player may only win one time on each ticket or chance for the Millionaire Raffle Drawing.

9. *Determination of Millionaire Raffle Drawing Prize Winners:*

(a) Holders of tickets upon which the unique eight-digit number exactly matches one of the first-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which the unique eight-digit number exactly matches one of the second-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which the unique eight-digit number exactly matches one of the third-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which the unique eight-digit number exactly matches one of the fourth-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100.

10. *Number and Description of Prizes and Approximate Odds:* The Pennsylvania Millionaire Raffle XXVI lottery game prizes and determination of winners are as follows:

<i>Ticket Matching Exactly the Unique Eight-digit Number Drawn:</i>	<i>Win Prize Of:</i>	<i>Maximum Odds Of Winning Are 1 In:</i>	<i>Number Of Winners</i>
First-Prize-Tier	\$1,000,000	125,000	4
Second-Prize-Tier	\$100,000	125,000	4

Ticket Matching Exactly the Unique Eight-digit Number Drawn:

Third-Prize-Tier
Fourth-Prize-Tier

Win Prize Of:

\$1,000
\$100

*Maximum Odds
Of Winning
Are 1 In:*

5,000
84.86

*Number Of
Winners*

100
5,892

The odds of winning are based on selling all 500,000 tickets. If all 500,000 tickets are not sold, the odds of winning will depend on the total number of tickets sold. All Pennsylvania Millionaire Raffle XXVI lottery game prize payments, including first-prize-tier prizes, will be made as one-time, lump-sum cash payments. Federal income tax withholding will be automatically deducted from the lump-sum cash payment for all first-prize-tier and second-prize-tier prizes. 11. *Consumer Promotional Programs:* The Lottery may conduct promotional activities to promote the sale of Pennsylvania Millionaire Raffle XXVI lottery game tickets, including offering tickets at a discounted price. Details of any such offering will be disseminated through media used to advertise or promote the Pennsylvania Millionaire Raffle XXVI lottery game or through normal communications methods. 12. *Retailer Bonus:* The Lottery in its sole discretion may offer a retailer bonus in connection with the sale of Pennsylvania Millionaire Raffle XXVI 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. 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 winning ticket is claimed and validated or approximately 30 days after the date of the drawing in which the winning ticket was entered, provided that Lottery security can and has verified the sales transaction as valid. A bonus will not be awarded to a Lottery retailer that sells a Pennsylvania Lottery Millionaire Raffle XXVI ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize in that second-chance drawing or promotion.

13. *Promotional Drawings:* The Pennsylvania Lottery may conduct promotional drawings associated with the Pennsylvania Millionaire Raffle XXVI lottery game. If the Lottery does conduct such a promotional drawing, Pennsylvania Millionaire Raffle XXVI lottery game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Pennsylvania Millionaire Raffle XXVI drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

14. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Millionaire Raffle XXVI lottery

game tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

15. *Unclaimed Prize Money:* Unclaimed prize money on winning Pennsylvania Millionaire Raffle XXVI lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the announced close of the Pennsylvania Millionaire Raffle XXVI lottery game. If no claim is made within 1 year of the announced close of the Pennsylvania Millionaire Raffle XXVI lottery game conducted by the State Lottery, the right of a ticket holder to claim the prize represented by that ticket, if any, expires and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute.

16. *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.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 17-728. Filed for public inspection April 28, 2017, 9:00 a.m.]

DEPARTMENT OF STATE

Revised Uniform Law on Notarial Acts

Under section 4 of the act of October 9, 2013 (P.L. 609, No. 73), known as the Revised Uniform Law on Notarial Acts (RULONA), the Department of State (Department) gives notice that it has approved notary education courses under 57 Pa.C.S. § 322(b) (relating to examination, basic education and continuing education). A list of approved courses may be found at www.dos.pa.gov/OtherServices/Notaries (select "What to Know About RULONA").

RULONA was enacted on October 9, 2013, with provisions relating to the Department's authority to approve education courses, make regulations and set fees immediately effective. Under section 5 of RULONA, the remainder of RULONA shall take effect October 26, 2017, 180 days after publication of this notice.

The intervening 180 days will allow all new and renewing notaries public to become competent in the requirements of RULONA. The Department recommends, but does not require, that all notaries applying for appointment or reappointment in the next 6 months complete a RULONA-compliant education course.

On October 26, 2017, all remaining provisions of RULONA will become effective. These include major changes to the application process, such as a requirement that all applicants who do not hold an active notary commission, at the time their application is received by the Department, must pass an examination, and all notaries, new and renewing, must complete a 3-hour RULONA-compliant education course. These changes will apply to all applications received on or after October 26, 2017.

