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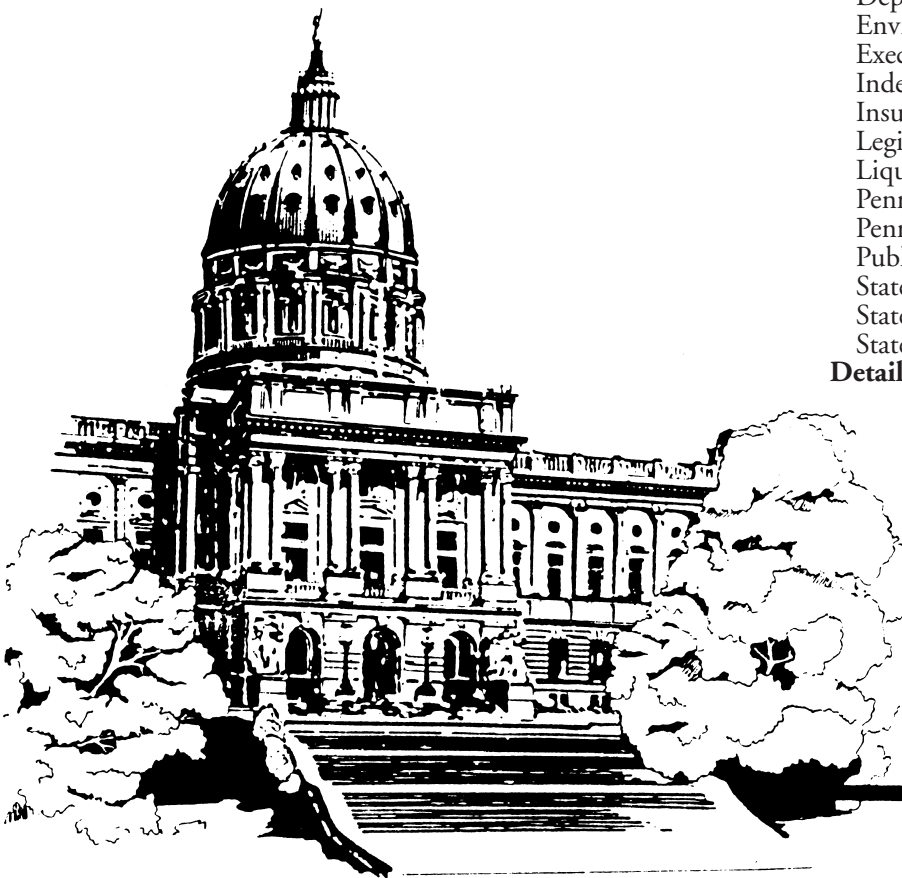
# PENNSYLVANIA BULLETIN

Volume 45  
Saturday, August 15, 2015 • Harrisburg, PA  
Number 33  
Pages 4747—4874

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Department of Environmental Protection  
Department of General Services  
Department of Health  
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Pennsylvania Gaming Control Board  
Pennsylvania Public Utility Commission  
Public School Employees' Retirement Board  
State Board of Barber Examiners  
State Board of Cosmetology  
State Board of Nursing

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(Master Transmittal Sheet):**

**No. 489, August 2015**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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#### **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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# 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 2015.

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# THE GENERAL ASSEMBLY

## Recent Actions during 2015 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2015 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2015 General Acts of Regular Session Enacted—Act 015 through 039</b>					
015	Jul 1	HB1276	PN1997	Immediately	Domestic Relations Code (23 Pa.C.S.)—omnibus amendments
016	Jul 2	SB0397	PN1058	120 days	Judicial Code (42 Pa.C.S.)—professional bondsmen, authorization to conduct business within each county, forfeited undertaking, private cause of action and third party sureties
017	Jul 8	SB0284	PN0783	90 days	Vehicle Code (75 Pa.C.S.)—special motorcycle plates for veterans
018	Jul 8	SB0285	PN0163	60 days	Military and Veterans Code (51 Pa.C.S.)—Veterans' Trust Fund
019	Jul 8	SB0438	PN0389	60 days	Lance Corporal Joseph E. Roble Memorial Bridge—designation
020	Jul 10	HB0073	PN0064	60 days	Judicial Code (42 Pa.C.S.)—counseling of sexually violent predators
021	Jul 10	HB0088	PN2000	60 days	Multiple highway, road and interchange designations
022	Jul 10	HB0140	PN0124	30 days	Ridesharing Arrangements Act—enactment
023	Jul 10	HB0157	PN0307	60 days	Military and Veterans Code (51 Pa.C.S.)—professional and occupational licenses, definitions and retention and certification
024	Jul 10	HB0164	PN0787	60 days	Crimes Code (18 Pa.C.S.)—offense of cruelty to animals
025	Jul 10	HB0221	PN0464	60 days	Judicial Code (42 Pa.C.S) and Municipalities Code (53 Pa.C.S.)—continuing education requirements, powers and duties of
026	Jul 10	HB0229	PN0486	60 days	Crimes Code (18 Pa.C.S.)—offense of harassment
027	Jul 10	HB0272	PN1202	60 days	Sexual Assault Testing and Evidence Collection Act—title, definitions and for sexual assault evidence collection program, and for rights of sexual assault victims
028	Jul 10	HB0329	PN1195	60 days	Corporal John S. Valent Memorial Highway—designation
029	Jul 10	HB0501	PN2001	60 days	Multiple bridge designations in multiple counties
030	Jul 10	HB0972	PN1922	60 days	The Insurance Company Law of 1921—life and endowment insurance and annuities, and policy delivery
031	Jul 10	HB1071	PN1998	60 days	Development Permit Extension Act—definition of “approval” and existing approval

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
032	Jul 10	SB0042	PN1025	60 days	Vehicle Code (75 Pa.C.S.)—issuance and content of driver's license
033	Jul 10	SB0329	PN0220	Immediately	Public School Code of 1949—establishing the Ready to Succeed Scholarship Program, conferring powers and imposing duties on the Pennsylvania Higher Education Assistance Agency and the Department of Education
034	Jul 10	SB0330	PN0775	60 days	Crimes Code (18 Pa.C.S.) and Municipalities Code (53 Pa.C.S.)—repealing municipal housing code avoidance, neighborhood blight reclamation and revitalization, and failure to comply with a code requirement
035	Jul 10	SB0405	PN1075	60 days	Corporal Bryon K. Dickson, II, Exit—designation
036	Jul 10	SB0620	PN1130	Immediately	Project 70 lands—release of restrictions of land in the Borough of Carlisle, Cumberland County
037	Jul 10	SB0687	PN0673	60 days	Real and Personal Property Code (68 Pa.C.S.)—planned communities, applicability of local ordinances, regulations and building codes
038	Jul 10	SB0688	PN0674	60 days	Real and Personal Property Code (68 Pa.C.S.)—condominiums, applicability of local ordinances, regulations and building codes
039	Jul 31	SB0487	PN1133	60 days	Insurance Company Law of 1921—limits on copayments for insured medical services provided by a physical therapist, chiropractor and occupational therapist
<b>2015 Appropriation Acts of Regular Session Enacted—Act 001A through 009A</b>					
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002A	Jul 2	SB0813	PN1119	Immediately*	Department of Labor and Industry and Department of Community and Economic Development—expenses for Workers' Compensation Act, Pennsylvania Occupational Disease Act and Office of Small Business Advocate
003A	Jul 2	SB0814	PN1080	Immediately*	Office of Small Business Advocate—operation
004A	Jul 2	SB0815	PN0874	Immediately*	Office of Consumer Advocate—operation
005A	Jul 2	SB0816	PN1081	Immediately*	Public School Employees' Retirement Board—administrative expenses, etc.
006A	Jul 2	SB0817	PN1082	Immediately*	State Employees' Retirement Board—administrative expenses, etc.
007A	Jul 2	SB0818	PN0877	Immediately*	Philadelphia Parking Authority—operation
008A	Jul 2	SB0819	PN1083	Immediately*	Pennsylvania Public Utility Commission—operation
009A	Jul 2	SB0820	PN1084	Immediately*	Gaming Control Appropriation Act of 2015—enactment

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2015 Vetoes of Regular Session of Bills—Veto 002 through 005</b>					
002	Jul 2	HB466	PN1985	60 days	Liquor Code—omnibus amendments
003	Jul 2	HB0762	PN1999	Immediately*	The Public School Code of 1949—omnibus amendments
004	Jul 2	SB0655	PN1137	Immediately	The Fiscal Code—omnibus amendments
005	Jul 9	SB0001	PN1132	Immediately	Education (24 Pa.C.S.), Military and Veterans Code (51 Pa.C.S.) and State Government (71 Pa.C.S.)—omnibus amendments

\* denotes an effective date with exceptions

#### Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

#### Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

VINCENT C. DeLIBERATO, Jr.,  
Director  
Legislative Reference Bureau

[Pa.B. Doc. No. 15-1489. Filed for public inspection August 14, 2015, 9:00 a.m.]

# THE COURTS

## Title 225—RULES OF EVIDENCE

[ 225 PA. CODE ART. IV ]

### Order Approving the Revision to the Comment to Rule of Evidence 409; No. 671 Supreme Court Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 30th day of July, 2015, upon the recommendation of the Committee on Rules of Evidence; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of efficient administration, and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Comment to Pennsylvania Rule of Evidence 409 is revised in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective October 1, 2015.

#### Annex A

### TITLE 225. RULES OF EVIDENCE

#### ARTICLE IV. RELEVANCE AND ITS LIMITS

#### Rule 409. Offers to Pay Medical and Similar Expenses.

Evidence of furnishing, promising to pay, or offering to pay medical, hospital, or similar expenses resulting from an injury is not admissible to prove liability for the injury.

#### Comment

This rule is identical to F.R.E. 409.

**As to the admissibility of a benevolent gesture made by a health care provider, *et al.*, see the Benevolent Gesture Medical Professional Liability Act, Act of October 25, 2013, P. L. 665, 35 P. S. §§ 10228.1—3.**

**Official Note:** Adopted May 8, 1998, effective October 1, 1998; Comment revised December 30, 2005, effective February 1, 2006; rescinded and replaced January 17, 2013, effective March 18, 2013; **Comment revised July 30, 2015, effective October 1, 2015.**

*Committee Explanatory Reports:*

Final Report explaining the December 30, 2005 revision of the Comment published with the Court's Order at 36 Pa.B. 384 (January 28, 2006).

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

**Final Report explaining the July 30, 2015 revision of the Comment published with the Court's Order at 45 Pa.B. 4759 (August 15, 2015).**

#### FINAL REPORT<sup>1</sup>

#### Revision to the Comment to Rule of Evidence 409

On July 30, 2015, effective October 1, 2015, upon recommendation of the Committee on Rules of Evidence, the Court ordered revision of the Comment to Pennsylvania Rule of Evidence 409 to insert a reference to the Benevolent Gesture Medical Professional Liability Act, Act of October 25, 2013, P. L. 665, 35 P. S. §§ 10228.1—3. The Committee believes that a signal to the existence of this legislation within the Pennsylvania Rules of Evidence would be beneficial to the bench and bar.

[Pa.B. Doc. No. 15-1490. Filed for public inspection August 14, 2015, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CRAWFORD COUNTY

#### Offender Supervision Fee; Misc. MD 301-2015

#### Administrative Order

*And Now*, July 17, 2015, pursuant to the provisions of 18 P. S. § 11.1102, the Offender Supervision Fee is increased from forty (\$40.00) dollars per month to forty-five (\$45) dollars per month, assessed against all offenders placed on probation, parole, accelerated rehabilitative disposition, probation without verdict or intermediate punishment. Said increase shall be effective October 1, 2015. Offenders sentenced prior to the effective date of this increase shall continue to be assessed the prior monthly Offender Supervision Fee.

It is further Ordered that in accordance with Pa.R.Crim.P. 105, the District Court Administrator shall:

(a) File one (1) certified copy hereof with the Administrative Office of the Pennsylvania Courts; and

(b) Distribute two (2) certified copies hereof and one (1) copy on computer diskette or on a CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and

(c) File one (1) certified copy with the Criminal Procedural Rules Committee; and

(d) File one (1) copy with the Clerk of Courts of the 30th Judicial District. Said Administrative Order shall be posted on the Crawford County website and shall be available for public inspection and copying in the office of the Clerk of Courts upon request and payment of reasonable costs of reproduction and mailings.

*By the Court*

ANTHONY J. VARDARO,  
*President Judge*

[Pa.B. Doc. No. 15-1491. Filed for public inspection August 14, 2015, 9:00 a.m.]

<sup>1</sup> The Committee's Final Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

## DAUPHIN COUNTY

## Promulgation of Local Rules; No. 1793 S 1989

## Order

*And Now*, this 21st day of July 2015, Dauphin County Local Rules of Civil Procedure 1915.4-4 is amended as follows:

**Rule 1915.4-4. Pre-Trial Conferences and Trial.**

(a) No later than five (5) days prior to the Pre-Trial Conference with a Judge, all parties must file a Pre-Trial Statement and serve copies on all other parties or their legal counsel. The Pre-Trial Statement must include the following:

- (1) Brief summary of the case including the names and dates of birth of the child(ren) at issue and the current custody arrangement;
- (2) Statement of issues expected to be raised at Trial;
- (3) Admissions from pleadings to be made part of the record;
- (4) Stipulations of parties;
- (5) Statements of objections or unusual evidentiary problems expected to arise at trial;
- (6) Statement of settlement prospects;
- (7) Estimated time needed for Trial;

(8) Name and address of each expert intended to be called at trial as a witness or a request that an expert custody evaluator or other expert witness be appointed by the Court;

(9) Name and address of each witness intended to be present at Trial and the relationship of the witness to the parties and child(ren);

(10) List of proposed exhibits intended to be offered at Trial;

(11) Proposed Parenting Plan **[ if this differs from the Proposed Parenting Plan already filed ] in accordance with the form found at [www.dauphincounty.org/government/Court-Departments/Self-Help](http://www.dauphincounty.org/government/Court-Departments/Self-Help);**

(12) Updated Criminal or Abuse History Verification of other parties or persons living in the residence;

(13) Information about Criminal and Abuse History of other parties or persons living in the residence;

(14) Certificate of Completion of the Seminar if not previously filed;

(15) Any other relevant matter.

These amendments shall be effective thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

RICHARD A. LEWIS,  
*President Judge*

[Pa.B. Doc. No. 15-1492. Filed for public inspection August 14, 2015, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

[ 40 PA. CODE CH. 7 ]

#### Conversion of Suspension to Fine

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P. S. § 2-207(i)), amends § 7.10 (relating to conversion of suspension to fine).

#### Summary

Section 7.10 is amended by increasing the minimum amount of fines acceptable to the Board when the Board converts an unserved suspension to a fine.

Section 468(a)(4) of the Liquor Code (47 P. S. § 4-468(a)(4)) authorizes the Board to convert pending unserved suspensions in citation cases into monetary fines at the request of a transferee if the current licensee is unable to serve the suspension. Section 7.10 contains a methodology whereby the Board would base the fine on 1/2 of the average daily gross receipts of the transferor in its last year of operation. Formerly, a minimum fine of \$100 per each day of unserved suspension was imposed unless the citation was one in which the minimum fine would have been \$1,000; in those situations, the minimum fine provided was \$1,000 per each day of unserved suspension. If the Board accepts a request for a conversion, it will notify the transferee of the amount of the fine, and the transferee may either accept or reject the proposed fine. If accepted, the fine must be paid as a condition to approval of the transfer; if rejected, the conversion is rendered a nullity, and the unserved suspension remains in effect.

The minimum fine is imposed when a licensee did not possess or failed to provide tax returns to demonstrate the gross revenue for the last calendar year of operation or when the formula results in an amount that is lower than the previously-referenced minimum. The Board believes the regulation is needed because converting a license suspension into a fine of \$100 diminishes the deterrent and punitive effects that were intended by the initial suspension order. For example, a license suspension deprives a licensee of the revenue it would have collected had it been licensed to sell alcoholic beverages during the period of suspension, and it requires that notice of the suspension be posted in a conspicuous location outside the licensed premises. With the minimum fines increased to \$1,000 per day for nonenhanced penalty citations and \$3,000 per day for enhanced penalty citations, the impact of the fine would be more in line with the impact of the original suspension.

#### Affected Parties

The final-form rulemaking will impact those retail and other licensees with unserved suspensions who wish to transfer the license. Of those, only transferors which would have incurred a lesser fine amount under the regulation will be affected by the increased minimum fines in conversion of suspension to fine actions. In 2014, the Board received 14 requests to convert a suspension to a fine. Eleven were converted, nine of which would have been affected by this final-form rulemaking.

#### Paperwork Requirements

The Board does not anticipate that this final-form rulemaking will affect the amount of paperwork or administrative costs of the regulated community.

#### Fiscal Impact

This final-form rulemaking is not expected to have a substantial adverse fiscal impact on the regulated community, since the change only affects licensees that would have been subject to the lower fine amount in § 7.10. In 2014, the Board received 14 requests to convert a suspension to a fine. Eleven were converted, nine of which would have been affected by this final-form rulemaking. The Board expects a similarly small proportion of the regulated community to be impacted by this final-form rulemaking. It must further be emphasized that conversions are optional. The transferee has the right to reject the fine amount set by the Board and to instead serve the original suspension upon becoming licensed.

This final-form rulemaking is not expected to have adverse fiscal impact on State and local governments. In fact, this final-form rulemaking will have a small positive fiscal impact on Board revenues, nominally increasing the amount the Board remits to the Commonwealth.

#### Effective Date

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

#### Contact Person

Comments should be addressed to Justin Blake, Assistant Counsel, or Rodrigo J. Diaz, Executive Deputy Chief Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001.

#### Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 24, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 5825 (October 5, 2013), to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Liquor Control Committee and the Senate Law and Justice Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the House and Senate Committees and the public. The Board received three comments from IRRC, the responses to which are in a separate comment and response document. The Board did not receive comments from the House and Senate Committees or the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on June 17, 2015, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 18, 2015, and approved the final-form rulemaking.

TIM HOLDEN,  
Chairperson



*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 45 Pa.B. 3640 (July 4, 2015).)*

**Fiscal Note:** Fiscal Note 54-74 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 40. LIQUOR**

**PART I. LIQUOR CONTROL BOARD**

**CHAPTER 7. TRANSFER, EXTENSION,  
SURRENDER, EXCHANGE AND SUSPENSION OF  
LICENSES**

**Subchapter A. TRANSFER OF LICENSES**

**§ 7.10. Conversion of suspension to fine.**

(a) When a license application for transfer is pending and the transferor has an outstanding license suspension imposed by the Office of Administrative Law Judge that has not yet been served and cannot be served because the premises is not in operation, the transferee shall either serve the suspension upon the approval of the transfer, or request that the suspension be converted to a fine to be paid by the transferee upon the approval of the transfer.

(b) If the transferee prefers to pay a fine instead of serving a suspension, it shall make a request to the Office of Chief Counsel that a fine be set by the Board.

(c) For purposes of making a determination as to the amount of the fine, the transferee's request to the Office of Chief Counsel shall include the following:

(1) A letter requesting that a fine be set instead of the suspension.

(2) A statement that the transferor cannot serve the suspension because the premises is not in operation.

(3) The transferor's Federal tax return for its last year of operation, showing the licensed business's profit or loss.

(4) The number of days the transferor was open in its last year of operation.

(5) A copy of the administrative law judge's adjudication and order that resulted in the suspension. This document is obtainable from the Office of Administrative Law Judge.

(d) The fine will be calculated by application of the following formula: Gross earnings of the transferor divided by 365 (or the number of days in operation in the transferor's last year of operation) multiplied by 0.50. The resulting figure is the amount of the fine per day of suspension, subject to the following exceptions:

(1) If the suspension was issued for a citation for which the minimum fine, if a fine had been imposed, is \$50, a minimum fine of \$1,000 per day will be set.

(2) If the suspension was issued for a citation for which the minimum fine, if a fine had been imposed, is \$1,000, a minimum fine of \$3,000 per day will be set.

(e) The Board may set a fine in the absence of one or more of the documents described in subsection (c)(1)—(5). The Office of Chief Counsel may request additional financial documents.

(f) The Board will act on the request by accepting the request and setting the amount of the fine, or rejecting the request, or making a counteroffer and informing the transferee of its decision in writing.

(g) If the transferee rejects the Board's decision, the original suspension will remain in effect, to be served by the transferee if the transfer is approved.

(h) If after the Board approves a conversion to a fine, the transfer application is denied, the Board's decision regarding the suspension conversion to a fine is rendered a nullity and the unserved suspension remains in effect for the transferor.

[Pa.B. Doc. No. 15-1493. Filed for public inspection August 14, 2015, 9:00 a.m.]

# PROPOSED RULEMAKING

## INSURANCE DEPARTMENT

[ 31 PA. CODE CH. 161 ]

### Requirements for Qualified and Certified Reinsurers

The Insurance Department (Department) proposes to amend Chapter 161 (relating to requirements for qualified and certified reinsurers) to read as set forth in Annex A. The rulemaking is proposed under the authority of sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412), regarding the general rulemaking authority of the Department, and section 319.1 of The Insurance Company Law of 1921 (act) (40 P. S. § 442.1), regarding credits for reinsurance.