For further information on RULONA, including a summary of the changes instituted by RULONA, see www.dos.pa.gov/OtherServices/Notaries (select "What to Know About RULONA").

The appointment, commissioning and discipline of notaries public is performed by the Department's Bureau of Commissions, Elections and Legislation, Division of Commissions, Legislation and Notaries (Division). Visit the Division's web site at www.notaries.pa.gov for more information on notaries public. Further inquiries may be directed to the Division at 401 North Street, Room 210, Harrisburg, PA 17120, (717) 787-5280, ST-NOTARIES@pa.gov.

Further inquiries may be directed to the Division at 401 North Street, Room 210, Harrisburg, PA 17120, (717) 787-5280, ST-NOTARIES@pa.gov.

PEDRO A. CORTÉS,
Secretary

[Pa.B. Doc. No. 17-729. Filed for public inspection April 28, 2017, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on April 7, 2017, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' feet maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 0166	from the SR 0021 interchange to High Avenue (Local Road)	Fayette	1.0

The Department of Transportation, Engineering District 12, approved the access route within its respective jurisdiction. Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 17-730. Filed for public inspection April 28, 2017, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Municipal Authority of the Town of Bloomsburg v. Department of Environmental Protection; EHB Doc. No. 2017-028-C

Municipal Authority of the Town of Bloomsburg has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Municipal Authority of the Town of Bloomsburg for a facility in Town of Bloomsburg, Columbia 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. 17-731. Filed for public inspection April 28, 2017, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Tuesday, May 2, 2017—Technical Advisory Group meeting at 10 a.m., Executive Committee meeting at 2 p.m. and Thursday, May 4, 2017—Council meeting at 10 a.m.

The meetings will be accessible at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend should contact Renee Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 17-732. Filed for public inspection April 28, 2017, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 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.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
106-12	Environmental Hearing Board Practice and Procedure	4/18/17	6/15/17

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 17-733. Filed for public inspection April 28, 2017, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Roehrig Insurance Group, LLC, d/b/a Stauffer Insurance Group, d/b/a Diehl Insurance Agency under Act 143; Selective Insurance Company; Doc. No. AT17-04-002

Roehrig Insurance Group, LLC, d/b/a Stauffer Insurance Group, d/b/a Diehl Insurance Agency has requested review of an agency contract termination by Selective Insurance Company under sections 1—6 of The Insurance Department Act of 1921 (40 P.S. §§ 241—246).

A pre-review telephone conference initiated by this office is scheduled for June 6, 2017, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before June 2, 2017. A date for a review shall be determined, if necessary, at the pre-review conference.

Motions preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 19, 2017, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to preliminary motions, protests, petitions to intervene or notices of intervention, if any, shall be filed on or before June 2, 2017.

Persons with a disability who wish to attend the previously-referenced administrative review and require an auxiliary aid, service or other accommodation to participate in the review should contact Penny Callihan, Human Resources Director, at (717) 705-3873.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-734. Filed for public inspection April 28, 2017, 9:00 a.m.]

Metropolitan Life Insurance Company; Rate Increase Filing for Group LTC Form GCLTCAARP-04-OP (META-130990164)

Metropolitan Life Insurance Company is requesting approval to increase the premium 23.1% over 3 years on

150 certificate holders with the following group LTC policy form number: GCLTCAARP-04-OP. This group form was sponsored by AARP and sold under master policy G.LTC1697 which was approved by the District of Columbia on July 27, 1997.

Unless formal administrative action is taken prior to July 13, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-735. Filed for public inspection April 28, 2017, 9:00 a.m.]

Metropolitan Life Insurance Company; Rate Increase Filing for Group LTC Form GCLTCAARP-06-FC (META-130989999)

Metropolitan Life Insurance Company is requesting approval to increase the premium 23.1% over 3 years on 112 certificate holders with the following group LTC policy form number: GCLTCAARP-06-FC. This group form was sponsored by AARP and sold under master policy G.LTC1697 which was approved by the District of Columbia on July 27, 1997.

Unless formal administrative action is taken prior to July 13, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-736. Filed for public inspection April 28, 2017, 9:00 a.m.]

Metropolitan Life Insurance Company; Rate Increase Filing for Group LTC Forms (META-130989971)

Metropolitan Life Insurance Company is requesting approval to increase the premium 23.1% over 3 years on 2,680 certificate holders with the following group LTC policy form numbers: G.LTC5897R100 and G.LTC5797R100. These group forms were sponsored by AARP and sold under master policy G.LTC1697 which was approved by the District of Columbia on July 27, 1997.

Unless formal administrative action is taken prior to July 13, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-737. Filed for public inspection April 28, 2017, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to Administrative Rules of Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance

Department's regional office in 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 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Donald Seroka; File No. 17-116-208549; State Farm Fire & Casualty Insurance Company; Doc. No. P17-04-003; May 17, 2017, 1 p.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-738. Filed for public inspection April 28, 2017, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests 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 May 15, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2017-2593688. Country Roads Transportation, LLC (262 Park Road, Herndon, Northumberland County, PA 17830) persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Borough of Herndon, Northumberland County, to points in Pennsylvania, and return. *Attorney:* Richard G. Scheib, 11 Reitz Boulevard, Suite 102, Lewisburg, PA 17837.

A-2017-2599075. Champagne Limousine Service, Inc. (101 West Plainfield Avenue, Pen Argyl, North-

ampton County, PA 18072) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Northampton, Monroe, Lehigh and Carbon, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2017-2599081. Damon W. Belser, t/a Olive Branch Transportation (130 Fayette Street, Suite 199, Conshohocken, Montgomery County, PA 19428) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return.

A-2017-2598626. Executive Limousines, LLC (239 Fourth Avenue, Suite 1915, Pittsburgh, Allegheny County, PA 15222-1700) for the right to transport as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Allegheny and Washington, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2017-2599032. B & C Limousine Service, LLC (985 Donald Drive, Emmaus, Lehigh County, PA 18049) persons in limousine service, from points in the Counties of Lehigh and Northampton, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-2017-2598538. Wills Taxi Service, LLC (197 High Street, Berlin, PA 15530) a corporation of the Commonwealth of Pennsylvania—for the right to begin to transport, by motor vehicle, persons upon call or demand, which is to be a transfer of all rights authorized under the certificate issued at A-2015-2506370 to Phyllis J. Wills, subject to the same rights and limitations.

Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.

A-2017-2599038. Nasser Limousine, LLC (4751 Birney Avenue, Moosic, PA 18507) for the additional right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, between points in Luzerne County.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-2017-2590174. Peter Fox, t/a Fox Moving & Hauling (315 South 5th Street, Perkasio, Bucks County, PA 18944) household goods in use, between points in Pennsylvania.

A-2017-2597578. Mountain Movers, LLC (1141A Penn Avenue, Wyomissing, Berks County, PA 19610) household goods in use, between points in the Counties of Lancaster, Berks and Lehigh. *Attorney:* Kenneth R. Stark, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

Application of the following for approval to begin operating as a broker for transportation of household goods as described under the application.

A-2017-2597239. GE Logistics Solutions, LLC (225 Davis Avenue, Pittsburgh, Allegheny County, PA 15223) for a brokerage license evidencing the Commission's approval of the right and privilege to operate as a broker, to arrange for the transportation of household goods in use between points in Pennsylvania.

Application of the following for the approval of the transfer of stock as described under the application.

A-2017-2598654. Avanti Car Service, LLC (218 Walnut Street, Newtown Square, PA 19073) a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 100% of issued and outstanding shares held by Panagiotis Maragelis to Efthymia Kyricopvlos.

Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2017-2597263. Stephanie L. Blakeney, t/a Blakeney Transportation Service (1353 East Vernon Road, Philadelphia, PA 19150) discontinuance of service and cancellation of her certificate—persons in group and party service, in vehicles seating 11—15 passengers, including the driver, from points in the City and County of Philadelphia to various educational, historic and amusement facilities in Pennsylvania, and return; excluding service under the jurisdiction of the Philadelphia Parking Authority.

A-2017-2598637. Tincum Taxi, LLC (P.O. Box 26, Essington, Delaware County, PA 19029) for the discontinuance of service and cancellation of their certificate, as a common carrier, by motor vehicle, at A-6313026, authorizing the transportation of persons, upon call or demand service, in Tincum Township, Delaware County; excluding service which is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-739. Filed for public inspection April 28, 2017, 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 May 15, 2017, 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. Black Diamond Transportation, LLC; Docket No. C-2017-2594951

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 Black Diamond Transportation, LLC, (respondent) is under suspension effective March 13, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 2406 Society Place, Newtown, PA 18940.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 02, 2015, at A-6417088.

4. That respondent has failed to maintain evidence of Liability 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-6417088 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: 3/29/17

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. 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

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. 17-740. Filed for public inspection April 28, 2017, 9:00 a.m.]