#### *Purpose*

Chapter 161 was initially adopted in 1993 and sets forth requirements to be met for a licensed ceding insurer to receive credit for reinsurance in its financial statements. Unless an unlicensed reinsurer is qualified or certified to accept reinsurance from insurers, credit is not allowed as an admitted asset or as a reduction of liability relative to risks ceded by these licensed insurers. Qualified or certified reinsurers are those meeting the conditions for reinsurers specified by the Insurance Commissioner. The purpose of this proposed rulemaking is to update Chapter 161 to delete the requirement that a reinsurer must be listed on the successor list to the Non-Admitted Insurance Listing (now known as the Quarterly Listing of Alien Insurers) published by the National Association of Insurance Commissioners (NAIC) to be considered for qualification under section 319.1 of the act.

Neither the NAIC model law nor the NAIC model regulation contains this administrative requirement. The administrative requirement was originally included in the Pennsylvania regulation because at the time of implementation the Department did not have the expertise to evaluate the financial condition of reinsurers. Instead, the Department sought to rely upon the NAIC's evaluation of the entity's financial condition. However, because the NAIC did not evaluate reinsurers at that time, the Department instead chose to rely upon the NAIC's evaluation of entities in the surplus lines market. This resulted in a requirement in this Commonwealth that a reinsurer seeking to be "qualified" under Pennsylvania standards also be listed on the NAIC's list of insurers operating in the surplus lines market.

The proposed amendment to Chapter 161 would remove this administrative requirement and conform Pennsylvania's regulation to the model regulation and law developed by the NAIC entitled "Credit for Reinsurance Model Law" (#785) and "Credit for Reinsurance Model Regulation" (#786), respectively.

A copy of the copyrighted NAIC model regulation was provided to the Senate Banking and Insurance Committee, the House Insurance Committee, the Independent Regulatory Review Commission (IRRC), the Governor's Office of Policy and Planning, the Governor's Office of General Counsel and the Attorney General to assist in their analysis of this proposed rulemaking. Copies of NAIC model regulations are available to the general public by contacting the NAIC.

#### *Explanation of Proposed Rulemaking*

Section 161.3 (relating to credit for reinsurance) is proposed to be amended to delete the requirement that a reinsurer be listed on the Non-Admitted Insurers Listing published by the Non-Admitted Insurers Information Office of the NAIC, or a successor list, to be considered for qualification under section 319.1 of act.

#### *External Comments*

The Department circulated pre-exposure drafts of this proposed rulemaking to the Insurance Federation of Pennsylvania and the Pennsylvania Association of Mutual Insurance Companies and did not receive objections.

#### *Affected Parties*

Although Chapter 161 applies to all insurance companies domiciled in this Commonwealth and the reinsurers with whom they do business, this proposed rulemaking will apply only to an alien insurer seeking to be deemed a "qualified" reinsurer by the Insurance Commissioner.

#### *Fiscal Impact*

##### *State government*

There will be no material increase in cost to the Department as a result of this proposed rulemaking.

##### *General public*

While Chapter 161 does not have immediate fiscal impact on the general public, the general public will benefit to the extent that removing an unnecessary administrative requirement for reinsurers that are financially solvent and licensed in well-regulated jurisdiction will reduce the cost of reinsurance to ceding insurers in this Commonwealth and reduce trade barriers allowing for more competition in the reinsurance marketplace.

##### *Political subdivisions*

The proposed rulemaking will not impose additional costs on political subdivisions.

##### *Private sector*

This proposed rulemaking will not impose significant costs on the transaction of business in this Commonwealth.

##### *Paperwork*

The proposed rulemaking would not impose additional paperwork on the Department.

##### *Effectiveness/Sunset Date*

The proposed rulemaking will become effective within 30 days after final-form publication in the *Pennsylvania Bulletin*. The Department continues to monitor the effectiveness of regulations on a triennial basis; therefore, a sunset date has not been assigned.

##### *Contact Person*

Questions or comments regarding the proposed rulemaking may be addressed in writing to Jodi A. Frantz, Department Counsel, Insurance Department, 1341 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-2567, jodfrantz@pa.gov within 30 days following the publication in the *Pennsylvania Bulletin*.

Under the Regulatory Review Act (71 P. S. §§ 745.1—745.12a), the Department is required to write to all commentators requesting whether or not they wish to

receive a copy of the final-form rulemaking. To better serve stakeholders, the Department made a determination that all commentators will receive a copy of the final-form rulemaking when it is made available to the IRRC and the House and Senate Committees.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 5, 2015, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Senate and House Committees. A copy of this material is available to the public upon request.

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

TERESA D. MILLER,  
*Insurance Commissioner*

**Fiscal Note:** 11-253. No fiscal impact; (8) recommends adoption.

### Annex A

## TITLE 31. INSURANCE

### PART VIII. MISCELLANEOUS PROVISIONS

#### CHAPTER 161. REQUIREMENTS FOR QUALIFIED AND CERTIFIED REINSURERS

##### § 161.3. Credit for reinsurance.

A licensed domestic ceding insurer will be allowed credit for reinsurance as either an asset or a deduction from liability on account of reinsurance ceded only when the reinsurer meets the requirements of this section or as otherwise provided in § 161.7 (relating to credit for joint underwriting or pooling arrangements).

\* \* \* \* \*

(3) Credit will be allowed when the reinsurance is ceded to an assuming alien insurer which has met the conditions specified in this paragraph and has been deemed to be a qualified reinsurer by the Commissioner. To be considered for qualification, an assuming alien insurer shall meet the following conditions. The insurer shall:

- (i) File with the Commissioner evidence of its submission to the Commonwealth's jurisdiction.
- (ii) Submit to the Commonwealth's authority to examine its books and records.
- (iii) File with the application for qualification and annually thereafter substantially the same information as that required to be reported on the NAIC annual statement blank by licensed insurers.

**[ (iv) Be listed on the Non-Admitted Insurers Listing published by the Non-Admitted Insurers Information Office of the NAIC, or a successor list.**

**(v) ] (iv)** File with the application for qualification and annually thereafter details on the soundness of its ceded reinsurance program, including the identity, domicile and premium volume for each retrocessionaire when the

amount of reinsurance premium ceded is greater than or equal to \$50,000. If the insurer demonstrates to the Commissioner's satisfaction its inability to provide the requested detail with respect to individual retrocessionaires because of its method of operation, the Commissioner will consider the acceptability of alternative information pertaining to the soundness of the insurer's ceded reinsurance program.

**[ (vi) ] (v)** Agree to the requirements of this subparagraph in the reinsurance agreements. This subparagraph is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes, if an obligation is created in the agreement.

(A) In the event of the failure of the assuming insurer to perform its obligations under the terms of the reinsurance agreement, the assuming insurer shall at the request of the ceding insurer:

(I) Submit to the jurisdiction of a court of competent jurisdiction in a state of the United States.

(II) Comply with the requirements necessary to give the court jurisdiction.

(III) Abide by the final decision of the court or of an appellate court in the event of an appeal.

(B) The assuming insurer shall designate a person as its true and lawful agent upon whom may be served a lawful process in an action, suit or proceeding instituted by or on behalf of the ceding company.

**[ (vii) ] (vi)** Maintain a trust fund in a qualified United States financial institution, for the payment of valid claims of its United States policyholders and ceding insurers, their assigns and successors in interest.

\* \* \* \* \*

[Pa.B. Doc. No. 15-1494. Filed for public inspection August 14, 2015, 9:00 a.m.]

## PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 677a AND 678a ]

### Heads-Up Hold 'Em and High Card Flush; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to add Chapters 677a and 678a (relating to Heads-Up Hold 'Em; and High Card Flush) to read as set forth in Annex A.

#### *Purpose of the Proposed Rulemaking*

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

#### *Explanation*

The Board is proposing to add two new table games. The rules of play in both chapters are drafted in the same basic format: section a.1 contains the definitions used throughout the chapter; section a.2 contains the table physical characteristics; section a.3 details the number of

cards and decks used to play the game; a.4 addresses the opening of the table for gaming; a.5 details how the cards are to be shuffled and cut; a.6 specifies the ranking of the hands; section a.7 outlines the permissible wagers; sections a.8—a.10 detail the procedures for dealing the cards; section a.11 addresses how the round of play is to be completed; a.12 outlines the permissible payout odds for winning wagers; and section a.13 addresses irregularities in play.

In Heads-Up Hold 'Em, the optional wagers have a range in hold percentage as follows: for the optional Pocket Bonus Wager, the Board approved three payout tables with a range between 4.52% and 9.95%; and for the optional Trips Plus Wager, the Board approved four payout tables with a range between 0.75% and 4.34%

In High Card Flush, the optional wagers have a range in hold percentage as follows: for the optional Flush Bonus Wager, the Board approved eight payout tables with a range between 4.8% and 9.6%; for the optional Straight Flush Bonus Wager, the Board approved four payout tables with a range between 6.26% and 7.75%; and for the Progressive Jackpot Wager, which is also optional and not a required wager, the hold percentage is 23%, which is consistent with almost all other progressive side wagers offered.

*Fiscal Impact*

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

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

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

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

*Paperwork Requirements*

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

*Effective Date*

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

*Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Susan A. Yocum, Assistant Chief Counsel, Attention: Regulation #125-192 Public Comment, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060.

*Contact Person*

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

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 4, 2015, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board's web site at [www.gamingcontrolboard.pa.gov](http://www.gamingcontrolboard.pa.gov).

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

WILLIAM H. RYAN, Jr.,  
Chairperson

**Fiscal Note:** 125-192. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART VII. GAMING CONTROL BOARD**

**Subpart K. TABLE GAMES**

**CHAPTER 677a. HEADS-UP HOLD 'EM**

- Sec.
- 677a.1. Definitions.
- 677a.2. Heads-Up Hold 'Em table physical characteristics.
- 677a.3. Cards; number of decks.
- 677a.4. Opening of the table for gaming.
- 677a.5. Shuffle and cut of the cards.
- 677a.6. Heads-Up Hold 'Em rankings.
- 677a.7. Wagers.
- 677a.8. Procedure for dealing the cards from a manual dealing shoe.
- 677a.9. Procedure for dealing the cards from the hand.
- 677a.10. Procedure for dealing the cards from an automated dealing shoe.
- 677a.11. Procedure for completion of each round of play.
- 677a.12. Payout odds; payout limitation.
- 677a.13. Irregularities.

**§ 677a.1. Definitions.**

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

*Bad Beat Bonus*—A bonus payout awarded to any player who holds a straight or higher and lists to the dealer's hand.

*Check*—Waiving the right to place a Raise Wager but remaining in the round of play.

*Community card*—A card which may be used by each player and the dealer to form the best possible five-card Poker hand.

*Flop*—The first three community cards dealt during a round of play.

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

*Hand*—The five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

*River card*—The fifth community card revealed during a round of play.

*Turn card*—The fourth community card revealed during a round of play.

**§ 677a.2. Heads-Up Hold 'Em table physical characteristics.**

(a) Heads-Up Hold 'Em shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

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

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

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

(3) A separate area designated for the placement of the five community cards located directly in front of the table inventory container.

(4) A separate area designated for the placement of the dealer's two cards.

(5) If the certificate holder offers the optional Pocket Bonus Wager authorized under § 677a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Pocket Bonus Wager for each player.

(6) If the certificate holder offers the optional Trips Plus Wager authorized under § 677a.7(d)(3), a separate area designated for the placement of the Trips Plus Wager for each player.

(7) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign identifying the payout odds for all permissible wagers shall be posted at each Heads-Up Hold 'Em table.

(8) Inscriptions indicating the following:

(i) The Ante Wager will be returned if the dealer does not have a pair or better.

(ii) If established by the certificate holder, the payout limit per hand, as authorized under § 677a.12(f) (relating to payout odds; payout limitation), or a generic inscription indicating that the game is subject to the posted payout limit.

(9) If the information required under paragraph (8) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each Heads-Up Hold 'Em table.

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

(d) Each Heads-Up Hold 'Em table must have a discard rack securely attached to the top of the dealer's side of the table.

**§ 677a.3. Cards; number of decks.**

(a) Except as provided in subsection (b), Heads-Up Hold 'Em shall be played with one deck of cards that are identical in appearance and two cover cards.

(b) If an automated card shuffling device is utilized, Heads-Up Hold 'Em may be played with two decks of cards in accordance with the following requirements:

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

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

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

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

(c) The decks of cards used in Heads-Up Hold 'Em shall be changed at least every:

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

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

**§ 677a.4. Opening of the table for gaming.**

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 677a.5 (relating to shuffle and cut of the cards).

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

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

**§ 677a.5. Shuffle and cut of the cards.**

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

completion of the shuffle, the dealer or automated shuffling device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

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

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

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

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

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

(f) If there is no gaming activity at a Heads-Up Hold 'Em table which is open for gaming, the cards shall be spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 677a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

#### § 677a.6. Heads-Up Hold 'Em rankings.

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

(b) The permissible five-card Poker hands at the game of Heads-Up Hold 'Em, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

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

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

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

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

#### § 677a.7. Wagers.

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

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

(c) All Ante, Odds, Trips Plus and Pocket Bonus Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 677a.11(b), (d) and (f) (relating to procedure for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Heads-Up Hold 'Em:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager and an Odds Wager equal to the player's Ante Wager then a Raise Wager in accordance with § 677a.11(b), (d) or (f).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Heads-Up Hold 'Em table the option to make an additional Pocket Bonus Wager that the player's first two cards will contain a pair or an ace and a king, queen or jack. A Pocket Bonus Wager does not have a bearing on any other wager made by the player.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Heads-Up Hold 'Em table the option to make an additional Trips Plus Wager that the player's five-card Poker hand formed from any of the player's two cards and the five community cards will contain a three-of-a-kind or better as defined in § 677a.6(b) (relating to Heads-Up Hold 'Em rankings). A Trips Plus Wager does not have a bearing on any other wager made by the player.

(e) A player may not wager on more than one player position at a Heads-Up Hold 'Em table.

**§ 677a.8. Procedure for dealing the cards from a manual dealing shoe.**

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 677a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante, Odds, Trips Plus and Pocket Bonus Wagers have been placed, the dealer shall announce "no more bets."

(c) The dealer shall then deal the cards by removing each card from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time, face down, to each player who placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers) and to the dealer, until each player who placed Ante and Odds Wagers and the dealer have two cards.

(d) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall deal the five community cards face down on the table. After all community cards have been dealt, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

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

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

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

**§ 677a.9. Procedure for dealing the cards from the hand.**

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

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

(2) After the procedures required under § 677a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(b) Prior to dealing any cards and after all Ante, Odds, Trips Plus and Pocket Bonus Wagers have been placed, the dealer shall announce "no more bets." The dealer shall then deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers) and to the dealer, until each player who placed Ante and Odds Wagers and the dealer have two cards.

(c) After two cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall deal the five community cards face down on the table. After all community cards have been dealt, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

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

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

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

**§ 677a.10. Procedure for dealing the cards from an automated dealing shoe.**

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

(1) After the procedures required under § 677a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the dealer delivering any stacks of cards dispensed from the automated dealing shoe, the dealer shall announce “no more bets.”

(b) The dealer shall then deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack of two cards face down to each of the other players who has placed Ante and Odds Wagers. The dealer shall then deliver a stack of two cards face down to the area designated for the dealer's cards.

(c) After each stack of two cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 677a.9(a)(2) (relating to procedure for dealing the cards from the hand), deal from his hand the five community cards face down on the table. After all five community cards have been dealt, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

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

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

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

(g) Notwithstanding the requirements in subsections (b) and (c), if a certificate holder is utilizing an automated dealing shoe which automatically reshuffles the cards, the five community cards may be dispensed before the two cards are dispensed to each player and to the dealer. The community cards shall then be revealed in accordance with § 677a.11(c), (e) and (f) (relating to procedure for completion of each round of play).

**§ 677a.11. Procedure for completion of each round of play.**

(a) After the dealing procedures required under § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure

for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to place a Raise Wager prior to the dealing of the Flop. The player may either check and remain in the game or place a Raise Wager up to three times the amount of the player's Ante Wager.

(c) After each player has either placed a Raise Wager or checked, the dealer shall expose the three-card Flop face up on the layout in the designated area for the community cards.

(d) After the Flop has been exposed, the dealer shall, beginning with the player farthest to the dealer's left who has not placed a Raise Wager and moving clockwise around the table, ask each player who has not placed a Raise Wager if he wishes to place a Raise Wager prior to the dealing of the Turn and River cards. The player may either check and remain in the game or place a Raise Wager in an amount up to two times the player's Ante Wager.

(e) Once all remaining players have either placed a Raise Wager or checked, the dealer shall reveal the Turn and River cards face up on the layout in the designated area for the community cards.

(f) After the Turn and River cards have been exposed, the dealer shall, beginning with the player farthest to the dealer's left who has not placed a Raise Wager and moving clockwise around the table, ask each player if he wishes to place a Raise Wager in an amount equal to the player's Ante Wager or fold. If a player folds, the dealer shall collect the player's Ante and Odds Wagers and place the player's cards in the discard rack, provided that if any player placed a Trips Plus or Pocket Bonus Wager, the dealer shall tuck the player's cards under the player's Trips Plus or Pocket Bonus Wager under the optional wagers are settled in accordance with subsection (i).

(g) Once all remaining players have either placed a Raise Wager or folded, the dealer turn his two cards face up on the layout. The dealer shall then select five cards using the dealer's two cards and the five community cards to form the highest ranking five-card Poker hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right who has placed a Raise Wager and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the two cards of each player who has placed a Raise Wager face up on the layout.

(2) The dealer shall examine the cards of the player and select the five cards using the player's two cards and the five community cards to form the highest ranking five-card Poker hand. The wagers of each player shall be resolved one player at a time regardless of outcome.



(h) If the dealer's hand:

(1) Does not contain a pair or better, as defined in § 677a.6 (relating to Heads-Up Hold 'Em rankings), each player's Ante Wager shall push and be returned to the player. If the player's hand:

(i) Is higher in rank than the dealer's hand, the player's Raise Wager shall be paid out at the odds in § 677a.12(a) (relating to payout odds; payout limitation) and the player's Odds Wager shall be paid out in accordance with the payout odds in § 677a.12(b).

(ii) Is equal in rank to the dealer's hand, the player's Raise and Odds Wagers shall push and be returned to the player.

(iii) Is lower in rank to the dealer's hand, the player's Raise and Odds Wagers shall lose and be collected.

(2) Contains a pair or better, as defined in § 677a.6, and if the player's hand:

(i) Is higher in rank than the dealer's hand, the player's Ante and Raise Wagers shall be paid out at the odds in § 677a.12(a) and the player's Odds Wager shall be paid out in accordance with the payout odds in § 677a.12(b).

(ii) Is equal in rank to the dealer's hand, the player's Ante, Raise and Odds Wagers shall push and be returned to the player.

(iii) Is lower in rank to the dealer's hand, the Ante Wager shall lose and be collected and if the player's hand:

(A) Was not a straight or higher, the player's Raise and Odds Wagers shall lose and be collected.

(B) Was a straight or higher, the player's Raise Wager shall lose and be collected and the player's Odds Wager shall be eligible for a Bad Beat payout as provided in § 677a.12(c).

(i) After settling the player's Ante, Raise and Odds Wagers, the dealer shall settle the player's optional Pocket Bonus and Trips Plus Wagers, if applicable, as follows:

(1) If a player placed a Pocket Bonus Wager and the player's two cards:

(i) Contain a pair or an ace and a king, queen or jack, the winning hand shall be paid out as provided in § 677a.12(d).

(ii) Do not contain a pair or an ace and a king, queen or jack, the dealer shall collect the player's losing Pocket Bonus Wager.

(2) If a player placed a Trips Plus Wager and the player's two cards and the five community cards:

(i) Contain a three-of-a-kind or better, the winning hand shall be paid out as provided in § 677a.12(e).

(ii) Does not contain a three-of-a-kind or better, the dealer shall collect the losing Trips Plus Wager.

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

**§ 677a.12. Payout odds; payout limitation.**

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

(b) A certificate holder shall pay each winning Odds Wager at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Royal flush	500 to 1
Straight flush	50 to 1
Four-of-a-kind	10 to 1
Full house	3 to 1
Flush	3 to 2
Straight	1 to 1
Three-of-a-kind	Push
Two pair	Push
Pair	Push
High card	Push

(c) A certificate holder shall pay a Bad Beat Bonus at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Royal flush	N/A
Straight flush	500 to 1
Four-of-a-kind	25 to 1
Full house	6 to 1
Flush	5 to 1
Straight	4 to 1

(d) A certificate holder shall pay each winning Pocket Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

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

(e) A certificate holder shall pay each winning Trips Plus Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C	Paytable D
Royal flush	100 to 1	100 to 1	100 to 1	100 to 1
Straight flush	40 to 1	40 to 1	40 to 1	40 to 1
Four-of-a-kind	30 to 1	30 to 1	30 to 1	30 to 1
Full house	9 to 1	8 to 1	7 to 1	8 to 1
Flush	7 to 1	6 to 1	6 to 1	7 to 1
Straight	4 to 1	5 to 1	5 to 1	4 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1	3 to 1

(f) Notwithstanding the payout odds in subsections (a)—(c), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. The aggregate payout limit established shall not include winning Pocket Bonus or Trips Plus Wager.

**§ 677a.13. Irregularities.**

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the foregoing, if the cards are found face up after each player and the dealer have received their initial two cards, any Pocket Bonus Wagers shall be settled in accordance with the payout odds in § 677a.12(d) (relating to payout odds; payout limitation).

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

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

(d) If either of the cards dealt to the dealer in Heads-Up Hold 'Em is inadvertently exposed prior to each player having either folded or placed a Raise Wager as provided for under § 677a.11 (relating to procedure for completion of each round of play), all hands shall be void and all Ante, Odds and Raise Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the forgoing, if a player has placed a Pocket Bonus or Trips Plus Wager, the wager shall be settled in accordance with the payout odds in § 677a.12(d) and (e).