Telecommunications

A-2017-2598693. Commonwealth Telephone Company, LLC, d/b/a Frontier Communications and NEP TelCom, Inc. Joint petition of Commonwealth Telephone Company, LLC, d/b/a Frontier Communications and NEP TelCom, Inc. for approval of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Commonwealth Telephone Company, LLC, d/b/a Frontier Communications and NEP TelCom, Inc., by their counsel, filed on April 13, 2017, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Commonwealth Telephone Company, LLC, d/b/a Frontier Communications and NEP TelCom, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-741. Filed for public inspection April 28, 2017, 9:00 a.m.]

Telecommunications Services

A-2017-2597586. US LEC of Pennsylvania, LLC, d/b/a PAETEC Business Services. Application of US LEC of Pennsylvania, LLC, d/b/a PAETEC Business Services for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of Windstream D&E, Inc. and Frontier Communications of Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 15, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: US LEC of Pennsylvania, LLC, d/b/a PAETEC Business Services

Through and By Counsel: Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 500, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-742. Filed for public inspection April 28, 2017, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

August 30, 2017	Kimberly G. Osborne	1 p.m.
	(Rescind NQPT Service)	

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

GLEN R. GRELL,
Executive Director

[Pa.B. Doc. No. 17-743. Filed for public inspection April 28, 2017, 9:00 a.m.]

STATE BOARD OF NURSING

Automatic Suspension of the License to Practice of Melanie A. Cruz, LPN; Doc. No. 1157-51-16; File No. 16-51-01902

On March 27, 2017, Melanie A. Cruz, LPN, license No. PN274912, last known of Reading and Wyomissing, Berks County, was indefinitely suspended retroactive to July 19, 2016, and ordered to pay the costs of investigation in the amount of \$525 based on being addicted to alcohol, or addicted to hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination, so long as the dependence shall continue, or if she has become mentally incompetent.

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-744. Filed for public inspection April 28, 2017, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Tracey Greenwood Heiney, LPN; Doc. No. 1299- 51-14; File No. 13-51-07976

On February 8, 2017, Tracey Greenwood Heiney, LPN, Pennsylvania license No. PN259424L, last known of Clayton and Georgetown, DE, was indefinitely suspended and assessed a \$500 civil penalty based on disciplinary action taken by another state and failure to report same to the State Board of Nursing.

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-745. Filed for public inspection April 28, 2017, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Barbara Micale Stevens, RN; File No. 13-51- 07181; Doc. No. 1222-51-15

On February 14, 2017, Barbara Micale Stevens, RN, Pennsylvania license No. RN278065L, last known of Laguna Woods, CA, was revoked and assessed a \$2,000 civil penalty based on disciplinary action taken by other states and failure to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Ariel E. O'Malley, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with

that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-746. Filed for public inspection April 28, 2017, 9:00 a.m.]

STATE HORSE RACING COMMISSION

Out of Competition Testing Program

The State Horse Racing Commission (Commission) hereby provides notice that on February 28, 2017 (Administrative Docket No. 2017-5), in accordance with the statutory authority set forth in 3 Pa.C.S. § 9312(6) (relating to additional powers of commission), it issued an Order approving and adopting the Out of Competition Testing Program (Program) as adopted and amended by the Association of Racing Commissioners International, a Nationally-recognized association of racing regulators.

The complete text of the February 28, 2017, Order, including the procedures of the Program adopted by that Order, is set forth as follows. Within the next several weeks the Commission will republish the Program as temporary regulations. Until that occurs, the Program set forth as follows offers guidance to officials and participants within the racing industry. The complete text of the referenced documents is as follows.

Order

And Now, this 28th day of February, 2017, upon consideration of the procedures set forth in the proposed "Out-of-Competition Testing Program" and upon consideration of the purpose of the Out-of-Competition Testing Program to ensure the integrity of the sport and protect the welfare of the horse, and further, upon consideration of the adoption of the virtually identical Out-of-Competition Testing Programs in surrounding jurisdictions, the Commission hereby approves and adopts the Out-of-Competition Testing Program as set forth in "Attachment A" to this Order. The Commission further directs its staff to publish notice of these procedures in the *Pennsylvania Bulletin* as soon as possible.

RUSSELL C. REDDING,
Chairperson
State Horse Racing Commission

Attachment A

Out of Competition Testing Program

Section 1. Purpose.

The Pennsylvania Horse Racing Commission is dedicated to ensuring the integrity of the sport and protecting the welfare of the horse. The purpose of Out of Competition Testing (OCT) is twofold;

- i. To test the horse for performance enhancing substances that may not otherwise be detected with post-race testing.
- ii. To deter the use of these substances.

Section 2. Out-of-competition testing authorization.

The commission may at a reasonable time on any date take blood, urine or other biologic samples as authorized by commission rules from a horse to enhance the ability of the commission to enforce its medication and anti-doping rules. The commission shall own such samples. This rule authorizes only the collection and testing of samples and does not independently make impermissible the administration to or presence in any horse of any drug or other substance. A race day prohibition or restriction of a substance by a commission rule is not applicable to an out-of-competition test unless there is an attempt to race the horse in a manner that violates such rule.

Section 3. Horses eligible to be tested.

Any horse that has been engaging in activities related to competing in horse racing in Pennsylvania may be tested. This includes without limitation any horses that are training outside of Pennsylvania to participate in racing in Pennsylvania and all horses that are training in Pennsylvania.

a) A horse is presumed eligible for out-of-competition testing if:

(i) It is on the grounds at a racetrack or horse facility within the Commonwealth. If the trainer of record or a designee of the selected horse is not available the trainer will have 24 hours' notice to have the specified horse(s) at the designated racetrack for samples to be pulled.

(ii) It is under the care or control of a trainer licensed by the commission;

(iii) It is owned by an owner licensed by the commission;

(iv) It is entered or nominated to race at a premises licensed by the commission;

(v) It has raced within the previous 12 months at a premises licensed by the commission; or

(vi) It is nominated to a program based on racing in the jurisdiction, including without limitation a state thoroughbred development, breeder's award fund, or Standardbred state sires stakes.

Section 4. Selection of horses to be test.

a) Reasonable or probable cause:

b) Intelligence-led regulation generates significant quantities of useful information that may give the Commission reasonable cause to conduct OCT.

c) If a seizure of illegal medication is made there may be reasonable cause to test the horses of the stable in question.

d) *Conditions of a License:* Some participants may be subject to out of competition testing because of prior positive test results, wherein a condition to allow has been placed on their license.

e) Changes in Performance.

f) *Stakes Races:* Any horse entered into stakes races in Pennsylvania may be randomly selected for OCT.

g) Horses shall be selected for sampling by the Bureau Director, or a designee of the Bureau Director

h) Horses may be selected to be tested at random, for cause, or as otherwise determined at the discretion of the commission.

Section 5. General procedure for collecting samples.

a) Samples shall be taken under the supervision and direction of a person who is employed or designated by the commission. All blood samples shall be collected by a veterinarian licensed in the state where the sample is collected, or by a veterinary technician who is acting under appropriate supervision of the veterinarian.

b) Upon request of a representative of the commission, the trainer, owner, or their specified designee shall provide the location of their horses eligible for out-of-competition testing.

c) The commission need not provide advance notice before arriving at any location, whether or not licensed by the commission, to collect samples.

d) The trainer, owner, or their specified designee shall cooperate with the person who takes samples for the commission, and said cooperation shall include without limitation:

i. Assist in the immediate location and identification of the horse;

ii. Make the horse available as soon as practical upon arrival of the person who is responsible for collecting the samples;

iii. Provide a stall or other safe location to collect the samples;

iv. Assist the person who is collecting samples in properly procuring the samples; and

v. Witness the taking of samples including sealing of sample collection containers.

e) The management and employees of a licensed racetrack or horse facility at which a horse may be located shall cooperate fully with a person who is authorized to take samples. The person who collects samples for the commission may require that the collection be done at a specified location on such premises.

f) The commission, if requested and in its sole discretion, may permit the trainer, owner, or their specified designee to present a horse that is located in Pennsylvania, but not at a racetrack or horse facility licensed by the commission, to be sampled at a time and location designated by the commission.

Section 6. Procedure for collecting samples from horses located outside the jurisdiction.

a) The commission may arrange for the sampling of an out-of-state horse by requesting the selected horse appear at a designated race track under commonwealth jurisdiction with 24 hours' notice. Failure to abide by this request will result in a scratch and the horse will be placed on the Stewards/Judges list for 90 days. Plus, the trainer of record will be subjected to a penalty under 10(a).

Section 7. Additional procedures.

a) The person who takes samples for the commission shall provide Commission identification and disclose the purpose of the sampling to the trainer or designated attendant of the horse.

b) An owner or trainer does not consent to a search of the premises by making a horse that is not located at a racetrack or horse facility available for sampling.

c) If the trainer or other custodian of a selected horse refuses or declines to make the horse available for sampling and the managing owner has previously provided the commission with a means for the commission to give immediate notification to the managing owner in

such situation, then the commission shall attempt to notify the managing owner and the eligibility of the horse shall be preserved if the managing owner is able to make the horse available for immediate sampling. The commission is not required to make repeated attempts to notify the managing owner.