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

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

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the auto-

mated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

**CHAPTER 678a. HIGH CARD FLUSH**

- Sec.
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**§ 678a.1. Definitions.**

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

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

*Raise Wager*—The wager a player places after examining the player's seven cards.

**§ 678a.2. High Card Flush table physical characteristics.**

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

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

- (1) The name or logo of the certificate holder.
- (2) Two separate betting areas designated for the placement of the Ante and Raise Wagers for each player.
- (3) A separate area designated for the placement of the dealer's seven cards.

(4) If the certificate holder offers the optional Flush Bonus Wager authorized under § 678a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Flush Bonus Wager for each player.

(5) If the certificate holder offers the optional Straight Flush Bonus Wager authorized under § 678a.7(d)(3), a separate area designated for the placement of the Straight Flush Bonus Wager for each player.

(6) If a certificate holder offers the optional Progressive Jackpot Wager authorized under § 678a.7(d)(4), a separate area designated for the placement of the Progressive Jackpot Wager for each player.

(7) Inscriptions that advise patrons of the following:

(i) The payout odds for all permissible wagers offered by the certificate holder.

(ii) The dealer qualifies with a three card flush, nine high or pays the Ante Wager and pushes the Raise Wager.

(iii) For Raise Wagers, if a player has:

(A) A two, three or four card flush, a player may place a Raise Wager equal to the player's Ante Wager.

(B) A five card flush, a player may place a Raise Wager up to two times the amount of the player's Ante Wager.

(C) A six or seven card flush, a player may place a Raise Wager up to three times the amount of the player's Ante Wager.

(8) If the information under paragraph (7) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each High Card Flush table.

(c) If a certificate holder offers the Progressive Jackpot Wager in accordance with § 678a.7(d)(4), the High Card Flush table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Progressive Jackpot Wagers. If the certificate holder is offering the Progressive Jackpot Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Progressive Jackpot Wager.

(2) A device that controls or monitors the placement of Progressive Jackpot Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Progressive Jackpot Wager that a player attempts to place after the dealer has announced "no more bets."

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

(e) Each High Card Flush table must have a discard rack securely attached to the top of the dealer's side of the table.

#### § 678a.3. Cards; number of decks.

(a) Except as provided in subsection (b), High Card Flush shall be played with one deck of cards that are identical in appearance and two cover cards.

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

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

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

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

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

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

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

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

#### § 678a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 678a.5 (relating to shuffle and cut of the cards).

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

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

#### § 678a.5. Shuffle and cut of the cards.

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

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

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

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

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

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

(f) If there is no gaming activity at a High Card Flush table which is open for gaming, the cards shall be spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 678a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

#### § 678a.6. High Card Flush rankings.

(a) The rank of the cards used in High Card Flush, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. All suits shall be equal in rank.

(b) For purposes of the Ante, Raise and Flush Bonus Wagers, the permissible hands at the game of High Card Flush, in order of highest to lowest rank, shall be:

(1) A seven-card flush, which is a hand consisting of seven cards of the same suit in any order.

(2) A six-card flush, which is a hand consisting of six cards of the same suit in any order.

(3) A five-card flush, which is a hand consisting of five cards of the same suit in any order.

(4) A four-card flush, which is a hand consisting of four cards of the same suit in any order.

(5) A three-card flush, which is a hand consisting of three cards of the same suit in any order.

(6) A two-card flush, which is a hand consisting of two cards of the same suit in any order.

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

(d) For purposes of the optional Straight Flush Bonus and the Progressive Jackpot Wagers, the permissible hands shall be:

(1) A seven-card straight flush, which is a hand consisting of seven cards of the same suit in consecutive rank.

(2) A six-card straight flush, which is a hand consisting of six cards of the same suit in consecutive rank.

(3) A five-card straight flush, which is a hand consisting of five cards of the same suit in consecutive rank.

(4) A four-card straight flush, which is a hand consisting of four cards of the same suit in consecutive rank.

(5) A three-card straight flush, if included in the payout table selected by the certificate holder, which is a hand consisting of three cards of the same suit in consecutive rank.

#### § 678a.7. Wagers.

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

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

(c) All Ante, Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 678a.11(b), (relating to procedure for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

(d) The following wagers may be placed in the game of High Card Flush:

(1) A player shall compete against the dealer’s seven-card hand by placing an Ante Wager then a Raise Wager in accordance with § 678a.11(b).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a High Card Flush table the option to make an additional Flush Bonus Wager that the player’s seven cards will form a four-card flush or higher as described in § 678a.6(b) (relating to

High Card Flush rankings). A Flush Bonus Wager does not have a bearing on any other wager made by the player.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a High Card Flush table the option to make an additional Straight Flush Bonus Wager that the player's seven cards will form a three-card straight flush or higher as described in § 678a.6(d). A Straight Flush Bonus Wager does not have a bearing on any other wager made by the player.

(4) If specified in its Rules Submission under § 601a.2, certificate holder may offer to each player at a High Card Flush table the option to make an additional Progressive Jackpot Wager that the player's seven cards will form a three-card straight flush or a four-card straight flush or higher, depending on the payout table selected by the certificate holder. After placing the Ante Wager, a player may make the additional Progressive Jackpot Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player's respective Progressive Payout Wager has been accepted.

(e) A player may not wager on more than one player position at a High Card Flush table.

**§ 678a.8. Procedure for dealing the cards from a manual dealing shoe.**

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 678a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante Wagers and optional wagers have been placed, the dealer shall announce "no more bets" and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Jackpot Wagers. If Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

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

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time, face down, to each player who placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have seven cards.

(e) After seven cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

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

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

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

**§ 678a.9. Procedure for dealing the cards from the hand.**

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

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

(2) After the procedures required under § 678a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(b) The dealer shall announce "no more bets" and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Jackpot Wagers. If any Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container. The dealer shall then deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have seven cards.

(c) After seven cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

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

shall determine the number of cards in the stub by counting the cards face down on the layout.

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

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

**§ 678a.10. Procedure for dealing the cards from an automated dealing shoe.**

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

(1) After the procedures required under § 678a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets” and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Jackpot Wagers. If Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of seven cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack of seven cards face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of seven cards face down under a cover card to the area designated for the dealer’s cards.

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

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

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

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and

all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

**§ 678a.11. Procedure for completion of each round of play.**

(a) After the dealing procedures required under § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

(b) After each player has examined his cards, beginning with the player farthest to the dealer’s left and moving clockwise around the table, the dealer shall ask each player if he wishes to fold or place a Raise Wager. If a player has:

(1) A two-card, three-card or four-card flush, the player may place a Raise Wager equal to the player’s Ante Wager.

(2) A five-card flush, a player may place a Raise Wager up to two times the amount of the player’s Ante Wager.

(3) A six-card or seven-card flush, a player may place a Raise Wager up to three times the amount of the player’s Ante Wager.

(c) If a player:

(1) Places a Raise Wager, the wager shall be placed in the area designated for the Raise Wager.

(2) Folds, the player’s Ante Wager shall be collected by the dealer and placed in the table inventory container. If the player:

(i) Has also placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall place the cards of the player face down underneath the optional wagers pending their resolution at the conclusion of the round of play.

(ii) Has not placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall immediately collect the player’s cards and place them in the discard rack.

(d) After each player has either placed a Raise Wager or folded, the dealer shall turn his seven cards face up on the layout. The dealer shall then form the highest ranking flush. If the dealer’s hand:

(1) Does not contain at least a three-card flush, nine high, beginning with the player farthest to the dealer’s right who has placed a Raise Wager and continuing around the table in a counterclockwise direction, the dealer shall pay each player’s winning Ante Wager in accordance with § 678a.12(a) (relating to payout odds) and return the player’s Raise Wager. If a player:

(i) Also placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, beginning with the player farthest to the dealer’s right and continuing around the table in a counterclockwise direction, the dealer shall turn the cards of each player face up on the layout and

form the highest ranking flush. The dealer shall then settle the player's Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager in accordance with subsection (e).

(ii) Did not place a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall collect the player's cards and place them in the discard rack.

(2) Contains at least a three-card flush, nine high, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall then complete the following applicable procedures in succession for each player:

(i) The dealer shall turn the cards of each player face up on the layout and form the highest ranking flush.

(ii) The dealer shall then compare the rank of the dealer's hand to the rank of the player's hand. If the player's hand:

(A) Is higher in rank than the dealer's hand, the player's Ante and Raise Wagers shall be paid out at the odds in § 678a.12(a).

(B) Is equal in rank to the dealer's hand, the player's Ante and Raise Wagers shall push and be returned to the player.

(C) Is lower in rank to the dealer's hand, the player's Ante and Raise Wagers shall lose and be collected.

(e) After settling the player's Ante and Raise Wagers, the dealer shall settle the player's Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers as follows:

(1) For the Flush Bonus Wager, if a player's hand:

(i) Contains a three-card flush or less, the dealer shall collect the player's losing Flush Bonus Wager.

(ii) Contains a four-card flush or better as provided in § 678a.6(b) (relating to High Card Flush rankings), the dealer shall pay the winning Flush Bonus Wager in accordance with § 678a.12(b).

(2) For the Straight Flush Bonus Wager, after settling the player's Ante, Raise and Flush Bonus Wagers, if

applicable, the dealer shall configure the player's cards so as to form the highest ranking straight flush as provided in § 678a.6(d). If a player's hand:

(i) Contains a two-card straight flush or less, the dealer shall collect the player's losing Straight Flush Bonus Wager.

(ii) Contains a three-card straight flush or higher, as provided in § 678a.6(d), the dealer shall pay the winning Straight Flush Bonus Wager in accordance with § 678a.12(c).

(3) For the Progressive Jackpot Wager, after configuring the player's cards so as to form the highest ranking straight flush, if the player has a three-card straight flush or a four-card straight flush, depending on the payable selected by the certificate holder, or higher and has won a progressive payout, the dealer shall:

(i) Verify that the hand is a winning hand.

(ii) Verify that the appropriate light on the progressive table game system has been illuminated.

(iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.

(iv) Pay the winning Progressive Jackpot Wager in accordance with the payout odds in § 678a.12(d). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

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

#### § 678a.12. Payout odds.

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

(b) A certificate holder shall pay each winning Flush Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Seven-card flush	300 to 1	100 to 1	200 to 1	300 to 1
Six-card flush	100 to 1	20 to 1	20 to 1	75 to 1
Five-card flush	10 to 1	10 to 1	10 to 1	5 to 1
Four-card flush	1 to 1	2 to 1	2 to 1	2 to 1

<i>Hand</i>	<i>Paytable E</i>	<i>Paytable F</i>	<i>Paytable G</i>	<i>Paytable H</i>
Seven-card flush	400 to 1	400 to 1	500 to 1	250 to 1
Six-card flush	60 to 1	100 to 1	100 to 1	100 to 1
Five-card flush	12 to 1	10 to 1	10 to 1	10 to 1
Four-card flush	1 to 1	1 to 1	1 to 1	1 to 1

(c) A certificate holder shall pay each winning Straight Flush Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Seven-card straight flush	500 to 1	1,000 to 1	500 to 1	1,000 to 1
Six-card straight flush	200 to 1	500 to 1	200 to 1	500 to 1
Five-card straight flush	100 to 1	100 to 1	100 to 1	100 to 1
Four-card straight flush	75 to 1	75 to 1	60 to 1	60 to 1
Three-card straight flush	7 to 1	7 to 1	8 to 1	8 to 1

(d) If a certificate holder offers the Progressive Jackpot Wager:

(1) A winning Progressive Jackpot Wager shall be paid at the following odds:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Seven-card straight flush	100% of meter	100% of meter
Six-card straight flush	10% of meter	10% of meter
Five-card straight flush	250 for 1	900 for 1
Four-card straight flush	40 for 1	50 for 1
Three-card straight flush	3 for 1	N/A

(2) A player shall receive the payout for only the highest straight flush hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least \$30,000.

(4) Winning Progressive Jackpot Wagers shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 678a.11(e)(3) (relating to procedure for completion of each round of play).

**§ 678a.13. Irregularities.**

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

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

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

(d) If any of the cards dealt to the dealer in High Card Flush is inadvertently exposed prior to each player having either folded or placed a Raise Wager as provided under § 678a.11(b) (relating to procedure for completion of each round of play), all hands shall be void, all Ante and Raise Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the forgoing, any Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers shall be settled in accordance with § 678a.11(e).

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

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

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

[Pa.B. Doc. No. 15-1495. Filed for public inspection August 14, 2015, 9:00 a.m.]



# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of Conservation and Natural Resources

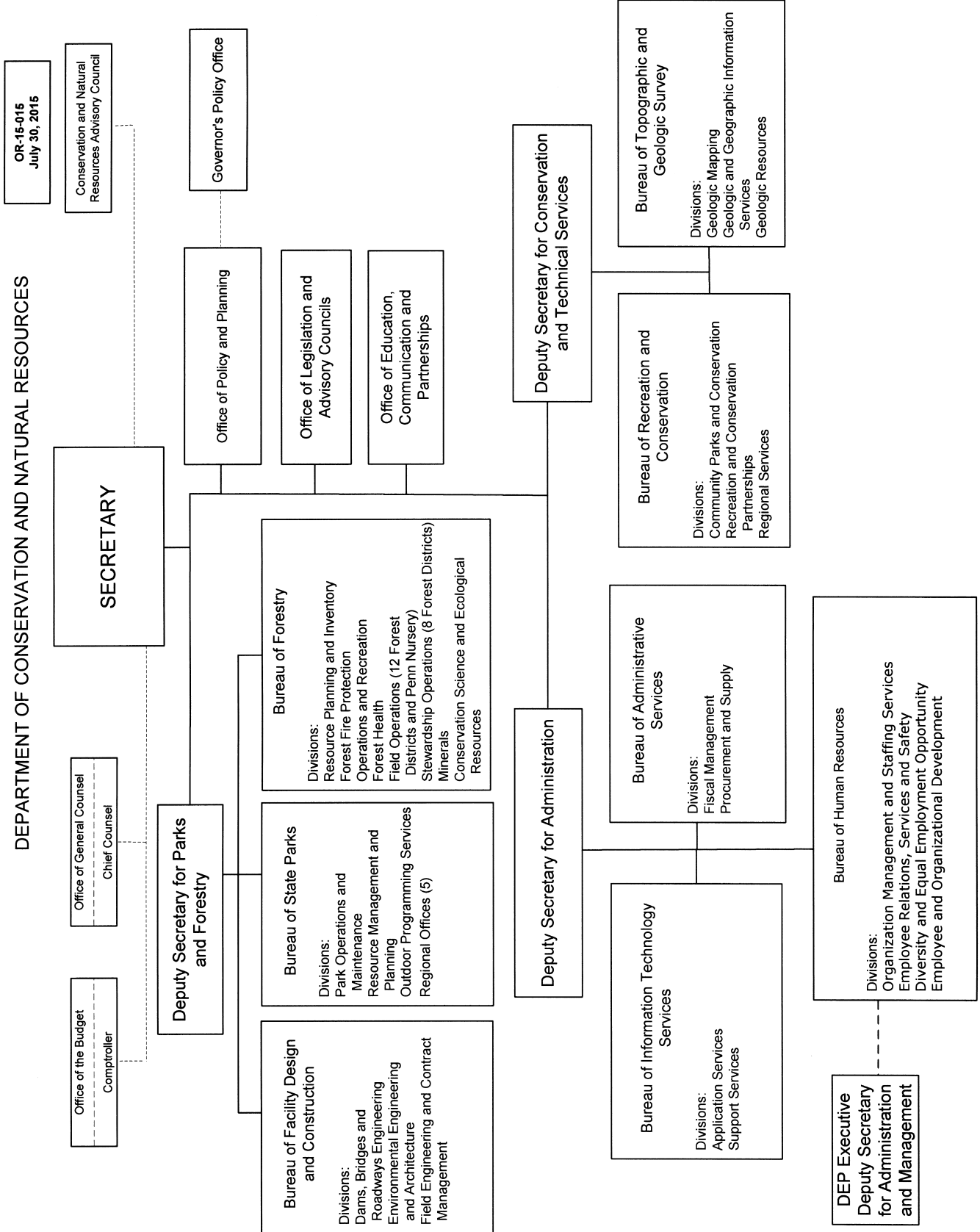
The Executive Board approved a reorganization of the Department of Conservation and Natural Resources effective July 30, 2015.

The organization chart at 45 Pa.B. 4779 (August 15, 2015) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 15-1496. Filed for public inspection August 14, 2015, 9:00 a.m.]

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# NOTICES

## 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 August 4, 2015.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-1-2015	<p><i>From:</i> First Federal Savings and Loan Association of Bucks County Bristol Bucks County</p> <p><i>To:</i> First Federal Savings and Loan Association of Bucks County Bristol Bucks County</p>	Effective

Application for approval to convert from a Federally-chartered mutual savings and loan association to a State-chartered mutual savings bank.

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-1-2015	<p>BB&amp;T Winston-Salem Forsyth County, NC</p> <p>Application for approval to acquire Semper Trust Company, King of Prussia.</p>	Effective

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-1-2015	<p>BB&amp;T Corporation Winston-Salem Forsyth County, NC</p> <p>Application for BB&amp;T Corporation to acquire 100% of Susquehanna Bancshares, Inc., Lititz, and thereby indirectly acquire Susquehanna Bank, Lititz as well as Susquehanna Trust and Investment Company, Lancaster.</p>	Effective

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-1-2015	<p>First Savings Bank of Perkasio Perkasie Bucks County</p> <p>Application for approval to merge First Federal Savings and Loan Association of Bucks County, Bristol, with and into First Savings Bank of Perkasio, Perkasio, with First Savings Bank of Perkasio changing their corporate title to Penn Community Bank.</p>	Effective
8-4-2015	<p>First Commonwealth Bank Indiana Indiana County</p> <p>Application for approval to merge First Community Bank, Columbus, OH, with and into First Commonwealth Bank, Indiana, PA.</p>	Approved

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
7-31-2015	PeoplesBank, A Codorus Valley Company York York County	1651 Baltimore Pike Hanover York County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-3-2015	Customers Bank Phoenixville Chester County	<i>To:</i> 314 Route 33 Mercerville Mercer County, NJ  <i>From:</i> 2419 Nottingham Way Hamilton Mercer County, NJ	Approved

**CREDIT UNIONS**

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 15-1497. Filed for public inspection August 14, 2015, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for Month of September 2015**

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of September, 2015, is 5 1/4%.

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

individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.72 to which was added 2.50 percentage points for a total of 5.22 that by law is rounded off to the nearest quarter at 5 1/4%.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 15-1498. Filed for public inspection August 14, 2015, 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 POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS**

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

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

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

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

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

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

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

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

### **I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032433 (Sewage)	Frances Slocum State Park 565 Mount Olivet Road Wyoming, PA 18644	Luzerne County Kingston Township	Abrahams Creek (5-B)	Y
PAS602203 (Stormwater)	Einfalt's Recycling & Salvage 221 Bushkill Street Stockertown, PA 18083	Northampton County Stockertown Borough	Unnamed Tributary to Little Bushkill Creek (1-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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0084425 (Sew)	Conewago Township Sewer Authority 600 Locust Point Road York, PA 17406	York County/ Conewago Township	Little Conewago Creek (7F)	Y
PA0084247 (Sew)	Nexans, Inc. (dba Berk-Tek, Inc.) 132 White Oak Road New Holland, PA 17557	Lancaster County/ Earl Township	UNT Conestoga River (7J)	Y
PAS223502 (SW)	Frey Brothers Manufacturing, Inc. 372 Puseyville Road Quarryville, PA 17566	Lancaster County/ Drumore & Little Britain Townships	UNT West Branch Octoraro Creek (7J)	Y
PA0261505 (SW)	Lebanon Seaboard Corporation 1600 East Cumberland Street Lebanon, PA 17042	Lebanon County/ South Lebanon Township	Drainage swale to UNT to Quittapahilla Creek/(7D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0233587 (Industrial)	Emporium Hardwoods LLC 15970 Route 120 Emporium, PA 15834-3756	Cameron County Shippen Township	Driftwood Branch Sinnemahoning Creek (8-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0210072 (Sewage)	Camp Sherwin 8600 West Lake Road Lake City, PA 16423	Erie County Girard Township	Unnamed Tributary to Trout Run (15-A)	Y
PA0239071 (Sewage)	Exit 60 Sewerage I-80 Exit 60 State Route 66 North Clarion, PA 16214	Clarion County Paint Township	Unnamed Tributary to Clarion River (17-B)	Y
PA0221031 (Sewage)	Sharon L. Priester SFTF 1499 Mercer-New Wilmington Road New Wilmington, PA 16142	Mercer County East Lackawannock Township	Unnamed Tributary to Little Neshannock Creek (20-A)	Y
PA0222348 (Sewage)	Thomas L. Holden SRSTP 40 Spicer Road Sheffield, PA 16347	Warren County Sheffield Township	Unnamed Tributary to South Branch Tionesta Creek (16-F)	Y

## 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*

**PA0055034**, SEW, SIC Code 4952, **Jonna & Kevin McCoy**, 9 Hilldale Road, Malvern, PA 19355-2964. Facility Name: McCoy SRSTP. This existing facility is located in Willistown Township, **Chester County**.