Section 8. Analysis of collected samples.

a) The commission may have out-of-competition samples tested to produce information that may enhance the ability of the commission to enforce its medication and anti-doping rules.

b) Split sample rules and procedures for post-race testing shall apply to out-of-competition testing, with the exception of the split sample being retained at the laboratory instead of the race track.

c) The commission may use any remaining sample for research and investigation.

Section 9. Cooperation with the commission.

a) Licensees of the commission are required to cooperate and comply fully with the provisions of this rule.

b) Persons who apply for and are granted a trainer or owner license shall be deemed to have given their consent for access at such premises as their horse may be found for the purpose of commission representatives collecting OTC samples. Licensees shall take any steps necessary to authorize access by commission representatives at such premises.

c) No other person shall knowingly interfere with or obstruct a sampling.

Section 10. Penalties for non-cooperation or positive tests.

a) Willful failure to make a horse available for sampling or other willfully deceptive acts or interference in the sampling process shall carry a minimum penalty of a 180 days suspension plus a \$5,000 fine and referral to the commission. Also, all horses entered in to race may be scratched.

b) A selected horse that is not made available for out-of-competition sampling shall be placed on the Steward's or Judges List. The horse shall remain on the list for a minimum of 90 days and must test negative per OTC requirements prior to be removed from the list.

c) A selected horse that is presumed eligible for OTC testing shall be placed on the Steward's/Judge's list and be ineligible to race in Pennsylvania for 180 days if the horse is not sampled because the trainer, owner, or their designee asserts that the horse is not engaged in activities related to competing in horse racing in Pennsylvania. This restriction shall not apply if the trainer, owner or their designee instead permits voluntarily an immediate collection of such samples from the horse.

d) Penalty for trainer with a Positive test for Anabolic Steroids shall be \$5,000 plus a suspension of 180 days. This is in addition to any purse money earned that will be forfeited.

e) Penalty for trainer with a Positive test for blood doping agents shall be \$10,000 plus a suspension of 2 years. This is in addition to any purse money earned that will be forfeited

f) Horses that test positive for Anabolic Steroids or Blood doping agents shall be placed on the Steward's or Judges List for a minimum of 90 days. In order to be released from the Steward's or Judge's list the horse must provide a negative sample.

THOMAS F. CHUCKAS, Jr.,
Director
Bureau of Thoroughbred Horse Racing

BRETT REVINGTON,
Director
Bureau of Standardbred Horse Racing

[Pa.B. Doc. No. 17-747. Filed for public inspection April 28, 2017, 9:00 a.m.]

Pylon Rule

The State Horse Racing Commission (Commission) hereby provides notice that on March 29, 2017 (Administrative Docket No. 2017-6), in accordance with the statutory authority set forth in 3 Pa.C.S. § 9311(a) and (h) (relating to State Horse Racing Commission), it issued an Order approving and adopting the Pylon Rule to be implemented at standardbred horse racing facilities within this Commonwealth. The Pylon Rule establishes guidelines, including penalty provisions when necessary, to be used by the Commission's Board of Judges to ensure consistent oversight and adherence to the parameters and layout of the race course.

The complete text of the March 29, 2017, Order, including the specific guidelines and provisions, is set forth as follows. Within the next several weeks the Commission will republish the Program as temporary regulations. Until that occurs, the Pylon Rule set forth as follows offers guidance to officials and participants within the racing industry. The complete text of the referenced documents is as follows.

Order

And Now, this 29th day of March, 2017, upon consideration of the procedures set forth in the above referenced "Pylon Rule" and upon consideration of the purpose of the pylon rule to ensure a fair and competitive playing field during the running of a race and to maintain consistent oversight of the penalties to be assessed under the pylon rule, the Commission hereby approves and adopts the Pylon Rule as specifically set forth in "Attachment A" to this Order. The Commission further directs its staff to publish notice of the above Pylon Rule in the *Pennsylvania Bulletin* as soon as possible.

RUSSELL C. REDDING,
Chairperson
State Horse Racing Commission

Attachment A

Pylon Rule

Section 1. General Rule.

A. It shall be a violation of the pylon rule if a horse while on stride, or part of the horse's sulky, leaves the race course by going inside the existing pylons when not forced to do so by the actions of another driver and/or horse. The position of the pylons (as set forth in section 4) shall constitute the inside limits of the race course.

B. When an act of interference causes a horse, or part of the horse's sulky, to cross inside the pylons and the

horse is placed by the Judges, the offending horse shall be placed behind the horse with which it interfered.

Section 2. Placement of offending horses.