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

The receiving stream(s), UNT Crum Creek, is located in State Water Plan watershed and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Report</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Geo Mean	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

### I. Other Requirements

- A. AMR Submittal
- B. DMR Submittal
- C. Depth of Septage and Scum Measurements
- D. Solids Removal
- E. TRC minimization
- F. No Storm Water
- G. Property Rights

## H. Sludge Removal

## I. ACT 537 abandon and decommissioning

## II. TRC Effluent Limitations Below Quantitation Limits

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.

**PA0020532**, Sewage, SIC Code 4952, **Upper Montgomery Joint Authority**, 1100 Mensch Dam Road, Pennsburg, PA 18073. Facility Name: Upper Montgomery Joint Authority. This existing facility is located in Upper Hanover Township, **Montgomery 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), Green Lane Reservoir (Perkiomen Creek), is located in State Water Plan watershed 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 2.0 MGDs.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub>	417	667	XXX	25	40	50
					Wkly Avg	
CBOD <sub>5</sub> Influent	Report	XXX	XXX	Report	XXX	XXX
BOD <sub>5</sub> Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	500	750	XXX	30	45	60
					Wkly Avg	
Total Dissolved Solids	16,680	33,360	XXX	1,000	2,000	2,500
	Avg	Daily Max		Avg		
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000*
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	167	XXX	XXX	10.0	XXX	20.0
Total Phosphorus	8.34	XXX	XXX	0.5	XXX	1.0
Chronic Toxicity -						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX

\* shall not be greater than 1,000 per 100 milliliters in more than 10 percent of the samples tested.

The proposed effluent limits for Outfall 002 are :

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are :

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are :

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are :

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are :

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Notification of Designated Operator
- Remedial Measures
- TRC Minimization
- Proper Sludge Disposal
- WET Testing
- Operation and Maintenance Plan
- Lab Certification
- Management of Internal Bypass
- I/I Abatement Program
- Solid Management



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.

**PA0011568**, SIC Code 3312, **ArcelorMittal Plate, LLC**, 139 Modena Road, Coatesville, PA 19320-4036. Facility Name: ArcelorMittal Plate Coatesville. This existing facility is located in Coatesville City, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated wastewater from reservoirs which receive treated wastewater from rolling plate mill, pickling and quenching wastewater, and landfill leachate.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.576 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	144	288	XXX	30	60	75
Oil and Grease	72	XXX	XXX	15	XXX	30
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Antimony	XXX	XXX	XXX	Report	XXX	XXX
Total Cadmium	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Lead	0.16	0.25	XXX	0.033	0.052	0.083
Total Zinc	1.01	2.99	XXX	Report	0.62	0.78

The proposed effluent limits for Outfall 016 are based on a design flow of 0.397 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	89	177	XXX	30	60	75
Oil and Grease	44	XXX	XXX	15	XXX	30
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 900 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 960 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 985 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 988 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 992 are based on a design flow of 0.000000 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Arsenic	XXX	XXX	XXX	Report	Report	XXX
Total Cadmium	XXX	XXX	XXX	Report	Report	XXX
Total Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Fluoride	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

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

Proposed Part C Conditions:

I. Other Requirements

- A. Acquire Necessary Property Rights.
- B. Sludge Disposal Requirement.
- C. WQM permit Superseded by NPDES permit.
- D. BAT/BCT more Stringent than current permit Limits
- E. No Change in the Stream temperature of More Than 2°F.
- F. DMT Study

II. WQBELs Below Quantitation Limits

III. Chemical Additives

IV. Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

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

**PA0275786**, Storm Water, SIC Code 3272, **Oldcastle Precast Inc.**, 3900 Glover Road, Easton, PA 18040. Facility Name: Oldcastle Precast Inc. (Modern Concrete Precast Plt). This proposed facility is located in Forks Township, **Northampton County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of Storm Water.

The receiving stream(s), Bushkill Creek, is located in State Water Plan watershed 1-F and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0 (Stormwater) MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater and Sara Title III

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

The EPA Waiver is in effect.

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

**PA0024431**, Sewage, SIC Code 4952, **Dillsburg Area Authority**, 98 West Church Street, Dillsburg, PA 17019. Facility Name: Dillsburg Borough STP. This existing facility is located in Dillsburg Borough, **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), Dogwood Run, is located in State Water Plan watershed 7-E and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.53 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV Intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	319	510	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	383	574	XXX	30	45	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	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	32	XXX	XXX	2.5	XXX	5.0
Nov 1 - Apr 30	96	XXX	XXX	7.5	XXX	15
Total Phosphorus	25	XXX	XXX	2.0	XXX	4.0
Total Copper	0.33	XXX	XXX	0.026	XXX	0.065

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 (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	27,945	XXX	XXX	XXX
Net Total Phosphorus	Report	3,726	XXX	XXX	XXX

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

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

- Chesapeake Bay Nutrient Monitoring Requirements
- Whole Effluent Toxicity
- Stormwater Monitoring Requirements

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

The EPA Waiver is not in effect.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0530.

**PA0228915**, Sewage, SIC Code 4952, **ORD Sewer Authority**, 235 Skips Lane, Osceola Mills, PA 16666-1753. Facility Name: Osceola Mills Regional WWTP. This existing facility is located in Decatur Township, **Clearfield 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), Moshannon Creek, is located in State Water Plan watershed 8-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	83	133	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	100	150	XXX	30	45	60
		Wkly Avg				
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
UV Intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	9,748			
Net Total Phosphorus	Report	1,218			

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

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

The EPA Waiver is not in effect.

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

**PA0273104**, Sewage, SIC Code 8800, **Lucinda M. Smith**, 7750 Bargain Road, Erie, PA 16509. Facility Name: Lucinda Smith SRSTP. This proposed facility is located in McKean Township, **Erie County**.

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

The receiving stream, an Unnamed Tributary to the Walnut Creek, is located in State Water Plan watershed 15-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lbs/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly	Geo Mean	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 0615404**, Sewerage, **Jenny D. Clark**, 476 Madison Street, Boyertown, PA 19512.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow treatment facility to serve their single family residence at 1563 County Line Road, Boyertown, PA 19512.

**WQM Permit No. 3615401**, Sewerage, **Suburban Lancaster Sewer Authority**, PO Box 458, Lancaster, PA 17608-0458.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation/upgrade to the Marticville Pump Station.

**WQM Permit No. 3615402**, Sewerage, **Safe Harbor Partners**, 1903 Lititz Pike, Lancaster, PA 17601.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new wastewater treatment plant, gravity sewers, force main, pump station, also the installation of a new drinking water well, disinfection, and force main to serve approximately 210-acre property includes 21 single-family residences, two- and six-unit apartment buildings, two office buildings.

**WQM Permit No. 0706403, Amendment No. 1**, Sewerage, **PA DCNR**, Bureau of State Parks, PO Box 8551, Harrisburg, PA 17105.

This proposed facility is located in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Seeking permit approval for the maintenance of the existing treatment units, buildings and surroundings as well as provide for replacement of the existing comminutor with a new bar screen assembly at Canoe Creek State Park.

**WQM Permit No. 5015402**, Sewerage, **Newport Borough Municipal Authority**, 231 Market Street, Newport, PA 17074.

This proposed facility is located in Newport Borough, **Perry County**.

Description of Proposed Action/Activity: Upgrade to Sewage Treatment Plant.

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

**WQM Permit No. 2515408**, Sewage, **Richard E Clark**, 214 W 5th Ave, Warren, PA 16365.

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

Description of Proposed Action/Activity: Small Flow Treatment Facility.

**WQM Permit No. 2515409**, Sewage, **Richard E Clark**, 214 W 5th Ave, Warren, PA 16365.

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

Description of Proposed Action/Activity: Small Flow Treatment Facility.

**WQM Permit No. 2515410**, Sewage, **Millcreek Township Sewer Authority Erie County**, 3608 West 26th Street, Erie, PA 16506.

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

Description of Proposed Action/Activity: Construction of a submersible pump station, force main, and gravity sewers.

**WQM Permit No. WQG02101501**, Sewage, **Buffalo Township Municipal Authority**, 707 South Pike Road, Sarver, PA 16055-9201.

This proposed facility is located in Buffalo Township, **Butler County**.

Description of Proposed Action/Activity: Installation of sanitary sewage collection and conveyance facilities.

**WQM Permit No. 6215407**, Sewage, **Harry Snyder**, 6686 Pleasant Drive, Warren, PA 16365.

This proposed facility is located in Pleasant Township, **Warren County**.

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

**WQM Permit No. WQG01201505**, Sewage, **Beverly Barickman & Patricia Wright SRSTP**, 22010 Star Route, Meadville, PA 16335.

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

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

**WQM Permit No. WQG01201506**, Sewage, **George H Barickman, c/o Ed Potosky**, 16473 Battles Road, Saegertown, PA 16433.

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

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

**WQM Permit No. 2515411**, Sewage, **Sisters Of Mercy Of The Americas New York, Pennsylvania, Pacific West Community, Inc.**, 625 Abbott Road, Buffalo, NY 14220.

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

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

**WQM Permit No. 4391413 A-1**, Sewage, **Sunnyview MHC LLC**, PO Box 382, Berwick, PA 18603.

This existing facility is located in Pymatuning Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment to add erosion chlorination, dechlorination and flow monitoring at discharge. Remove liquid chlorination, rapid sand filters and effluent pumping discharge.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011515016	Walsh Excavating LLC 268 McCoury Road Nottingham, PA 19362	Chester	Oxford Borough	Unnamed Tributary to Elk Creek HQ-TSF-MF
PAI011515017	The Phelps School 583 Sugartown Road Malvern, PA 19355	Chester	Willistown Township	East Branch of Crum Creek HQ-CWF
PAI011515018	BT Exton, LP 200 Witmer Road Horsham, PA 19044	Chester	West Whiteland Township	Valley Creek CWF Brandywine Creek WWF-MF
PAI011515020	Christine McGinn 1230 Stackhouse Mill Road Newtown, PA 19073	Chester	West Nantmeal Township	Unnamed Tributary to East Branch Brandywine Creek HQ-TSF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804004R(1)	Forks Village, L.P. c/o Santino Calantoni 6065 William Penn Highway Easton, PA 18045	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF) UNT to Bushkill Creek (HQ-CWF, MF)

*Schuylkill County Conservation District, 1206 Ag Center Dr., Pottsville, PA 17901*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025411002(5)	Eagle Rock Resort Attn: Dan Durange 1 Country Club Road Hazle Township, PA 18202	Schuylkill	North Union Township	Little Crooked Run (HQ-CWF, MF) Tomhicken Creek (CWF, MF)

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

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PAG-12            CAFOs

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**CAFO Notices of Intent Received**

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

**PAG123665, CAFO, Kerek Musser Egg Farm**, 2604 Hossler Road, Manheim, PA 17545.

This existing facility is located in Rapho Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 937.03 AEU's.

The receiving stream, UNT Back Run, is in watershed 7-G, and classified for: TSF.

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

**PAG123648, CAFO, Joe Jurgielewicz & Son, Ltd, (Neilsen Poultry Farm)**, 177 Seip Lane, Shoemakerville, PA 19555.

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

Description of Size and Scope of Proposed Operation/Activity: 120.61 AEU's.

The receiving stream, UNT Pigeon Creek, is in watershed 3-B, and classified for: WWF.

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

**PAG123647, CAFO, Joe Jurgielewicz & Son, Ltd, (Home Farm)**, 189 Cheese Lane, Hamburg, PA 19562.

This existing facility is located in Tilden Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: 505.36.

The receiving stream, Mill Creek, is in watershed 3-B, and classified for: TSF.

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

**PAG123809, CAFO, Witmer Farms**, 75 Witmer Road, Liverpool, PA 17045.

This proposed facility is located in Liverpool Township, **Perry County**.

Description of Size and Scope of Proposed Operation/Activity: 321.99 AEU's.

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

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

**PAG123810, CAFO, Heberlig Swine Operation**, 24 Shuman Road, Newburg, PA 17240.

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

Description of Size and Scope of Proposed Operation/Activity: 412.57 AEU's.

The receiving stream, UNT Peebles Run, is in watershed 7-B, and classified for: WWF.

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



**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>
Steve Hykes 1239 Hykes Road Greencastle, PA 17225	Franklin	649.2	672.29	Swine, Heifers	NA	Renewal
Drew Remley 1170 Salt Spring Road Roaring Branch, PA 17765	Tioga	409	1,331.86	Beef/Hog	Salt Spring Run—HQ Brain Creek—HQ French Lick Run—HQ	Renewal
Jonathan King Farm 1334 Valentine Road Ickesburg, PA 17037	Perry	112	495.9	Swine Beef Horses	Buffalo Creek—HQ, CWF	Renewal

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 0615509**, Public Water Supply.  
 Applicant **Niagara Bottling, LLC**  
 Municipality **Hamburg Borough**  
 County **Berks**

Responsible Official	Tiffany Moseley, Quality Compliance Manager 2560 East Philadelphia Street Ontario, CA 91761
Type of Facility	Public Water Supply
Consulting Engineer	Gary J. Toplak, P.E. Toplak & Associates, P.C. 112 Pineview Road Baden, PA 15005
Application Received:	7/22/2015
Description of Action	Addition of two new sources of supply for the spring water product. Also additional minerals to be used in the existing mineral injection system.

## 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:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Former Knight-Celotex Facility**, 1400 Susquehanna Avenue, Sunbury City, **Northumberland County**. Apex Companies, LLC, 20 Valley Stream Parkway, Suite 270, Malvern, PA 19355, on behalf of Northumberland County Commissioners, 399 South Fifth Street, Sunbury, PA 17801, submitted a Notice of Intent to Remediate. Contamination was found at a historical manufacturing facility area. The contaminants were benzo(a)pyrene, benzo(b)fluoranthene, arsenic, cadmium and lead. The future use of the property will be county facilities and new city development. The Notice of Intent to Remediate was published in *The Daily Item* on July 3, 2015.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Aliquippa Tin Mill Site (former)**, former LTV Tin Mill site, 300 Woodlawn Road, City of Aliquippa, **Beaver County**. RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301 on behalf of Aliquippa Tin Mill, L.P., 100 Bet-Tech Drive, Aliquippa, PA 15001 has submitted a Notice of Intent to Remediate to meet the non-residential Statewide Health standard concerning site soils contaminated with metals and polycyclic aromatic hydrocarbons (PAHs). Notice of the NIR was published in the *Beaver County Times* July 30, 2015.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

#### Applications received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**PAR000537548. Waste Management of Fairless, LLC**, Borrow Pit 20, 1000 New Ford Mill Road, Morrisville, PA 19067. This permit application is for Class 2 Permit Modification of the RCRA Post-Closure Permit for Borrow Pit-20 (BP-20), a closed hazardous waste land unit that is located in the USS properties in Falls Township, **Bucks County**. The Class 2 application proposes to clean close BP-20 by removing listed hazardous Waste from the disposal unit for off-site treatment and disposal, and relocating non-hazardous waste to the Fairless Landfill. Application received at the Southeast Regional Office on July 7, 2015.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**Permit Application No. 400593. Covanta Delaware Valley, LP**, Delaware Valley Resource Recovery Facility, 10 Highland Avenue, Chester, PA 19013. This minor permit modification application is for the ferrous load-out operation at the facility's ash house. This modification will simplify Covanta's shipment of recovered ferrous metal to the planned regional metals recycling facility. Delaware Valley Resource Recovery Facility is a municipal waste facility located in the City of Chester, **Delaware County**. The application was received by the Southeast Regional Office on July 20, 2015.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin*

or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

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

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

### PLAN APPROVALS

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

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

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

**09-0233: Bamara, LLC** (375 Park Avenue, Suite 2607, New York, NY 10152) has submitted an application to the Pennsylvania Department of Environmental Protection for Plan Approval to construct two methanol plants to produce a total of 8,600 metric tons per day of refined methanol in Falls Township, **Bucks County**.

The plants are identical designs. They use Steam Methane Reformers to produce synthesis gas from the natural gas feed. The synthesis gas from this reaction is then converted to methanol in another catalyzed reaction. The resulting crude methanol is distilled to produce the final product methanol. The project consists of four (4) natural gas-fired boilers, two (2) reformers, two (2) synthesis/distillation units, two (2) cooling towers, various (at least 8) methanol tanks, two (2) wastewater treatment units, process fugitive emissions (two open flares), and one (1) loading rack. Additionally, two (2) 1,100 HPs diesel-fired emergency generators, two (2) 373 HPs diesel-fired emergency fire water pumps, four (4) diesel tanks, and two (2) aqueous ammonia storage tanks are proposed to be constructed and operated.

This application is subject to the Prevention of Significant Deterioration (PSD) of Air Quality regulations of 40 CFR 52.21, the Nonattainment New Source Review (NNSR) regulations of 25 Pa. Code §§ 127.201—127.218, and the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12 and several Federal Regulations. The application is under Administrative Completeness review.

**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*

**09-0231: New Age Industries, Inc.** (145 James Way, Southampton, PA 18966) for the use of isopropyl alcohol during cleanup operation (Source ID 102) at a manufacturing facility located in Upper Southampton **Bucks County**. New Age is a natural minor facility for all criteria pollutants including Hazardous Air Pollutants (HAP). And the currently the facility any other operating permits or plan approval. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**06-05069X: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536) for modifying A-2 Facility production lines. The sources are located at their Lyon Station Plant in Richmond Township, **Berks County**. The potential increases in facility emissions as a result of the changes proposed are 1.3 tpy of NO<sub>x</sub>, 2.2 tpy of CO, 5.4 tpy of PM, 0.2 tpy of VOC and 0.5 tpy of Pb. The facility is a Title V facility. Review by DEP of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR 60 Subpart KK. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

**08-00010J: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) has submitted an application to the Pennsylvania Department of Environmental Protection for plan approval to construct a Wysmont Company Model LE-24 Turbo-Dryer electric Ammonium Meta-Tungstate processing rotary oven, designated by the company as AMT Oven #2, which is rated at a maximum output of 800 lbs/hr, at their facility in North Towanda, **Bradford County**. This application is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The proposed project

will be controlled by a wet scrubber, and will potentially emit 0.42 ton/year of ammonia. No combustion emissions are associated with this source as it will be powered by electricity. The Department has determined that the proposed levels of the air contaminants emissions satisfy the Department's BAT requirements.

Based on the findings presented above, the Department intends to issue a plan approval for the proposed project. The following is a summary of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable air quality regulatory requirements: Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the ammonia emissions in the exhaust of the Bionomic Industries Counter Current Packed Tower, Model 24, Series 5000 scrubber associated with AMT Oven #2 shall not exceed 0.10 lb/hr and 0.42 ton in any 12 consecutive month period. The Bionomic Industries Counter Current Packed Tower, Model 24, Series 5000 Scrubber shall have a control efficiency for ammonia of at least 99.5%. The Bionomic Industries Counter Current Packed Tower, Model 24, Series 5000 scrubber associated with AMT Oven #2 shall be equipped with instrumentation which continuously monitors the following parameters:

- a. the temperature at the inlet to the second stage of the scrubber,
- b. the pressure drop across the packed bed of the scrubber,
- c. the water flow rates through the first and second stage of the scrubber, and
- d. the blowdown rate in the first stage of the scrubber. These parameters shall be recorded by the permittee at least once per day.

The Bionomic Industries Counter Current Packed Tower, Model 24, Series 5000 scrubber associated with AMT Oven #2 shall be operated in such a manner that the following parameters remain within the given ranges:

- a. the temperature at the inlet to the second stage of the scrubber: 70° F or less,
- b. the water flow rates through the first and second stage of the scrubber: 40 GPMs or greater and 3 GPMs or greater, respectively.
- c. the blowdown rate in the first stage of the scrubber: 1 GPM or greater.

The Department reserves the right to establish a pressure drop range, based on actual pressure drop data, for the packed bed of the scrubber upon issuance of an operating permit. The permittee shall keep records of supporting calculations used to verify compliance with the ammonia emission limitations. These records shall be retained for a minimum of five years and shall be presented to the Department upon request. AMT Oven #2 and the Bionomic Industries Counter Current Packed Tower, Model 24, Series 5000 scrubber shall be operated in accordance with the manufacturer's specifications and good air pollution control practices. The permittee shall utilize an internal dust collector exhausting through a HEPA filter indoors to control fugitive dust emissions in the event they are observed during the loading, unloading, and handling operations associated with AMT Oven #2. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the scrubbing solution used in the Bionomic Industries Counter Current Packed Tower, Model 24, Series 5000 scrubber shall only be water.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

**24-167C: E Carbon America** (806 Theresia Street, Saint Marys, PA 15857), for the construction of a new electric pusher furnace and thermal oxidizer in Saint Marys City, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the Title V operating permit at a later date.

The proposed construction of a new electric pusher furnace and thermal oxidizer will result in emissions of 0.088 tpy for NO<sub>x</sub>, of 4.33 tpy for VOC, 0.07 tpy for CO, 5.72 tpy for SO<sub>x</sub>, 0.0017 tpy for PM, and 102.5 tpy for CO<sub>2(e)</sub>. This furnace's emissions will be grouped with the furnaces under Source 101 and those limits will remain the same. This Plan Approval will contain emission restriction, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source including, but are not limited to, the following:

- Subject to 25 Pa. Code §§ 123.13 and 123.21
- VOC emissions from this source and Source 101 shall not exceed 62.8 lbs/ton of product averaged over a 12-month rolling period and 70.4 lbs/ton of product at any time.
- The VOC emissions from this source and Source 101 shall not exceed 53.5 tpy based on a consecutive 12-month period.
- Shall stack test for VOC within 180 days after startup of source and control device.
- The company shall maintain a log of all preventative maintenance inspections of the source and control device(s). The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.
- The company shall maintain a log of the following, at a minimum, from the operational inspections:
  - Thermal oxidizer operating temperature
  - The permittee shall maintain records of the quantity of parts (in pounds) charged into the furnace and the percent by weight of potential VOC chemicals contained in the parts. This information will be used to calculate the VOC emissions from this source on a quarterly basis. The VOC emissions shall be calculated based on the following equation:
    - Lbs of VOC consumed/Tons of product produced = Lbs VOC per ton product
  - The permittee shall perform a daily operational inspection of the source and control device.

- A thermocouple or equivalent shall be permanently installed and maintained at a conveniently readable location to indicate the thermal oxidizer operating temperature.

- All gauges employed by the permittee to monitor the required control device operating parameters shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (+/- 2%) of full scale reading.

- The permittee shall adhere to the approved indicator range for the control device so that operation within the range shall provide reasonable assurance of compliance. The range shall be defined by the manufacturer or in a range developed during compliant stack testing. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion. The approved indicator range for the following shall be determined during the initial performance test or any subsequently approved performance tests unless otherwise stated:

- Based on operational data from the furnace, the thermal oxidizer temperature shall be maintained at or above 1,050 F (or as established during compliant testing) whenever the furnace is greater than 650 F

- The permittee, with prior Departmental approval, may conduct additional performance tests to determine a new indicator range. Within 24-hours of discovery of a reading outside of the prescribed range the permittee shall perform a maintenance inspection on the control device and take corrective action. Records of all maintenance inspections on the control device, and corrective actions taken, shall be maintained on site for a minimum period of five years. In the event of more than three documented excursion outside the prescribed range in any calendar quarter the permittee shall submit a corrective measure plan to the Department. Corrective measures may include an increase of the frequency of required preventative maintenance inspections of the control device, a modification of the prescribed range, or other appropriate action as approved by the Department. Upon receipt of a corrective measure plan the Department shall determine the appropriate corrective measure on a case-by case basis.

- The control device shall be operated at all times that the source is in operation.

- The permittee shall maintain and operate the source and control device(s) in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone

number of the person submitting the comments, identification of the proposed plan approval (24-167C) 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 Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

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

*Contact: Henry Kim, Chief—Telephone: 215-685-9439*

Air Management Services (AMS) proposed to modify the approved Reasonably Available Control Technology (RACT) plan approvals for the following facilities in the City of Philadelphia, **Philadelphia County**:

**PES Refinery**, formerly Sunoco Refinery (3144 Passyunk Ave., Philadelphia, PA 19145) to update a Responsible Official. Change the 433 H-1 Heater capacity from 243 MMBTUs/hr to 260 MMBTUs/hr. Add 864 Heater PH1, which was mistakenly deleted in the last RACT plan approval. Delete some shut down heaters. Add a requirement to vent the 1,232 FCCU to the CO Boiler when operating as a partial-burn unit and a requirement to follow good combustion practices. Delete a quarterly leak detection and repair requirement, as fugitives are covered by 25 Pa. Code § 129.58. Made a control requirement for Girard Point Marine Loading only applicable to materials with a Reid Vapor Pressure of 4 psi or greater. Remove the Marine Vapor Collection and Control System requirement for Point Breeze Marine Loading and limit the process to loading materials with a RVP of less than 4 psi and an annual VOC emission limit of 25.99 tons. Reduced a 433 Heater H-1 NO<sub>x</sub> emission limit from 0.060 lb/MMBTU to 0.035 lb/MMBTU. Reduced an 859 Heater 1H-1 NO<sub>x</sub> emission limit from 0.035 lb/MMBTU to 0.020 lb/MMBTU. These revisions will reduce potential NO<sub>x</sub> and VOC emissions from the facility;

**Exelon Generation Company—Richmond Station** 3901 North Delaware Avenue, Philadelphia, PA 19137) to correct an annual capacity factor limit from 18% to 15% for two combustions turbines. To remove a requirement to limit the sulfur content of No. 2 oil to 15 ppms beginning July 15, 2015 and an associated recordkeeping requirement. The facility will comply with the provisions of Air Management Code Section 3-207, which has a similar limit but allows use of existing fuel oil for a period of time. These revisions will reduce potential NO<sub>x</sub> emissions from the facility;

**Veolia Energy—Schuylkill Station**, formerly Trigen—Schuylkill (2600 Christian Street, Philadelphia, PA 19146) to change the wording on the NO<sub>x</sub> emission limits for Boiler #23 and Boiler #26 to clarify that the boilers must comply with each limit and the averaging period for some limits. These revisions will not change potential emissions for the facility;

**Kinder Morgan, previously GATX** (3300 North Delaware Ave., Philadelphia, PA 19134) to delete a quarterly leak detection and repair requirement, as fugitives are covered by Air Management Regulation V, Section XIII(1). Remove gasoline and crude oil limits for marine loading, as the process cannot load these materials at all due to a limit on the Reid Vapor Pressure of materials loaded. Change the initial test date for marine vapor loading to a date that is within 5 years of the previous stack test. These revisions will not change potential emissions for the facility;

**Plains Products Terminals LLC** (3400 South 67th Street, Philadelphia, PA 19153) to combine the RACT plan approvals for the previous Maritank and ExxonMobil facilities into one facility. Remove shut down processes. Add a 6.6 tons per rolling 12-month period VOC limit for marine loading. Remove a vapor recovery requirement for truck loading at the vapor recovery tanks due to a change to low vapor pressure materials and very low overall potential emissions. These revisions will reduce the potential VOC emissions from the facility;

**Naval Surface Warfare Center Carderock Division** (5001 South Broad Street, Code 02, Philadelphia, PA 19112-1403) to add a 0.38 lb/MMBTU NO<sub>x</sub> emission limit for Boiler DDG-15 and add a stack test program. Require new test engines and turbines to comply with the Standard Navy Plan Maintenance Program. These revisions will reduce the potential NO<sub>x</sub> emissions from the facility;

AMS proposes to issue RACT plan approvals for the following facilities in the City of Philadelphia, **Philadelphia County: Philadelphia Prison System** (8001 State Road, Philadelphia, PA 19136) for a 365 HP gas-fired chiller with Non-Selective Catalytic Reduction. Nox emissions from the chiller are limited to 2.0 gs/bhp-hr. The chiller must have a stack test every 5 years and records must be kept for all tests.

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

*Contact: Edward Wiener, Chief—Telephone: 215-685-9426 Philadelphia Air Management Services*

Proposed revision to the State Implementation Plan to meet the requirements of reasonably available control technology set forth by The Clean Air Act under the 1997 8-hour NAAQS

The Clean Air Act Amendments of 1990 (CAA) requires **Philadelphia County** (Philadelphia) to submit to the U.S. Environmental Protection Agency (EPA) a State Implementation Plan (SIP) revision demonstrating that Philadelphia has implemented all necessary Reasonably Available Control Technology (RACT) controls on all major stationary sources of volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>).

The Philadelphia Department of Public Health, Air Management Services (AMS) is now seeking public comment on a proposed SIP revision that updates Philadelphia's RACT demonstration for the 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS).

On December 13, 2013 (78 FR 75902), EPA conditionally approved Philadelphia's 1997 8-hour ozone RACT demonstration provided in the 2006 and 2010 SIP revisions, based upon a commitment from AMS to submit additional SIP revisions to provide source-specific RACT determinations for certain major sources of VOC and NO<sub>x</sub> in Philadelphia and a certification that previously adopted source-specific RACT controls approved by EPA in the Pennsylvania's SIP under the 1-hour ozone NAAQS for the remaining sources in Philadelphia County (as listed in 40 CFR 52.2020(d)(1)) continue to adequately represent RACT for the 1997 8-hour ozone NAAQS.

This SIP revision is intended to partially satisfy AMS' commitment by addressing source-specific RACT determinations for certain major sources of VOC and/or NO<sub>x</sub> and certifying that previously adopted source-specific RACT controls approved by EPA in the Pennsylvania's SIP under the 1-hour ozone NAAQS continue to adequately represent RACT for the 1997 8-hour ozone NAAQS.

This SIP revision also includes revisions to the approved RACT plan approvals for the following facilities:

**PES Refinery (formerly Sunoco Refinery)** 3144 Passyunk Ave; Exelon Generation Company—Richmond Station, 3901 North Delaware Ave; Veolia Energy Philadelphia—Schuylkill Station (formerly Trigen—Schuylkill) 2600 Christian St; Kinder Morgan (previously GATX), 3300 North Delaware Ave; Plains Products Terminals LLC, 3400 S 67th St; Philadelphia Prison System, 8001 State Rd; Naval Surface Warfare Center Carderock Division, 5001 S. Broad St.

The SIP revision and other supporting information are available for inspection at the offices of AMS during normal business hours or on AMS' website at <http://www.phila.gov/health/AirManagement/PublicMeetings.html>.

Anyone affected by the proposed updates to the SIP revision may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Debra Williams within thirty (30) days from today. If requested, AMS will hold a public hearing to accept additional public comments on September 17, 2015 at 6 PM at the Spellman Building, 321 University Avenue, 1st Floor Conference Room, Philadelphia, PA 19104. Persons with a disability who desire to attend the meeting and require an auxiliary aid, service, or other accommodation to participate in the proceedings should contact Alison Riley at (215) 685-9422 to discuss how AMS may accommodate their needs.

If no request for public hearing is received by 4 PM on September 14, 2015, the hearing will be cancelled and notice of the cancellation will be published on September 16, 2015, on AMS' website <http://www.phila.gov/health/AirManagement/PublicMeetings.html>. Interested parties may also call (215) 685-7572 to find out if the hearing has been cancelled.

#### **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*

**09-00163: The H&K Group, Inc.** (901 Minsi Trail, Blooming Glen, PA 18911), for renewal of a State Only Operating Permit (natural minor) located in Hilltown

Township, **Bucks County**. The H&K Group operates an aggregate processing plant at the Blooming Glen quarry using various crushers, screeners, and conveyors. The primary pollutant of concern is particulate matter emissions (PM/PM<sub>10</sub>/PM<sub>2.5</sub>). The facility employs a water spray dust suppression system to minimize fugitive dust emissions. The renewal application indicates that no new sources or changes have occurred since the permit was last issued in 2010. The permit will include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

**09-00158: Allied Crematory, LLC** (864 Bristol Pike Bensalem, PA 19020) for the renewal of the state only operating permit for operation of two (2) existing incinerators at a crematory located in Bensalem Township, **Bucks County**. There are no changes to sources at the facility. The facility's potential to emit for all criteria pollutants is less than the thresholds applicable to facilities located in the Philadelphia Metropolitan Statistical Area; therefore, the facility is a Natural Minor. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

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

**40-00035: QG, LLC**, (594 Can-Do Expressway, Hazleton, PA 18202) The Department intends to issue a State Only (Synthetic Minor) operating permit for a commercial printing facility in Hazle Township, **Luzerne County**. The State Only (Synthetic Minor) operating permit includes emissions, monitoring, record keeping, reporting, testing and any additional conditions designed to ensure compliance with all applicable Federal and State air pollution control requirements.

**40-00088: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) for the operation of a sand and gravel beneficiating operation in Salem Township, **Luzerne County**. The sources consist of three (3) crushers and one (1) screen. The particulate emissions are controlled by water sprays. This is a renewal of a State-Only Operating Permit. The State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**05-05022: Bedford Reinforced Plastics, Inc.** (264 Reynoldsdale Road, Bedford, PA 15522) to issue a Title V Operating Permit renewal for a fiberglass reinforced plastics composite products pultrusion manufacturing operation located in East Saint Clair Township, **Bedford County**. The 2014 emissions were 7.95 tons of volatile organic compounds, and 7.95 tons of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The permit includes provisions derived from 40 CFR Part 63, Subpart WWW—National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.

**21-05005: PA Department of Corrections—State Correction Institution-Camp Hill** (2500 Lisburn Road, Camp Hill, PA 17011) to issue a State Only Operating Permit for one (1) coal, one (1) No. 2 oil fired boiler, one (1) natural gas fired/No. 2 oil boiler, and two (2) No. 2 oil fired emergency generators at Camp Hill Correctional Institution Facility in Lower Allen Township, **Cumberland County**. The 2014 actual emissions are 6.7 tons of carbon monoxide, 15.6 tons of nitrogen oxide, 0.6 ton of particulate matter, 17.0 tons of sulfur dioxide, 0.5 ton of volatile organic compounds, and 0.11 ton of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the requirements include provisions derived from 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 63 Subpart JJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers and the Compliance Assurance Monitoring (CAM) requirements of 40 CFR Part 64.

**06-03104: Bean Funeral Homes and Cremation Services, Inc.** (129 East Lancaster Avenue, Shillington, PA 19607-2613) to issue a State-Only Operating Permit for their crematory operation controlled by a secondary afterburner chamber in the Borough of Sinking Spring, **Berks County**. The primary emissions from the facility are in the form of particulate matter (i.e.,  $PM_{10}$ ) at 1.0 ton per year (tpy) and  $NO_x$  at 0.7 tpy. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131*

**10-00380: Mountain Gathering LLC, Jefferson Compressor Station** (910 Saxonburg Road, Butler, PA) for a Synthetic Minor Permit to operate a natural gas compressor station located in Jefferson Township, **Butler County**. The primary emissions are from the eight 1,775 Hp compressor engines at the facility.

Construction of this facility was authorized by Plan Approval Number: 10-0380C which was issued on December 13, 2013. The conditions from that plan approval have been incorporated into the Synthetic Minor Operating Permit.

Additional equipment was installed under General Plan Approval Number GP-10-00380 which was issued on July 29, 2014.

Sources at this facility are subject to the following Federal emission standards:

- 40 CFR 60, Subpart JJJJ—Standards of performance for stationary spark ignition internal combustion engines
- 40 CFR 60, Subpart OOOO—Standards of performance for crude oil and natural gas production, transmission and distribution.
- 40 CFR 63, Subpart HH—National emission standards for hazardous air pollutants from oil and natural gas production facilities

The latest version of these subparts have been attached to the appropriate sources.

The potential emissions from this facility are as follows. (All values are in tons/year.)  $PM_{10}/PM_{2.5} = 5.61$ ,  $SO_x = 0.33$ ,  $NO_x = 74.78$ ,  $VOC = 38.00$ ,  $CO = 38.89$ ,  $CO_2e = 62,171.66$ ,  $HAPs = 4.92$ .

**43-00326: Buckeye Leasing, Incorporated, City Slag Quarry Plant** (300 Ohio Street Extension, Hermitage, PA 16148) for renewal of a Natural Minor Permit to operate a non-metallic mineral processing plant and processing recycled concrete. The emitting sources are slag processing operations and a portable crush and screen plant with diesel engines for the recycled concrete processing. The facility is located in the City of Hermitage, **Mercer County**. This facility is a Natural Minor facility. All emissions from the slag processing are fugitives. Actual slag processing emissions based on 2,080 hours are:  $PM_{10}$ —2.56 TPY and  $PM_{2.5}$ —0.34 TPY. Actual emissions from the recycled concrete processing operations are  $PM_{10}$ —0.4 TPY and  $PM_{2.5}$ —0.06 TPY. Emissions from the engines are less than 2.0 TPY  $NO_x$ , 3.08 TPY CO, 1.93 TPY VOC and 0.10 TPY PM.

*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 Synthetic Minor State Only Operating Permit for the following facility:

**S15-006: The Vanguard Group, Inc.** (2000 Kubach Road and 2101 Hornig Road, Philadelphia, PA 19116), for the operation of two office buildings in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four 2,340 hp diesel emergency generators and one 1,810 hp diesel emergency generator.

The facility wishes to amend the testing requirements for the emergency generators from 120 minutes per month as per Plan Approval No. 13313 to 30 minutes per week to meet manufacturer's specifications.

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

Persons wishing to file protest 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 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 (30) days before the hearing.

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Natural Minor Operating Permit for the following facility: **N15-003: Packaging Coordinators, Inc.** (3001 Red Lion Road, Philadelphia, PA 19114), for the operation of a packaging and labeling process facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 8.63 MMBTUs/hr chillers firing natural gas or No. 2 fuel oil, three 1.4 MMBTU/hr boilers firing natural gas, one 4.2 MMBTUs/hr boiler firing natural gas or No. 2 fuel oil, one 500 kW emergency generator firing diesel fuel, one 300 kW emergency generator firing diesel fuel, and



packaging processes including the Hibistat packaging process, packaging equipment sanitation, and the package labeling and ink tray cleaning process.

The facility wishes to amend the testing time of its emergency generators from 30 minutes per month as of the original installation permits to 30 minutes per week.

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

Persons wishing to file protest 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 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 (30) 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 (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

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

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

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 **Northeast Prestressed Products** (121 River Street, Cressona, PA 17929) for their facility located in North Manheim Twp. and Cressona Borough, **Schuylkill County**. This Plan Approval No. 54-00077A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00077A is for the modification of their existing permit to allow use of additional protective coatings containing volatile organic compound (VOCs). This change will increase VOC emissions from the facility to 25.42 tons per year. Use of these coatings is necessary to meet DOT contractual obligation. No other changes were proposed by the company. 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 para-

graph. Each written comment must contain the name, address and telephone number of the person submitting the comments; identification of the proposed permit No. 54-00077A; and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, 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 Returned*

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

**65090102 and NPDES Permit No. PA0251640. Coal Loaders, Inc.** (210 E. Main Street, Ligonier, PA 15658). Application to add 2.3 acres to an existing bituminous surface mine has been withdrawn, located in Bell Township, **Westmoreland County**, affecting 184.6 acres. Receiving streams: unnamed tributaries to Wolford Run and Kiskiminetas River. Application received: August 8, 2014. Application withdrawn: July 29, 2015.

*Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**56140701 and NPDES No. PA0236292 and GP12-56140701-R0. Coal Innovations, LLC**, (1134 Stoystown Road, Friedens, PA 15541). To operate the Stoystown Prep Plant & CRDA in Quemahoning and Stonycreek Townships, **Somerset County** for a new coal refuse disposal site and coal preparation plant and related NPDES permit, includes authorization request for an Air Quality GPA/GP12 General Permit. Surface Acres Proposed 85.9, Coal Refuse Disposal Support Acres Proposed 55.6, Coal Refuse Disposal Acres Proposed 46.9. Receiving Stream: Stonycreek River, classified for the following use: CWF. The application was considered administratively complete on July 28, 2015. Application received April 17, 2015.

**32031301 and NPDES No. PA0235580. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201-9642). To renew the permit for the Lowry Deep Mine in White and Center Townships, **Indiana County** and related NPDES permit. No additional discharges. The application was considered administratively complete on July 28, 2015. Application received June 13, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 32040202 and NPDES No. PA0249670. Robindale Energy Services, Inc.**, 225 Grange Hall Road, P. O. Box 228, Armagh, PA 15920, permit renewal for the continued operation and restoration of a bituminous surface and coal refuse reprocessing mine in East Wheatfield Township, **Indiana County** affecting 34.5 acres. Receiving streams: Conemaugh River classified for the following use: warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: July 24, 2015.

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

**16120101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Revision to an existing bituminous surface and clay removal mine to change the post-mining land use from forestland to unmanaged natural habitat on the Joseph C. Makray, Tammy Lynn Holmes-George & Shelly A. Winebold, and Robert C. George & William A. George properties in Limestone Township, **Clarion County**. Receiving streams: One unnamed tributary to Piney Creek and Piney Creek, one unnamed tributary to Glade Run, and two unnamed tributaries to Sloan Run, all classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Pennwood Park Campground. Application received: July 24, 2015.

**33890122. Terry Coal Sales, Inc.** (P. O. Box 58, Distant, PA 16223) Renewal of an existing bituminous surface and auger mine in Knox, Oliver & Rose Townships, **Jefferson County**, affecting 200.0 acres. Receiving streams: Unnamed tributary to Lick Run and Lick Run, classified for the following uses: CWF. There are no potable surface water intakes downstream within 10 miles. This renewal is for reclamation only. Application received: July 23, 2015.

*Noncoal Applications Received*

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

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**18119-43100302-E-1. Terra Resources, LLC** (267 Gilmore Road, Enon Valley, PA 16120) Application for a stream encroachment to conduct mining activities within 100 feet of Lackawannock Creek for support activities only in Jefferson Township, **Mercer County**. Receiving streams: Lackawannock Creek, classified for the following uses: TSF; and unnamed tributary to Shenango River, classified for the following uses: WWF. There are no potable surface water intakes within 10 miles downstream. Application received: July 13, 2015.

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

**08030301 and NPDES PA0608874. Dalrymple Gravel & Contracting Company, Inc.** (2105 South Broadway, Pine City, NY 14871). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Athens Township, **Bradford County** affecting 337.3 acres. NPDES will also be renewed on associated surface mining permit 08140301 affecting 12.5 acres. Receiving stream(s): there are no outfalls directly to streams. Application received: July 20, 2015.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

*Coal NPDES Draft Permits*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**NPDES No. PA0213560 (Mining Permit No. 56910701), PBS Coals, Inc.**, (PO Box 260 Friedens, PA 15541). A revision to the NPDES and mining activity permit for the Job 10 Refuse Disposal Area in Brothersvalley and Somerset Townships, **Somerset County** for revision to NPDES effluent limits for Job 10 Coal Refuse Disposal Area. Receiving stream: Unnamed Tributary to Kimberly Run, classified for the following use: CWF. Coxes Creek Watershed TMDL.