In races conducted at pari-mutuel meetings, for purposes of placing the horse, the following shall apply:

1. If a horse while on stride, or part of the horse's sulky, goes inside two (2) consecutive pylons, the offending horse shall be placed behind all horses that are lapped onto the offending horse at the wire;

2. If a horse while on stride, or any part of the horse's sulky, goes inside three (3) or more consecutive pylons, the offending horse shall be placed last;

3. If in the opinion of the Judges a horse while on stride, or part of the horse's sulky, goes inside a pylon(s) and that action gave the horse an unfair advantage over other horses in the race or the action helped improve its position in the race, the horse may be placed at the discretion of the Judges.

Section 3. Penalties.

In races conducted at pari-mutuel meetings, drivers, who in the opinion of the Board of Judges, leave the race course when not forced to do so by another driver and/or horse may be subject to the following monetary penalty or suspension.

1. For the 1st violation, a monetary penalty of \$200 shall be imposed;

2. For the 2nd violation within a year of the 1st violation a monetary penalty of \$300 shall be imposed;

3. For the 3rd violation within a year of the 1st violation a minimum monetary penalty of \$500 plus a suspension for 3 days shall be imposed;

4. For the 4th violation within a year of the 1st violation a minimum monetary penalty of \$1,000 and a suspension for 5 days shall be imposed."

Section 4. Pylon location and placement.

Pylons at all race track facilities shall be spaced consistently and shall conform to the following:

1. 2 feet above ground;
2. 30 degree angle facing inward to the track surface;
3. 40 feet apart on the turns;
4. 60 feet apart on the straightaways;

BRETT REVINGTON,
Director

Bureau of Standardbred Horse Racing

[Pa.B. Doc. No. 17-748. Filed for public inspection April 28, 2017, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from March 1, 2017, through March 31, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the

Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals by Rule Issued Under 18 CFR 806.22(e)

1. Mt. Carmel Cogen, Inc., ABR-201703001, Mt. Carmel Township, Northumberland County, PA; Consumptive Use of Up to 1.370 mgd; Approval Date: March 1, 2017.

Approvals by Rule Issued Under 18 CFR 806.22(f)

1. Chief Oil & Gas, LLC, Pad ID: Tague East Drilling Pad, ABR-201208024.R1, Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 3, 2017.

2. Chesapeake Appalachia, LLC, Pad ID: Borek, ABR-201208021.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 6, 2017.

3. EOG Resources, Inc., Pad ID: WOLFE B Pad, ABR-201203002.R1, Athens Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 6, 2017.

4. SWN Production Company, LLC, Pad ID: TONYA EAST, ABR-201204012.R1, New Milford and Great Bend Townships, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 6, 2017.

5. SWN Production Company, LLC, Pad ID: Seamans Pad, ABR-201204022.R1, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 6, 2017.

6. SWN Production Company, LLC, Pad ID: Warner Pad, ABR-201204024.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 6, 2017.

7. SWN Production Company, LLC, Pad ID: Charles Pad, ABR-201204013.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 7, 2017.

8. SWN Production Company, LLC, Pad ID: Gaylord Pad, ABR-201204020.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 7, 2017.

9. SWN Production Company, LLC, Pad ID: Page Pad, ABR-201204021.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 7, 2017.

10. SWN Production Company, LLC, Pad ID: Walker Pad, ABR-201204023.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 7, 2017.

11. SWN Production Company, LLC, Pad ID: O'Brien Pad, ABR-201205012.R1, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 7, 2017.

12. Chief Oil & Gas, LLC, Pad ID: AMBROSIUS B PAD, ABR-201703002, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: March 9, 2017.

13. Chief Oil & Gas, LLC, Pad ID: Taylor Drilling Pad B, ABR-201703003, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: March 9, 2017.

14. SWN Production Company, LLC, Pad ID: Humbert III Pad (RU-9), ABR-201205018.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 16, 2017.

15. SWN Production Company, LLC, Pad ID: Scarlet Oaks Pad (RU-38), ABR-201205020.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 16, 2017.

16. EXCO Resources (PA), LLC, Pad ID: Dale Bower East Unit Pad, ABR-201202009.R1, Penn Township, Lycoming County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: March 17, 2017.

17. SWN Production Company, LLC, Pad ID: ASNIP-ABODE, ABR-201202005.R1, Herrick and Orwell Townships, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 22, 2017.

18. SWN Production Company, LLC, Pad ID: Glover Pad, ABR-201204019.R1, Thompson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 22, 2017.

19. Chesapeake Appalachia, LLC, Pad ID: Blueberry Hill, ABR-201209014.R1, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 27, 2017.

20. Chief Oil & Gas, LLC, Pad ID: SGL 12 C DRILLING PAD, ABR-201703004, Leroy and Overton Townships, Bradford County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: March 27, 2017.