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

The facility location of the non-discharge alternatives are listed below:

*Outfall 001* discharges to: UNT to Kimberly Run

The proposed effluent limits for *Outfall 001* (Lat: 39° 58' 47" Long: 78° 59' 22") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.05	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	
Chlorides (mg/l)			Monitor & Report	

**NPDES No. PA008966 (Mining Permit No. 14831301), Pennsylvania Mines, LLC**, (Two North Ninth Street, Allentown, PA 18101). A revision to the NPDES and mining activity permit for the Rushton Mine in Rush Township, **Centre County** for revision to the existing NPDES effluent limits. Receiving stream: Moshannon Creek, classified for the following use: TSF. Moshannon Creek Watershed TMDL.

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

The facility location of the non-discharge alternatives are listed below:

*Outfall 001* discharges to: Moshannon Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 51' 59" Long: 78° 14' 50") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		1.5	3.0	3.75
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	
Chlorides (mg/l)			Monitor & Report	

*Outfall 003* discharges to: Moshannon Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 52' 02" Long: 78° 13' 53") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		1.5	3.0	3.75
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	
Chlorides (mg/l)			Monitor & Report	

*Outfall 004* discharges to: Moshannon Creek

The proposed effluent limits for *Outfall 004* (Lat: 40° 52' 13" Long: 78° 14' 42") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		1.5	3.0	3.75
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	
Chlorides (mg/l)			Monitor & Report	

*Outfall 005* discharges to: Moshannon Creek

The proposed effluent limits for *Outfall 005* (Lat: 40° 51' 59" Long: 78° 14' 42") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	-
Iron (mg/l)		1.5	3.0	3.75
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Osmotic Pressure (mos/kg)		50	100	125
Sulfates (mg/l)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	
Chlorides (mg/l)			Monitor & Report	

**NPDES No. PA0215112 (Mining Permit No. 26970702), Matt Canestrone Contracting, Inc.**, (PO Box 234, Belle Vernon, PA 15012). A renewal to the NPDES and mining activity permit for the LaBelle Site in Luzerne Township, **Fayette County** a renewal for the refuse disposal area and associated NPDES permit. Receiving stream: Unnamed Tributary to Monongahela River, classified for the following use: WWF. Receiving stream: Unnamed Tributary to Meadow Run, classified for the following use: WWF. Receiving stream: Meadow Run, classified for the following use: WWF. The application was considered administratively complete on February 19, 2013. Application received December 12, 2012.

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

The facility location of the non-discharge alternatives are listed below:

*Outfall 001* discharges to: UNT to Monongahela River

The proposed effluent limits for *Outfall 001* (Lat: 40° 00' 12" Long: 79° 57' 58") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.5
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

*Outfall 002* discharges to: UNT to Monongahela River

The proposed effluent limits for *Outfall 002* (Lat: 40° 00' 10" Long: 79° 58' 56") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.2
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

*Outfall 003* discharges to: UNT to Monongahela River

The proposed effluent limits for *Outfall 003* (Lat: 39° 59' 52" Long: 79° 58' 07") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.2
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

*Outfall 004* discharges to: Meadow Run

The proposed effluent limits for *Outfall 004* (Lat: 39° 59' 40" Long: 79° 58' 17") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.2
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

*Outfall 005* discharges to: UNT to Meadow Run

The proposed effluent limits for *Outfall 005* (Lat: 38° 59' 27" Long: 79° 58' 39") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.2
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

*Outfall 006* discharges to: UNT to Monongahela River

The proposed effluent limits for *Outfall 006* (Lat: 40° 00' 21" Long: 79° 59' 11") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.8
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

*Outfall 007* discharges to: UNT to Monongahela River

The proposed effluent limits for *Outfall 007* (Lat: 39° 59' 59" Long: 79° 58' 59") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.2
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

Outfall 008 discharges to: UNT to Monongahela River

The proposed effluent limits for *Outfall 008* (Lat: 40° 00' 28" Long: 79° 59' 07") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	1.2
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

Outfall 009 discharges to: Meadow Run

The proposed effluent limits for *Outfall 009* (Lat: 39° 59' 42" Long: 79° 58' 18") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	0.3
Iron (mg/l)		3.0	6.0	7.0
Suspended Solids (mg/l)		35	70	90
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)			Monitor & Report	
Osmotic Pressure (mos/kg)			Monitor & Report	
Total Dissolved Solids (mg/l)			Monitor & Report	

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**NPDES No. PA0269450 (Mining Permit No. 11140101). Laurel Sand & Stone, Inc.**, 210 E. Main Street, P. O. Box 556, Ligonier, PA 15658, new NPDES permit for surface coal mining in Jackson Township, **Cambria County**, affecting 199.9 acres. Receiving streams: two unnamed tributaries to South Branch Blacklick Creek, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: July 1, 2015.

The outfalls listed below discharge to two unnamed tributaries to South Branch Blacklick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (SP-1 Emergency Spillway)	Y
002 (SP-2 Emergency Spillway)	Y

The outfalls listed below require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003 (SP-1)	Y
004 (SP-2)	Y
005 (TF-1)	Y
006 (TF-2)	Y

There is no proposed point source discharge from the above listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of infiltration galleries. The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event.

The proposed effluent limits for the water entering the infiltration galleries are as follows:

<i>Outfalls: 003, 004, 005, &amp; 006 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Manganese (mg/l)	N/A	N/A	5.0
Aluminum (mg/l)	N/A	N/A	5.0
Total Suspended Solids (mg/l)	N/A	N/A	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The proposed effluent limits for the water discharging from the emergency spillways are as follows:

<i>Outfalls: 001 &amp; 002 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	N/A	N/A	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**NPDES No. PA0213161 (Mining Permit No. 56950106), PBS Coals, Inc.**, P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, renewal of an NPDES permit for surface mining activities in Stonycreek Township, **Somerset County**, affecting 62.8 acres. Receiving streams: unnamed tributaries to/and Schrock Run, classified for the following use: cold water fishes. The receiving stream is included in the Kiski-Conemaugh River TMDL. Application received: July 20, 2015.

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

The stormwater outfall listed below discharges to Schrock Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
005	N

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

<i>Outfall: 005</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Maganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

**NPDES No. PA0127566 (Permit No. 24743008), Fairview Coal Company** (P. O. Box R, Ridgway, PA 15853) Renewal of an existing NPDES permit for a bituminous surface and auger mine in Fox Township, **Elk County**, affecting 66.0 acres. Receiving streams: Benninger Creek, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: May 18, 2015.

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

The outfall(s) listed below discharge to Benninger Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TPA	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

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

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

**NPDES No. PA0256919 (Mining permit no. 17080112), Kasubick Brothers Coal Co.**, 501 David Street, Houtzdale, PA 16651, renewal of an NPDES permit for surface mining in Woodward Township, **Clearfield County** affecting 46.8 acres. Receiving stream(s): Clearfield Creek, classified for the following use(s): Cold Water Fisheries. Clearfield Creek TMDL. Application received: April 22, 2015.

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

The outfall(s) listed below discharge to: Clearfield Creek

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP-1	N
TP-2	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Alkalinity greater than acidity <sup>1</sup>				



## 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.

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**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.**

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### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E14-560. Olga Levi**, 196 Potters Lane, Port Matilda, PA 16870-7199. Barger Fields in Patton Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle N: 40°48'48"; W: -77°58'57.41").

To construct and maintain: 1) a 80-foot long by 48-inch diameter HDPE culvert with associated wingwalls and road fill in an unnamed tributary of Buffalo Run for a public road crossing, 2) utility lines buried in the road fill, 3) a 150-foot wide 1,308-foot long stream buffer for a proposed 10 lot subdivision located on the south side of SR 550 1.6 mile from SR 322. This project proposes to: 1) temporarily impact 10 linear feet of the unnamed tributary of Buffalo Run and 0.002 acre of wetland, 2) permanently impact 140 linear feet of the unnamed tributary of Buffalo Run and 0.025 acre of wetland with the stream being classified as High Quality—Cold Water Fishery and the wetlands being classified as Exceptional Value.

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E4129-099: Regency Marcellus Gas Gathering, LLC**, 101 West Third Street, Williamsport, PA 17701, Eldred Township, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) one 16-inch gas pipeline and a timber mat bridge impacting 51 linear feet Lick Run (TSF, MF), 52 linear feet of an unnamed tributary to Lick Run (TSF, MF), 829 square feet within the floodway of an unnamed tributary to Lick Run, and 2,079 square feet of palustrine forested (PFO) wetland. (Montoursville North, PA Quadrangle 41°17'57"N 76°56'49"W).

The project will result in a total of 103 linear feet of stream impacts, 0.02 acre of additional floodway impacts, and 0.05 acre of wetland impacts all for the purpose of installing natural gas gathering line and access roadway to a natural gas well site for Marcellus well development.

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335; 814-332-6860*

**E33-08-003, Exco Resources (PA), LLC**, 260 Executive Drive Suite 100 Cranberry Township, Pennsylvania 16066, Zimmerman Bridge Replacement Project, in Knox Townships, **Jefferson County**, Army Corps of Engineers Pittsburgh District (Reynoldsville, PA Quadrangle N: 41° 5' 14"; W: 78° 58' 6").

The applicant proposes to replace an existing bridge on Camp Run, Knox Township, Jefferson County, Pennsylvania at N: 41° 5' 14"; W: 78° 58' 6". The project will result in a total of 62.74 linear feet of permanent stream impacts.

## 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

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228044 (Sewage)	Bradford Heights MHP Bradford Drive Woodland, PA 16881	Clearfield County Bradford Township	Unnamed Tributary to Abes Run (8-C)	Y
PA0112771 (Sewage)	Port Matilda Borough Authority Route 220 Port Matilda, PA 16870	Centre County Worth Township	Bald Eagle Creek (9-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0032751 (Sewage)	PA DOT Rest Area 18 I-79 Southbound Hadley, PA 16130	Mercer County Deer Creek Township	Unnamed Tributary to the Black Run (16-G)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0035556 (Sewage)	Pa Dot—Rest Area 16 I-79 South Grove City, PA 16127	Lawrence County Plain Grove Township	Un-named tributary of Jamison Run (20-C)	Y

## 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. PA0053538**, Sewage, Amendment 1, **Merck, Sharp & Dohme Corp.**, 770 Sumneytown Pike, P. O. Box 4, WP 20-205, West Point, PA 19486.

This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Action/Activity: To discharge to a facility known as Merck Sharp & Dohme Corp, to unnamed Tributary to Towamencin Creek to unnamed Tributary to Wissahickon Creek in Watershed(s) 3-E and 3-F.

**NPDES Permit No. PA0244724**, Industrial Waste, **Catalent Micron Technologies, Inc.**, 333 Phoenixville Pike, Malvern, PA 19355.

This proposed facility is located in Whiteland Township, **Chester County**.

Description of Action/Activity: To discharge to a facility known as Catalent Micron Technologies Malvern Facility, to unnamed Tributary to Valley Creek in Watershed(s) 3-F.

**NPDES Permit No. PA0244741**, Industrial Waste, **Columbia Gas Transmissions, LLC**, 5151 San Felipe, Suite 2400, Houston, TX 77056.

This proposed facility is located in West Vincent Township, **Chester County**.

Description of Action/Activity: To discharge from a facility known as East Side Expansion Project to unnamed Tributary to Pickering Creek, unnamed Tributaries to Marsh Creek, East Branch Brandywine Creek, and unnamed Tributary to Beaver Creek in Watershed(s) 3-D and 3-H.

**NPDES Permit No. PA0058921**, Industrial Stormwater, **Eureka Stone Quarry Inc., d/b/a, JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006.

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

Description of Action/Activity: To discharge from a facility known as JDM Materials County Line Batch Plant to unnamed Tributary to Southampton Creek in Watershed(s) 3-J.

**NPDES Permit No. PA0056065**, Sewage, **Enserv Inc.**, 1145 King Road, Immaculata, PA 19345.

This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Action/Activity: To discharge from a facility known as Enserv Inc. (Immaculata University) to unnamed Tributary of Valley Creek in Watershed(s) 3-F.

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

**NPDES Permit No. PA0233889**, CAFO, SIC Code 0241, **Troester Dairy**, 175 Cannon Road, Mifflinburg, PA 17844.

This existing facility is located in Buffalo Township, **Union County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing CAFO.

**NPDES Permit No. PA0023531**, Sewage, SIC Code 4952, **Danville Municipal Authority**, 12 West Market Street, Danville, PA 17821.

This existing facility is located in Danville Borough, **Montour County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

**NPDES Permit No. PA0273066**, Sewage, SIC Code 8800, **Carolyn Rumsey**, 1593 Hamlet Cassadaga Road, Forestville, NY 14062.

This proposed facility is located in Elgin Borough, **Erie County**.

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

Changes made from the draft permit: Monitoring frequency was reduced for all parameter to 1/year.

**NPDES Permit No. PA0024571**, Sewage, SIC Code 4952, **Cranberry Township Butler County**, 2525 Rochester Road, Cranberry Twp, PA 16066-6420.

This existing facility is located in Cranberry Township, **Butler County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0273091**, SIC Code 8800, **Stephen G Paxson**, 51 Quarry Hill Road, Greenville, PA 16125.

This proposed facility is located in Hempfield Township, **Mercer County**.

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

*Central Office: Bureau of Point and Non-Point Source Management, Planning and Permitting Program Manager, 400 Market Street, Harrisburg, PA 17105-8774, Telephone: 717.787.8184.*

**NPDES Permit No. PA0270792**, SIC Code 4959, **PennDOT Highway Administration**, Commonwealth Keystone Building, Harrisburg, PA 17120.

Description of Proposed Action/Activity: Issuance of an NPDES permit for new discharges associated with the application of pesticides to control weeds and roadside vegetation in PennDOT Right-Of-Ways (ROWs) and along roadsides and other PennDOT Facilities throughout the Commonwealth to maintain a travel way free of obstructing vegetation.

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### III. QM Industrial Waste and Sewerage Actions under The Clean Streams Law

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

**WQM Permit No. 4615405**, Sewage, **Berks-Montgomery Municipal Authority**, 136 Municipal Drive, P. O. Box 370, Gilbertsville, PA 19525.

This proposed facility is located in Douglass Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a pump station and force main.

**WQM Permit 0998419**, Sewage, Renewal, **Haycock Camping Ministries**, 3100 School Road, Kintnersville, PA 18930.

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

Description of Action/Activity: Permit renewal for continued operation of the existing Haycock Ministries Sewage Treatment Facility.

**WQM Permit No. 4615201**, Industrial Waste, **UniTech Services Group**, 401 North Third Avenue, Royersford, PA 19468.

This proposed facility is located in Royersford Borough, **Montgomery County**.

Description of Action/Activity: Upgrades to the wastewater treatment system at this industrial laundry facility.

**WQM Permit No. 4615403**, Sewage, **Hatfield Township Municipal Authority**, 3200 Advance Lane, Colmar, PA 18915.

This proposed facility is located in Hatfield Township, **Montgomery County**.

Description of Action/Activity: Rerate. Increasing the annual average flow from 6.43 mgds to 6.98 mgds and increasing the design hydraulic capacity from 8.37 mgds to 10.68 mgds.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

**WQM Permit No. 1806401**, Sewage, SIC Code 4952, **Clinton County Sewer Authority**, PO Box 453, Lock Haven, PA 17745.

This existing facility is located in Bald Eagle Township, **Clinton County**.

Description of Proposed Action/Activity: Replacing existing 25 HPs submersible pumps with 34 HPs submersible pumps and upgrading electrical equipment.

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

**WQM Permit No. WQG01201502**, Sewage, **Lisa M & Patrick K Humes**, 29860 State Highway 77, Guys Mills, PA 16327.

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

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

**WQM Permit No. 4315404**, Sewage, **Stephen G Paxson**, 51 Quarry Hill Rd, Greenville, PA 16125.

This proposed facility is located in Hempfield Township, **Mercer County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010914009	Waste Gas Fabricating 450 Newbold Road Fairless Hills, PA 19030	Bucks	Falls Township	Delaware River WWF-MF
PAI011503108-R	Brian Campbell 402 Bayard Road Suite 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	West Branch Big Elk Creek HQ-TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011509004-R	Brian Campbell 402 Bayard Road Suite 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	West Branch Big Elk Creek HQ-TSF-MF
PAI011504029-R	Brian Campbell 402 Bayard Road Suite 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	West Branch Big Elk Creek HQ-TSF-MF
PAI011514034	Poplar Realty, LP 543 Mulberry Lane Haverford, PA 19041	Chester	Honey Brook Township	Brandywine Creek HQ-TSF-MF
PAI014614008	The Cutler Group, Inc. 5 Apollo Road Plymouth Meeting, PA 19462	Montgomery	Whitemarsh Township	Schuylkill River CWF
PAI015114011-5	Liberty Property/Synterra Limited Partnership 1628 John F. Kennedy Boulevard Philadelphia, PA 19106	Philadelphia	City of Philadelphia	Delaware River WWF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025214004	Cellco Partnership d/b/a Verizon Wireless 4642 Jonestown Road, Suite 200 Harrisburg, PA 17109	Monroe	Westfall Township	UNT to Delaware River (HQ-CWF, MF)
PAI024514007	Pocono International Raceway PO Box 500 Long Pond, PA 18334	Monroe	Tunkhannock Township	UNT to Tunkhannock Creek (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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032108018R Issued	US Army at Carlisle Barracks Carlisle Barracks INME-CLB-PW	Cumberland	Middlesex Township	Letort Spring Run (HQ-CWF)
PAI033613004(2) Issued	Forino Company, LP 555 Mountain Home Road Sinking Spring, PA 19608	Lancaster	Mount Joy Township	UNT Donegal Creek (CWF, MF) EV Wetlands

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050209002R	Edgewater Properties, L.P./ Kacin Companies Inc. G.P. 3875 Old William Penn Hwy Murrayville, PA 15668	Allegheny	Oakmont Borough	Allegheny River (WWF-N)
PAI050214005	Allegheny County Sanitary Authority 3300 Preble Avenue Pittsburgh, PA 15233	Allegheny	O'Hara Township and City of Pittsburgh	Allegheny River (WWF) and Squaw Run (HQ-WWF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI051114001	Pennsylvania Electric Company 76 South Main Street Akron, Ohio, 44308	Cambria	Cambria, Cresson, Munster and Washington Townships,	North Branch Little Conemaugh River (CWF), Howells Run (CWF), Noels Creek (HQ-CWF), Little Conemaugh River (CWF), and Bradley Run (CWF)
PAI052613003-1	NWL Corporation 1001 Lafayette Drive Farmington, PA 15437	Fayette	Wharton Township	UNT to Beaver Creek (HQ-CWF)
PAI055613008	Global Tower Partners 750 Park of Commerce Blvd., Suite 300 Boca Raton, FL 33487	Somerset	Upper Turkeyfoot Township	Unnamed tributary to Fall Creek (HQ-CWF)
PAI055614002	Global Tower Partners 750 Park of Commerce Blvd., Suite 300 Boca Raton, FL 33487	Somerset	Allegheny Township	Panther Run (HQ-CWF)
PAI056310001R	Commonwealth of Pennsylvania Department of General Services 515 North Office Building Harrisburg, PA 17125	Washington	North Bethlehem Township	Little Chartiers Creek (HQ-WWF), Ohio River (WWF)
PAI056514013	Milad Shaker 1021 Faulkner Way Greensburg, PA 15601	Westmoreland	Donegal Township	Indian Creek (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**Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
West Rockhill Township Bucks County	PAG02000915053	Cooper Acquisitions 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Mill Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown and Middletown Townships Bucks County	PAG02000915022	Shady Brook Farm, Inc. 931 Stony Hill Road Yardley, PA 19067	Core Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Perkasie Borough Bucks County	PAG02000915019	Hallmark Homes Group, Inc. 865 Easton Road Suite 250 Warrington, PA 18976	East Branch Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franconia Township Montgomery County	PAG02004615052	TH Properties, Inc. 345 Main Street Harleysville, PA 19438	Skipack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG02004614104	Country Club Views II, LLC 37 Springford Road P. O. Box 50 Royersford, PA 19468	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511431	BOOS-Donath, LLC 2651 McCormick Drive Clearwater, FL 33759	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Milford Township	PAG02003915003	Caleb Crye ARO, LLC, Brooklyn Navy Yard 63 Flushing Ave., Unit 252 Brooklyn, NY 11205	Hosensack Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Hazle Township	PAG02004014031	Zarembo Group, Inc. Mary Ann Wervey 14600 Detroit Ave. Suite 1500 Lakewood, OH 44117	Black Creek (CWF, MF) Little Black Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Hazle Township	PAG02004014030	Mountain View Real Estate, LLC Dr. Scott Boyle 1201 North Church Street Suite 103A Hazle Township, PA 18202	Black Creek (CWF, MF) Little Black Creek (CWF, MF)	Luzerne Conservation District 570-674-7991

## NOTICES

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Chanceford Township York County	PAG02006715035 Issued	Greg Kennard 1277 Bridgeton Road Airville, PA 17302	UNT to Orson Run/TSF and Orson Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Windsor Township York County	PAG02006715064 Issued	Shawn Smith 80 Taylor Road York, PA 17406	UNT to Beaver Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Windsor Township York County	PAG02006715013 Issued	Windsor Township 1480 Windsor Road Red Lion, PA 17356	Kreutz Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
West Manchester Township York County	PAG02006714067-1 Issued	325 Salem Property, LP 1 Bala Avenue Suite 502 Bala Cynwyd, PA 19004	UNT to Codorus Creek/WWF and Honey Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Fairview Township York County	PAG02006715031 Issued	Trumbull Corporation 225 North Shore Drive Pittsburgh, PA 15212	UNT to Yellow Breeches Creek/CWF, MF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Upper Allen Township Cumberland County	PAG02002115016 Issued	UGI Gas Service 1301 AIP Drive Middletown, PA 17057	UNT to Yellow Breeches Creek/CWF, MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717-240-5359
Borough of Carlisle Cumberland County	PAG02002115020 Issued	MRPI South Shearer LP c/o MRP Industrial 729 E. Pratt Street, Suite 401 Baltimore, MD, 21202	Alexanders Spring Creek CWF-MF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717-240-5359
Wayne Township Dauphin County	PAG02002205070R Issued	Bruce A. Snyder 78C South River Road Halifax, PA 17032	Powell Creek/TSF, MF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Carroll Valley Borough Adams County	PAG02000113011(3) Issued	Liberty Mountain Resorts PO Box SKI 78 Country Club Trail Fairfield, PA 17320	Tom's Creek/CWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Conewago Township Adams County	PAG02000111023R(1) Issued	BJML Enterprises 982 Bollinger Road Littlestown, PA 17340 And GB Groft, Inc. 3048 Centennial Road Hanover, PA 17331	UNT to South Branch Conewago Creek/ WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636
Clay Township Lancaster County	PAG02003615062 Issued	Blue Lake Builders, LLC 2000 W. Route 897 Denver, PA 17517	Middle Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121
East Lampeter Township Lancaster County	PAG02003615068 Issued	High Properties 1853 William Penn Way Lancaster, PA 17603	Mill Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121
Fulton Township Lancaster County	PAG02003615081 Issued	Nevin Nolt 313 Cedar Hill Road Peach Bottom, PA 17563	UNT To Octoraro Creek/TSF, MF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361, Ext. 121
Blair Township Blair County	PAG02000715011 Issued	Michael Crawford 126 Scenic Road Bedford, PA 15522	Dry Run/WWF, MF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
Allegheny Township Blair County	PAG02000715005 Issued	Stankiewicz Enterprises, LLP 1002 Arentzen Boulevard Charleroi, PA 15022	UNT to Gillans Run/CWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
Howe Township Perry County	PAG02 0350 15 006 Issued	Howe Township Municipal Authority 300 North 4th Street Newport, PA 17074	UNT to Juniata River/WWF	Perry County Conservation District 31 West Main Street PO Box 36 New Bloomfield, PA 17068 717-582-5119
Newport Borough Perry County	PAG02035015003 Issued	Newport Borough Municipal Authority 231 Market Street Newport, PA 17074	Little Buffalo Creek/(CWF Juniata River/WWF	Perry County Conservation District 31 West Main Street PO Box 36 New Bloomfield, PA 17068 717-582-5119
Greene Township Franklin County	PAG02002814036 Issued	GTMA 4182 Sunset Pike Chambersburg, PA 17202	Conococheague Creek/CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Greene Township Franklin County	PAG02002815015 Issued	USACE 10 South Howard Street Baltimore, MD 21201	Rowe Run/CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Greene Township Franklin County	PAG02002815019 Issued	Ken Stake 6491G Chambersburg Road Fayetteville, PA 17222	Conococheague Creek/CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Fleetwood Borough Berks County	PAG02000615035 Issued	PennDOT District 5-0 1002 Hamilton Street Allentown, PA 18101	Willow Creek/CWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610-372-4657
Bern Borough Berks County	PAG02000615025 Issued	Forino Company 555 Mountain Home Road Sinking Spring, PA 19608	UNT to Seifert Run/WWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610-372-4657
Windsor Township Berks County	PAG02000615023 Issued	Josh Zimmerman 1340 Windsor Castle Road Hamburg, PA 19526	Pigeon Creek/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610-372-4657
Douglass Township Berks County	PAG02000612048(1) Issued	Douglass Village LLC 3801 Germantown Pike Collegeville, PA 19426	UNT to Schuylkill River/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610-372-4657
Tyrone Township Adams County	PAG02000114021(1) Issued	Tim Rutter M & G Realty, Inc. 2100 North George Street York, PA 17404 and Sherri L. Skelton RL Livingston Excavation and Paving, Inc. 1 Blair Mountain Road Dillsburg, PA 17019	UNT to Conewago Creek/ WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636
Freedom Township Adams County	PAG02000115012 Issued	James L. Hobbs, Jr. 205 Boyle Road Fairfield, PA 17320 and Hobbs Trucking, Inc. 4410 Emmitsburg Road Fairfield, PA 17320	UNT to Flat Run/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lycoming County Williamsport City	PAG020041150006(1)	Daniel Klingerman Liberty Hospitality 1500 Sycamore Rd Montoursville, PA 17754  William Nichols Williamsport Parking Auth 321A Pine St Williamsport, PA 17701	W B Susquehanna River WWF, MF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Northumberland County Point Twp	PAG02004915007	Daniel Swank Swank Development 334 Riverview Dr Northumberland, PA 17857	UNT WB Susquehanna River WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
Cranberry Township Butler County	PAG02001008025(2)	VC Woods Associates LP 3802 Liberty Ave, Ste 100 Pittsburgh, PA 15222	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
City of Erie Erie County	PAG02002514016R(1)	Cathedral Prep 225 West Ninth Street Erie, PA 16501	Presque Isle Bay WWF	Erie County Conservation District 814-825-6403
Summit Township Erie County	PAG02002515010	PA Electric Company 76 South Main Street Akron, OH 44308	Mill Creek WWF	Erie County Conservation District 814-825-6403
Shenango Township Lawrence County	PAG02003715002	PA American Water 2736 Ellwood Road New Castle, PA 16101	Big Run TSF	Lawrence County Conservation District 724-652-4512

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Standing Stone Township Bradford County	PAG034824	Hydro Recovery LP 238 Main Street Lbby 2 Blossburg, PA 16912-1151	King Creek—4-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530

*General Permit Type—PAG-4*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Doylestown Township Bucks County	PAG040185 A-1	Moyer Sara 2 Theodore Way Doylestown, PA 18901	Unnamed Tributary to Pine Run—2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Woodcock Township Crawford County	PAG041188	Lisa M & Patrick K Humes 15196 State Highway 86 Meadville, PA 16335	Unnamed Tributary to Woodcock Creek—16-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-7**Facility Location:  
Municipality &  
County*Benner Township,  
Centre CountyPermit No.  
PAG074826*Applicant Name &  
Address*University Area Joint Authority  
1576 Spring Valley Road  
State College, PA 16801*Site Name &  
Location*University Area  
Joint Authority  
Wastewater  
Treatment Facility  
Benner Township,  
Centre County*Contact Office &  
Phone No.*DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.0530*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County*Williams Township  
Northampton CountyPermit No.  
PAG082219*Applicant Name &  
Address*Easton Area Joint Sewer  
Authority  
50A South Delaware Drive  
Easton, PA 18042*Site Name &  
Location*Easton Area Joint  
Sewer Authority  
50A South Delaware  
Drive  
Easton, PA 18042*Contact Office &  
Phone No.*PA DEP NERO  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
(570) 826-2511*General Permit Type—PAG-10**Facility Location  
Municipality &  
County*Gibson Township  
Susquehanna CountyPermit No.  
PAG102331*Applicant Name &  
Address*Williams Field Service Co. LLC  
Merritt Well Connect Project  
385 East Waterford Drive  
Homestead, PA 15120*Receiving  
Water/Use*Bear Swamp  
Creek—4-F/  
(CWF-MF)*Contact Office &  
Phone No.*DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511**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. 2406258, Operations Permit** Public Water Supply.

Applicant	<b>Silver Springs Ranch, LLC</b> 5148 Nuangola Rd. Mountain Top, PA 18707
[Borough or Township]	Monroe Township
County	<b>Luzerne</b>
Type of Facility	Finished Bulk Water Hauling
Consulting Engineer	Thomas Pullar, PE EarthRes Group, Inc. P. O. Box 468 Pipersville, PA 18947
Permit to Operate Issued	7/20/2015

**Permit No. 3480053**, Public Water Supply.  
 Applicant **PA American Water**  
 800 W. Hershey Park Drive  
 Hershey, PA. 17033  
 [Township or Borough] Lower Mt. Bethel Township,  
**Northampton County**  
 Responsible Official Mr. David Kaufman  
 Vice President-Engineering  
 Type of Facility Public Water Supply  
 Consulting Engineer Mr. Jeremy Nelson, PE  
 PA American Water Company  
 100 N Pennsylvania Avenue  
 Wilkes-Barre, PA  
 Permit to Construct 07/16/2015  
 Issued

**Permit No. 240066**, Public Water Supply.  
 Applicant **Aqua PA, Inc.**  
 1 Aqua Way  
 White Haven, PA 18661  
 [Township or Borough] Conyngham Township,  
**Luzerne County**  
 Responsible Official Patrick R. Burke, PE  
 Aqua PA, Inc.  
 204 E. Sunbury Street  
 Shamokin, PA 17872  
 Type of Facility PWS  
 Consulting Engineer Jonathan Morris, PE  
 GHD  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 (717) 541-0622  
 Permit to Construct 07/14/2015  
 Issued

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

**Permit No. 2115506 MA, Minor Amendment**, Public Water Supply.

Applicant **United Water PA—  
 Mechanicsburg**  
 Municipality Mechanicsburg Borough  
 County **Cumberland**  
 Responsible Official John D. Hollenbach, Vice  
 President  
 4211 East Park Circle  
 Harrisburg, PA 17111-0151  
 Type of Facility Modifications to the Market  
 Street Filtration system  
 including media and underdrain  
 replacement.  
 Consulting Engineer Arthur C. Saunders, P.E.  
 United Water Pennsylvania  
 4211 East Park Circle  
 Harrisburg, PA 17111  
 Permit to Construct 7/24/2015  
 Issued

**Permit No. 228015501 MA, Minor Amendment**, Public Water Supply.

Applicant **Grove US, LLC**  
 Municipality Antrim Township

County **Franklin**  
 Responsible Official Kevin Flohr, Facility  
 Administrator  
 PO Box 21  
 Shady Grove, PA 17256  
 Type of Facility Rehabilitation of the existing  
 storage tank.  
 Consulting Engineer April M. Barkasi, P.E.  
 Cedarville Engineering Group,  
 LLC  
 1033 South Hanover Street  
 North Coventry, PA 19465  
 Permit to Construct 7/24/2015  
 Issued

**Permit No. 0115504 MA, Minor Amendment**, Public Water Supply.

Applicant **The York Water Company**  
 Municipality Cumberland Township  
 County **Adams**  
 Responsible Official Mark S. Snyder, Engineering  
 Manager  
 130 East Market Street  
 PO Box 15089  
 York, PA 17405-7089  
 Type of Facility Replacement of the existing  
 softening system and the  
 existing booster pumps.  
 Installation of a new 36" GWR  
 chlorine contact pipe.  
 Consulting Engineer Mark S. Snyder, P.E.  
 The York Water Company  
 130 East Market Street  
 PO Box 15089  
 York, PA 17405-7089  
 Permit to Construct 7/4/2015  
 Issued

**Operation Permit No. 2115504 MA** issued to: **North Middleton Authority (PWS ID No. 7210049)**, North Middleton Township, **Cumberland County** on 7/23/2015 for facilities approved under Construction Permit No. 2115504 MA.

*Northcentral Region: Safe Drinking Water Program  
 Manager, 208 West Third Street, Suite 101, Williamsport,  
 PA 17701-6448.*

**Permit No 5914501—Operation—Public Water Supply.**

Applicant **Tioga Borough Municipal  
 Authority**  
 Township/Borough Tioga Borough  
 County **Tioga**  
 Responsible Official Keith Preston, Chairman  
 Tioga Borough Municipal  
 Authority  
 18 North Main Street  
 Tioga, PA 16946  
 Type of Facility Public Water Supply  
 Consulting Engineer Mr. Jim Baker  
 Larson Design Group  
 1 West Market St., Suite 301  
 Corning, NY 14830

Permit Issued	August 3, 2015
Description of Action	Operation of the new soda ash pH control system and upgrade of the sodium hypochlorite chemical feed system.

### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

##### Plan Location:

Borough or Township	Borough or Township Address	County
Carroll Township	50 Rambo Hill Rd, Shermans Dale, PA 17090	Perry

*Plan Description:* Approval of a revision to the official plan of Carroll Township, Perry County. The project is known as Shermans Creek Inn. The plan provides for a small flow treatment facility to replace a malfunctioning onlot sewage disposal system serving an existing motel/tavern with flows of 2,000 gallons per day. The proposed development is located on Spring Road in Carroll Township, Perry County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-50905-435-3s and the APS Id is 868630. Any permits must be obtained in the name of the property owner.

## 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:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Besley Road Release**, 70 feet SE of Intersection of Crasper Hill & Besley Road, Columbia Township, **Bradford County**. Golder Associates, Inc., 209 North Main Street, Horseheads, NY 14845 on behalf of Trican Well Services Ltd., 120 Airstrip Drive, Mill Hall, PA 17751 submitted a Final Report concerning remediation of site soil contaminated with Diesel Fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Lawrence Transportation**, US Route 15N, East Buffalo Township, **Union County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Lawrence Transportation, 872 Lee Highway, Roanoke, VA 24019, 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.

**Services Garage, LLC**, Fifth Street & Huron Avenue, Renovo Borough, **Clinton County**. ARM Environmental Compliance, P. O. Box 819, Lock Haven, PA 17745, on behalf of Service Garage, LLC, Fifth Street and Huron Avenue, Renovo, PA 17764 submitted a Final Report concerning remediation of site soil contaminated with Fuel Oil No. 2. The report is intended to document remediation of the site to meet Statewide Health Standard.

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

**LaBella Properties**, 600 Bushkill Drive, City of Easton, **Northampton County**. Rapid Response Inc., 14 Brick Kiln Court, Northampton, PA 18067, on behalf of LaBella Properties, 600 Bushkill Drive, Easton, PA 18042, submitted a Notice of Intent to Remediate and Final Report concerning remediation of site soils contaminated with MTBE, Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene. 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.*

**Former O-Z/Gedney Company LLC Facility**, 150 Birch Hill Road, Shoemakersville, Perry Township, **Berks County**. WSP Environment and Energy, 750 Holiday Drive, Suite 410, Pittsburgh, PA 15220, on behalf of Emerson, 8000 West Florissant Avenue, St. Louis, MO 63136-1415, submitted a Final Report concerning remediation of site soils and groundwater contaminated

with PCBs, PAHs and Inorganics. The report is intended to document remediation of the site to meet the Site Specific Standard.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**Stanley Black & Decker**, 508 North Lewis Road, Limerick Township, **Montgomery County**. Lisa Bryda and Keith E. Green, WSP USA Corporation, 11190 Sunrise Valley Drive, Reston, VA 201919, Kathryn Hincley, Stanley Black & Decker, Inc., 1000 Stanley Drive, New Britain, CT 06053 on behalf of Fred Goebert, Redgo Development LLP, 615 Willowbrook Lane, West Chester, PA 19382 has Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF744118.

**Lackey Residence**, 1813 West Grange Avenue, City of Philadelphia, **Philadelphia County**. Lee Westcott, Insurance Restoration Specialist, 30 Abeel Road, Monroe, NJ 08831 on behalf of Bobby Lackey, 1813 West Grange Avenue, Philadelphia, PA 19141 has submitted a Final Report concerning remediation of site soil contaminated with no.2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF785060.

**Brewerytown 1A**, 3018-3044m West Thompson Street, City of Philadelphia, **Philadelphia County**. Angelo Waters, Urban Engineers, Inc., 530 Walnut Street, Philadelphia, PA 19106 on behalf of John Westrum, C.S. Brewerytown, L.P., 1300 Virginia Drive, Fort Washington, PA 19034 has submitted a Final Report. Soil and groundwater at the site has been impacted with the release of other organics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF782118.

**Rhodia**, 2300 South Pennsylvania, Falls Township, **Bucks County**. Ryan Fitzpatrick, ARCADIS, 10 Friends Lane, Suite 200, Newtown, PA 18940 on behalf of Mike Shatynski, Rhodia, Inc., 8 Cedar Brook Drive, Cranbury, NJ 08512 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF620000.

**Ashbourne Meadows**, 110 Ashbourne Road, Cheltenham Township, **Montgomery County**. Michael Potts, ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540 on behalf of Kenneth Griffin, Matrix Ashbourne Associates LP, Forsgate Drive, CN 4000, Cranbury, NJ 08512 has submitted a Final Report concerning remediation of site soil contaminated with arsenic, lead, mercury and chlordane. The report is intended to document remediation of the site to meet the Site Specific Standard. PF784188.

**Meadowbrook Golf Course**, 10 Campbell Lane, Borough of Phoenixville, **Chester County**. Stephen Brower, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Stanley Johnson, Phoenixville Area School District, 386 City Line Avenue, Phoenixville, PA 19460 has submitted a Final Report concerning remediation of site soil contaminated with arsenic, mercury and other organic. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF781674.

**Emlen Street & Mount Pleasant Avenue**, 7039, 7035, 7037 and 7041 Emlen Street, 338, 340, 342 and 344 West Mount Pleasant Avenue, City of Philadelphia, **Philadelphia County**. Paul White, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Richard Brown, 314 Josephs Way, Media, PA 19036 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded, unleaded and diesel fuel. The report is intended to document remediation of the site to meet the Site Specific/Statewide Health Standards. PF775526.

**Dreshertown Plaza**, 1424 Dreshertown Road, Upper Dublin Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, Christopher Orzechowski, P.G., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA on behalf of James Koller, Vesterra Corporation, 585 Skippack Pike, Suite 200, Blue Bell, PA 19422 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF631832.

**800 Pine Road**, 800 Pine Road, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Randy Payne, DB Real Estate Assets, II, 130 Royall Street, Canton, MA 02021 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF618959.

**Thomas Car Central**, 1010 West Chester Pike, West Goshen Township, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Tom Ercolani, 1010 Property Partnership LP, P.O. Box 358, Pocopson, PA 19366 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF776062.

**USI Lighting**, Southeast side of Bristol Pike between Beaver Dam Road and Green Lane, Bristol Township, **Bucks County**. Samuel J. Kucis, Environmental Consulting, Inc., 2992 Renaissance, Blvd, Suite 110, King of Prussia, PA 19406, Andrew D. Huble, Environmental Consulting, Inc., 2002 Renaissance Blvd., Suite 110, King of Prussia, PA 19406 on behalf of Robert White, Redevelopment Authority of Bucks County, One North Wilson Avenue, Suite 1, Bristol, PA 19007 has submitted a Final Report concerning remediation of site soil contaminated with arsenic, tcl, vocs pahs and chromium. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF802769.

**Fite Residence**, 37 Linden Avenue, Rutledge Borough, **Delaware County**. Michael Kern, P.G., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of David Fie, 37 Linden Avenue, Rutledge, PA 19070 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF 784740.

**872 Lincoln Avenue Property**, 872 Lincoln Avenue, West Goshen Township, **Chester County**. Patrick S. Crawford, P.G., Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, Christine Paul,

Reliable Waste Oil Company, P. O. Box 68, Southampton, PA 18966 on behalf of Mark Ciarmello, Adam Real Estate, LLC, 872 Lincoln Avenue, West Chester, PA 19380 has submitted a 90 day Final Report concerning remediation of site soil contaminated with waste oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF 794097.

**ORTEP of PA**, 650 Knowles Avenue, Upper Southampton Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, Barry Miller, ORTEP of PA, P. O. Box 659, Douglasville, PA 19518 on behalf of Douglas E. Woosnam, 1564 Saucon Valley Road, PA 18015 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF802766.

**Providence Village Plaza**, 519 North Oak Avenue, Aldan Borough, **Delaware County**. Thomas A. Petrecz, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Michael D. Lattanze, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Gordon Saul, Providence Village Associates, LP, c/o Saul Associates, 115 Old York Road, Jenkintown, PA 19046 has submitted a Remedial Investigation and Cleanup Plan Report concerning remediation of site soil and groundwater contaminated with vocs. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF784565.

**Weymouth Residence**, 86 Rockyhill Road, Chadds Fords Township, **Delaware County**. Frank Lynch, Envirolink Inc., 165 Daleville Road, Cochranville, PA 19030, Richard D. Williams, Suburban Propane, P. O. Box 4833, Syracuse, NY 13221 on behalf of George Weymouth, 86 Rocky Hill Road, Chadds Ford, PA 19317 has submitted a Final Report concerning remediation of site soil contaminated with no.2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF7799231.

**Conover Residence**, 730 Buttonwood Avenue, Middletown Township, **Bucks County**. Brain Lettinik, JK Environmental Services LLC, P. O. Box 509, Lafayette Hill, PA 19444, Kristien Wolansky, EISCO-NJ, 43 New Brunswick Avenue Unit 3, Hopelawn, NJ 08861 on behalf of Wayne and Lowri Conover, 730 Buttonwood Avenue, Langhorne, PA 190476 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF784347.

**Saint-Gobain Abrasives Facility**, 200 Commerce Drive, Montgomery Township, **Montgomery County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P. O. Box 629, Douglasville, PA 19518, Joseph Sternberg, MTI Holding Group, Inc., 500 Office Center Drive, Suite 400, Fort Washington, PA 19034 on behalf of Job Luning Park, Grampians, L.P., 501 Penllyn Pike, Penllyn, PA 19422 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the statewide Health Standard. PF777126.