21. Chesapeake Appalachia, LLC, Pad ID: Carr, ABR-201209015.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 29, 2017.

22. Chief Oil & Gas, LLC, Pad ID: Raimo Unit Pad, ABR-201703005, Overton and Monroe Townships, Bradford County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: March 29, 2017.

23. SWN Production Company, LLC, Pad ID: NR-10 POWELL Pad, ABR-201703006, Great Bend Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 29, 2017.

24. Cabot Oil & Gas Corporation, Pad ID: TsourousA P1, ABR-201703007, Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 29, 2017.

25. Chief Oil & Gas, LLC, Pad ID: L. KINGSLEY NORTH UNIT PAD, ABR-201703008, Overton Township, Bradford County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: March 29, 2017.

26. SWEPI, LP, Pad ID: Kreitzer 505, ABR-201202030.R1, Rutland Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 29, 2017.

27. Range Resources—Appalachia, LLC, Pad ID: Porter, Stephen, ABR-201203028.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: March 29, 2017.

28. Range Resources—Appalachia, LLC, Pad ID: Roaring Run Unit, ABR-201203029.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: March 29, 2017.

29. SWN Production Company, LLC, Pad ID: Wilkes Well Pad, ABR-201202029.R1, Silver Lake Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 30, 2017.

30. SWN Production Company, LLC, Pad ID: Preston-Perkins, ABR-201204025.R1, Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 30, 2017.

31. Chesapeake Appalachia, LLC, Pad ID: Yench, ABR-201209012.R1, Monroe Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 31, 2017.

32. JKLM Energy, LLC, Pad ID: Headwaters 142, ABR-201703009, Ulysses Township, Potter County, PA; Consumptive Use of Up to 3.5500 mgd; Approval Date: March 31, 2017.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 18, 2017

ANDREW D. DEHOFF,
Executive Director

(Pa.B. Doc. No. 17-749. Filed for public inspection April 28, 2017, 9:00 a.m.)

Projects Approved for Minor Modifications

The Susquehanna River Basin Commission (Commission) lists the minor modifications approved for a previously approved project from August 16, 2016, to March 31, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists previously approved projects, receiving approval of minor modifications, described as follows, under 18 CFR 806.18 (relating to approval modifications) for the time period previously specified:

Minor Modifications Issued Under 18 CFR 806.18

1. Essential Power Rock Springs, LLC, Rock Springs Generation Facility, Docket No. 20001203-2, Rising Sun District, Cecil County, MD; approval to change the authorized water use purpose, on an interim basis, to include bulk water supply to the neighboring Wildcat Point Generation Facility; Approval Date: August 16, 2016.

2. Essential Power Rock Springs, LLC, Rock Springs Generation Facility, Docket No. 20001203-3, Rising Sun District, Cecil County, MD; approval to add Wildcat Point Generation Facility as a source for project consumptive water use to be used as a replacement for the existing sources and rescission of the approval for surface water withdrawal from the onsite stormwater pond; Approval Date: January 6, 2017.

3. Old Dominion Electric Cooperative, Wildcat Point Generation Facility, Docket No. 20140308-1, Rising Sun District, Cecil County, MD; approval to add Rock Springs Generation Facility as a source for project consumptive

water use, on an interim basis, until the approved new water source under Docket No. 20140308 is available; Approval Date: August 16, 2016.

4. Old Dominion Electric Cooperative, Wildcat Point Generation Facility, Docket No. 20140308-2, Rising Sun District, Cecil County, MD; approval to change the authorized water use purpose to include bulk water supply to the neighboring Rock Springs Generation Facility; Approval Date: January 6, 2017.

5. Patton Borough, Docket No. 20121221-1, Clearfield Township, Cambria County, PA; approval of an increase in the total system limit from 0.339 mgd established in Docket No. 20121221 to 0.632 mgd; Approval Date: September 26, 2016.

6. Renovo Energy Center, LLC, Docket No. 20160608-1, Renovo Borough, Clinton County, PA; approval to add Renovo Borough Water Authority as a source for project consumptive water use, on an interim basis, until the approved new water source under Docket No. 20160608 is available; Approval Date: March 24, 2017.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 18, 2017

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 17-750. Filed for public inspection April 28, 2017, 9:00 a.m.]

Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following project from March 1, 2017, through March 31, 2017.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the project, described as follows, being rescinded for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

Rescinded ABR Issued

1. SWN Production Company, LLC, Pad ID: Estabrooks Pad, ABR-201204017, Harford Township, Susquehanna County, PA; Rescind Date: March 15, 2017.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 18, 2017

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 17-751. Filed for public inspection April 28, 2017, 9:00 a.m.]