**375 Commerce Drive**, 375 Commerce Drive, Upper Dublin Township, **Montgomery County**. Michael A. Christie, Penn Environmental & Remediation, 275 Bergey Road, Hatfield, PA 19440 on behalf of Marc Weinberg, Weinberg Family Trust, Terra Pacifica Properties, P. O.

Box 3157, Westlake, CA 91359 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific/Statewide Health Standard. PF726037.

**US Steel Fairless Work Facility**, Western end of the KIPC, Falls Township, **Bucks County**. Francis T. Adams, P.E., Golder Associates, Inc., 20 Century Parkway, Suite C, Mount Laurel, NJ 08054, Brian Bolvin, P.E., Waste Management of Fairless, LLC, 1000 New Ford Mill Road, Morrisville, PA 19067 on behalf of Michael H. Leon, M. S., CEPA, Unites States Steel Corporation, Penn Liberty Plaza, I, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 1522 has submitted a Final Report concerning remediation of site soil contaminated with vocs, svocs, pcbs, pesticides and metals. The report is intended to document remediation of the site to meet the Site Specific Standard. PF699185.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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**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).**

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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:

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**ORTEP of Philadelphia**, 650 Knowles Avenue, Southampton Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, 21 Unionville Road, P. O. Box 629, Douglasville, PA 19518, Barry Miller, ORTEP, P. O. Box 659, Douglasville, PA 19518 on behalf of Douglas E. Woosnam, 1564 Saucon Valley Road, Bethlehem, PA 18015 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 21, 2015. PF802766.

**Westtown Farm**, 816 Oakbourne, Township, Westtown Township, **Chester County**. Geoff Kristof, JK Environmental Services, LLC, P. O. Box 509, Lafayette Hill, PA 19444, Mike McCann, Ferguson & McCann, 270 Bodley Road, Aston, PA 19014 on behalf of Paul and Sherryann Plesse, 816 Oakbourne Road, West Chester, PA 19382 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 25, 2015. PF794101.

**872 Lincoln Avenue Property**, 872 Lincoln Avenue, West Goshen Township, **Chester County**. Patrick S. Crawford, P.G., Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, Christine Paul, Reliable Waste Oil Company, P. O. Box 68, Southampton, PA 18966 on behalf of Mark Ciarmello, Adams Real Estate, LLC, 872 Lincoln Avenue, West Chester, PA 19380 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with waste oil. The 90 day Final report demonstrated attainment of the Statewide Health and was approved by the Department on June 11, 2015. PF794097.

**Providence Valley Plaza**, 519 North Oak Avenue, Aldan Borough, **Delaware County**. Thomas A. Petrez Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Michael D. Lattanze, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, AP 19440 on behalf of Gordon Saul, Providence Village Associates, LP, c/o Saul Associates, 115 Old York Road, Jenkintown, PA 19046 has submitted a Remedial Investigation/Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with vocs. The Remedial Investigation/Risk Assessment Report and Cleanup Plan were disapproved by the Department on July 14, 2015.

**Loos & Dilworth Bristol Facility**, 61 East Green Lane, Bristol Township, **Bucks County**. Rich Renner, PeteroChoice Holding, Inc., 61 East Green Lane, Bristol,

PA 19007, Laura George, ENVIRON International Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103, Rich Campbell, L&D Chemical, LLC, 1616 Paper Mill Road, Meadowbrook, PA 19046, Rick Renner, Tri-County Petroleum, Inc., Route 1036, Riddlesburg, PA 16672 on behalf of Barry Fleck, Fleck Investment, LLC, 300 Ben Fairless Hill, PA 19030 has submitted a Remedial Investigation and Final Report concerning the remediation of site soil and groundwater contaminated with no. 6 fuel oil. The Remedial Investigation and Final Report were approved by the Department on July 10, 2015. PF723058.

**2 Pond Lane**, 2 Pond Lane, Willistown Township, **Chester County**. Phil Gray, Compliance Management, 1350 Welsh Road, North Wales, PA 19454, Bil Brehm, Stonebridge Bank, 605 Willowbrook Lane, West Chester, PA 19382 on behalf of Tim Horn, 1076 Wood Lane, West Chester, PA 19382 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 25, 2015. PF785261.

**Cardone Industrial Plant 15 & Plant 16**, 500-550 East Erie Avenue, City of Philadelphia, **Philadelphia County**. Mark Kuczynski, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Glen DePalantino, Cardone Industrial, Inc., 5501 Whitaker Avenue, Philadelphia, PA 19124 has submitted a Remedial Investigation, Cleanup Plan, Risk Assessment and Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Remedial Investigation, Cleanup Plan, Risk Assessment and Final Report were approved by the Department on July 7, 2015. PF758576.

**McLean Package**, 3450 Salmon Street, City of Philadelphia, **Philadelphia County**. Michael Christie, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19426, Je Fenkel, McLean Packaging Corporation, 1504 Glen Avenue, Moorestown, NJ 08057 on behalf of Tyler Hays, Salmon Limited Partnership, 3450 Salmon Limited Partnership, 3450 Salmon Street Site, Philadelphia, PA 19134 has submitted a Risk Assessment and Final Report concerning the remediation of site soil and groundwater contaminated with voc, svocs, and metals. The Risk Assessment was approved by the Department on July 30, 2015. PF699988.

**508 North Lewis Road**, 508 North Lewis Road, Limerick Township, **Montgomery County**. Lisa K. Bryd and Keith E. Green, WSP USA Corporation, 11190 Sunrise Valley Drive, Reston, VA 20191 on behalf of Fred Goebert, Redog Development LLP, 615 Willowbrook Lane, West Chester, PA 19382 has submitted a Remedial Investigation and Final Report concerning the remediation of site groundwater contaminated with chlorinated solvent. The Remedial Investigation and Final Report were approved by the Department on June 2, 2015. PF744118.

**Chestnut Street Property**, 1112-1128 Chestnut Street, City of Philadelphia, **Philadelphia County**. Scott Bisbort, Ransom Environmental, 2127 Hamilton Avenue, Hamilton, NJ 08619 on behalf of Greg Heflin, BJP Chestnut Owner, LLC, 701 Market Street, Philadelphia, PA 19106 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site soil contaminated with chlorinated solvents and pahs. The Final report demonstrated attainment of the Site Specific Standards and was approved by the Department on July 20, 2015. PF773956.

**King Residence**, 28 Harding Avenue, Morton Borough, **Delaware County**. Peter Kuyk, Peak Environmental, 74 Main Street, 2nd Floor, Woodbridge, PA 19382, Chris Boycek Meehan Oil, 113 Main Street, Kellytown, PA 19007 on behalf of Connie King, 28 Harding Avenue, Morton, PA 19070 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 23, 2015. PF773396.

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

**Pedley Residence**, 7241 State Route 374, Clifford Township, PA 18470, Clifford Township, **Susquehanna County**. Quad 3 Group Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507, on behalf of Bluestone Environmental, Inc., 77 Atco Road, Beach Lake, PA 18405, submitted a Final Report concerning the remediation of site soils contaminated with Toluene, 3 & 4 Methylphenol, Carbon Disulfide, Bis(2-ethylhexyl)-phthalate. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on July 28, 2015.

**Cobrin Residence**, 111 Natoma Lane, Palmyra Township, Pike County. Quad 3 Group, Inc., 72 Glenmaura National Blvd., Moosic, PA 18507, on behalf of Cobrin Residence, 111 Natoma Lane, Palmyra Township, **Pike County**. Quad 3 Group, Inc., 72 Glenmaura National Blvd., Moosic, PA 18507, submitted a Final Report concerning remediation of site soils contaminated with Naphthalene, 1,2,4 Trimethylbenzene, and 1,3,5 Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standards, and was approved by the Department on August 3, 2015.

**Hamlin Work Center**, 37 Uban Road, Lake Ariel, PA 18436, Sterling Township, **Wayne County**. Leidos, Inc., 180 Gordon Drive, Suite 19, Exton, PA 19341, on behalf of Verizon PA Inc., 966 South Matlack Street, West Chester, PA 19382, submitted a Final Report concerning remediation of site soils contaminated with Pentachlorophenol. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 3, 2015.

**Richard Fleming Residence**, 7661 Beryl Road, Upper Milford Township, **Lehigh County**. JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064, on behalf of Richard Fleming, 7661 Beryl Road, Zionsville, PA 18092, submitted a Final Report concerning the remediation of site soils contaminated with #2 Fuel Oil. The Final Report demonstrated attainment of the Statewide Health Standard for soils, and was approved by the Department on August 3, 2015.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Former Heppenstall Facility**, 4700 Hatfield Street, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Regional Industrial Development Corporation of Southwestern Pennsylvania Growth Fund, 210 Sixth Avenue, Suite 3620, Pittsburgh, PA 15222 submitted a Risk Assessment/Cleanup Plan concerning the remediation of

site soils and groundwater contaminated with volatile and semi-volatile organic compounds (VOCs & SVOCs) and metals. The Risk Assessment/Cleanup Plan was approved by the Department on July 30, 2015.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit 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.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**Permit No. 101432. Waste Management of Pennsylvania, Inc.**, Norristown Transfer Station, 310 West Washington Street, Norristown, PA 19401-4623. This application is for a 10-year permit renewal with minor modification under Solid Waste Permit No. 101432 to continue to operate the Norristown Transfer Station, a municipal waste transfer station located in Norristown Borough, **Montgomery County**. The permit was issued by the Southeast Regional Office on June 23, 2015.

**Permit No. 101463. BFI Waste Systems of Pennsylvania, LLC, d.b.a. TRC Transfer Station**, 2904 South Christopher Columbus Boulevard, Philadelphia, PA 19148-5106. This application is for 10-year permit renewal to continue to operate under Solid Waste Permit No. 101463 for the TRC Transfer Station, a municipal waste transfer station located at 2904 South Columbus Boulevard in the City Philadelphia, **Philadelphia County**. The permit was issued by the Southeast Regional Office on July 10, 2015.

#### AIR QUALITY

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

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

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

**GP3-59-210E: Eastern Industries, Inc.** (3724 Crescent Court West, Whitehall, PA 18052) on July 30, 2015, to operate an existing Telsmith TJ-3258 portable jaw crusher pursuant to General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at New Enterprise's Tioga Quarry in Middlebury Township, **Tioga County**.

**GP9-59-210E: Eastern Industries, Inc.** (3724 Crescent Court West, Whitehall, PA 18052) on July 30, 2015, to operate an existing 350 bhp Caterpillar C-9 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No.2 Fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at New Enterprise's Tioga Quarry in Middlebury Township, **Tioga County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

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

**15-0037F: Oberthur Technologies** (523 James Hance Court, Exton, PA 19341; Attn: Mr. Chris Simone) On July 30, 2015, for the installation of one new lithographic press, designated as Litho Press #8 (Source ID 114), at their facility located in West Whiteland Township, **Chester County**. This facility is a Title V facility. The new lithographic press will have a potential-to-emit of 3.35 tons of VOC per year and less than 0.01 ton of HAP per year. All emissions will be fugitive. The permittee is subject to a Plantwide Applicability Limit (PAL) of 47.895 tons per year for VOC. The facility will continue to comply with the PAL. The Plan Approval will contain monitoring and recordkeeping requirements designed to keep the lithographic press operating within the allowable emissions and all applicable air quality requirements.

**46-0291: Precision Polymer Products, Inc.** (815 South St., Pottstown, PA 19464) On July 30, 2015, to allow the use of isopropyl alcohol (IPA) at their facility in Pottstown Township, **Montgomery County**. As a result of potential emissions of VOC, the facility is a State Only facility, with restrictions. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**28-05002M: Letterkenny Army Depot—US Army** (One Overcash Avenue, Chambersburg, PA 17201) on July 29, 2015, for the construction and temporary operation of three existing and previously unreported paint stripping tanks at the Letterkenny Army Depot located in Letterkenny Township, **Franklin County**. The plan approval also approves and conditions the implementation of a VOC/NO<sub>x</sub> RACT plan for the tanks.

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

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

**41-00088A: Compass Natural Gas Partners LP** (1865 Center St. Camp Hill, PA 17011-1703) on July 31, 2015, to construct one 2,328 bhp Caterpillar model G3516C natural gas-fired engine to drive a generator capable of producing 1,660 kW of electricity equipped with a Caterpillar model Clariant Catalyst Element—ENVICAT-6314-33.5 x 3.5-300 cpsis oxidation catalyst. Additionally, this facility will include an 82 bhp Olympian model G45LG natural gas-fired emergency generator capable of producing 45 kW of electricity at the Compass-Quaker CNG Truck Terminal located in Upper Fairfield Township, **Lycoming County**.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**62-017W: United Refining Company** (15 Bradley Street, Warren, PA 16365-3224) on July 28, 2015, has issued a plan approval for the construction of a new 10 MMscfd steam methane reformer (SMR) hydrogen plant at United Refining Company's facility in the City of Warren, **Warren County**. The SMR plant will produce high-purity hydrogen from natural gas and supplemental gas feeds. This is a PSD application, and this is a Title V facility.

**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*

**09-0223: Morton Salt Inc.** (12 Solar Drive, Fairless Hills, PA 19030) On July 22, 2015 for the installation of a vibrating fluidized bed salt processor and associated high-efficiency multi-cyclone as well as additional salt processing equipment in Falls Township, **Bucks County**.

**23-0119B: Sunoco Partners Mkt & Term LP** (100 Green St, Marcus Hook, PA 19061-4800) On July 17, 2015 for the installation and operation of a new for-lane offloading/loading facility for natural gasoline and utilizing a vapor balance system in Marcus Hook Borough, **Delaware County**.

**23-0119: Sunoco Partners Mkt & Term LP** (100 Green St, Marcus Hook, PA 19061-4800) On July 22, 2015 to install two cryogenic storage tanks for liquid ethane and propane from the Marcellas Shale formation. Additional installations include: piping components, a flare, and loading racks (with vapor recovery) for marine vessel loading on existing docks (2A and 3A) in Marcus Hook Borough, **Delaware County**.

**46-0142D: Custom Processing Svc LLC** (461 State St, East Greenville, PA 18041-1701) On July 29, 2015 to increase the hourly emission rate limit for the existing baghouse for a rotary dryer in East Greenville Borough, **Montgomery County**.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**34-05001D: AC Products, Inc.** (12393 William Penn Highway, Thompsettown, PA 17094) on July 31, 2015, for modification of the wood cabinet surface coating operation in Delaware Township, **Juniata County**. The plan approval was extended. **06-05085E: New Morgan Landfill Co., Inc.** (420 Quarry Road, PO Box 128, Morgantown, PA 19543-0128) on July 31, 2015, for the replacement of two (2) existing enclosed flares and the installation of one (1) candlestick flare at the existing municipal solid waste landfill in New Morgan Borough, Berks County. The plan approval was extended.

**06-05066I: Exide Technologies** (P. O. Box 14294, Reading, PA 19612-4294) on July 28, 2015, to implement control measures that will contribute to attainment of the 2008 Lead NAAQS in the North Reading Area, and to modify existing Source ID 147—Refining Kettles, at the secondary lead smelter facility in Muhlenberg Township and Laureldale Borough, **Berks County**. The plan approval was extended.

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

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

**08-00016B: Dalrymple Gravel & Contracting Co., Inc.** (2105 South Broadway, Pine City, NY 14871) located in Athens Township, **Bradford County** on July 28, 2015 to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from August 21, 2015 to February 17, 2016. The plan approval has been extended.

**08-00016C: Dalrymple Gravel & Contracting Co., Inc.** (2105 South Broadway, Pine City, NY 14871) located in Athens Township, **Bradford County** on July 28, 2015 to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from August 21, 2015 to February 17, 2016. The plan approval has been extended.

**08-00052A: REV LNG SSL BC, LLC** (1005 Empson Road, Ulysses, PA 16948), issued a revised plan approval on August 3, 2015, for a change of ownership of the Clark Facility from REV LNG, LLC to REV LNG SSL BC, LLC. This facility is located in Herrick Township, **Bradford County**. This plan approval has been transferred in accordance with 25 Pa. Code § 127.32 and contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

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

**42-00011-MACT: International Waxes, Inc./Farmers Valley** (45 Route 446, Smethport, PA 16749-5413) will issue a plan approval extension which will require the facility to comply with the Boiler MACT by January 31, 2016, at your facility in **McKean County**.

**43-356C: Hermitage Municipal Authority** (800 North Hermitage Road, Hermitage, PA 16148-3220) on August 3, 2015, effective August 31, 2015, has issued a plan approval extension for the modification of Source 101 (Combined Heat and Power Unit), last permitted in Plan Approval 43-356B. The facility will use natural gas as a supplemental fuel for Source 101. This equipment is located at the Bobby Run Water Pollution Control Plant in the City of Hermitage, **Mercer County**.

#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00090: Praxair Distr Midatlantic LLC** (1 Steele Rd E Morrisville, PA 19067-3613) On July 30, 2015, for the operation of the filling and recycling of gas cylinders for industry. It is located in Falls Township, **Bucks**

**County**. The permit is for a non-Title V (State Only) facility. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. There are no applicable federal New Source Performance Standards (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAP) for this facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**59-00009: PA State System of Higher Education** (115 Sherwood Street, Mansfield, PA 16933) on July 28, 2015, was issued a renewal state only operating permit for their Mansfield University campus located in Mansfield Borough, **Tioga County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00027: Muncy Valley Hospital** (215 East Water Street, Muncy, PA 17756), on July 27, 2015, for the Muncy Valley Hospital located in Muncy Creek Township, **Lycoming County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**41-00024: Divine Providence Hospital** (1100 Grampian Boulevard, Williamsport, PA 17701), for the Divine Providence Hospital located in the City of Williamsport, **Lycoming County**. The State Only (Synthetic Minor) operating permit contains emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure compliance with all applicable Federal and State regulations.

#### **De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

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

**23-0016C: PQ Corporation** (1201 West Front Street, Chester, PA 19013; Attn: Mr. Edward Hines) is a Title V facility located in the City of Chester, **Delaware County**. This facility is a major source for NO<sub>x</sub> only. Under Request for Determination (RFD) No. 3539, PQ Corporation installed a Glass Unloading Operation, which is referenced under Section G of the Title V Operating Permit. After the issuance of the RFD, PQ Corporation requested a de minimis increase of 0.025 ton per year of particulate matter from the Glass Unloading Operation. This request is made to address an issue with glass backing up on the system conveyor such that one of the transfer points has been enclosed and spillover material is collected through an alternative transfer point. This request is made in accordance with 25 Pa. Code § 127.449 and complies with the 0.6 ton per year allowable rate for PM<sub>10</sub>. This request also complies with the existing requirements of the Title V Operating Permit. The operating permit will continue to include monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

## 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*

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

**16100104. RFI Energy, Inc.** (P. O. Box 162, Sligo, PA 16255) Renewal of an existing bituminous surface and tippie refuse disposal mine in Licking Township, **Clarion County**, affecting 183.0 acres. Receiving streams: Two unnamed tributaries to Licking Creek. This renewal is issued for reclamation only. Application received: May 29, 2015. Permit Issued: July 22, 2015.

**33140106 and NPDES Permit No. PA0259543. P. and N. Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous surface mine and associated NPDES permit in Washington Township, **Jefferson County**, affecting 892.4 acres. Receiving streams: Unnamed tributaries to Rattlesnake Run, Harveys Run, and unnamed tributaries to Wolf Creek. Application received: January 15, 2015. Permit Issued: July 28, 2015.

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

**17990110 and NPDES PA0238333. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is located in Chest Township, **Clearfield County** affecting 350.0 acres. Receiving stream(s): Unnamed Tributaries of Chest Run and Chest Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**17030101 and NPDES PA0243418. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is located in Penn Township, **Clearfield County** affecting 220.8 acres. Receiving stream(s): Unnamed Tributaries to Bell Run and Bell Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**17930128 and NPDES PA 0219720. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is located in Penn Township, **Clearfield County** affecting 106.2 acres. Receiving stream(s): Unnamed Tributaries to Bell Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**14080102 and NPDES PA0256854. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface mine from AMFIRE Mining Company LLC. This site is located in Rush Township, **Centre County** affecting 173.4 acres. Receiving stream(s): Unnamed Tributaries to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**17040112 and NPDES PA0256129. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface mine from AMFIRE Mining Company LLC. This site is located in Penn Township, **Clearfield County** affecting 55.1 acres. Receiving stream(s): Unnamed Tributary A to Kratzer Run, Unnamed Tributary C to Kratzer Run, Ephemeral Tributary D to Kratzer Run, and Ephemeral Tributary E to Kratzer Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**14820103 and NPDES PA0611719. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is located in Rush Township, **Centre County** affecting 379.7 acres. Receiving stream(s): Unnamed Tributaries to Moshannon Creek and Unnamed Tributaries to Trout Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**14090102 and NPDES PA0257117. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface mine from AMFIRE Mining Company LLC. This site is located in Rush Township, **Centre County** affecting 236.6 acres. Receiving stream(s): Trout Run, Unnamed Tributaries to Trout Run, and Unnamed Tributaries to Moshannon Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**17010106 and NPDES PA0243086. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is located in Woodward and Bigler Townships, **Clearfield County** affecting 299.0 acres. Receiving stream(s): Unnamed Tributaries to Upper Morgan Run, Unnamed Tributary to Goss Run, and Unnamed Tributary to North Branch of Upper Morgan Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**17130107 and NPDES PA0269611. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is located in Penn Township, **Clearfield County** affecting 126.5 acres. Receiving stream(s): Unnamed Tributaries to Daily Run, Daily Run, and Curry Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 31, 2014. Permit issued: July 27, 2015.

**17060112 and NPDES PA0238376. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface and auger mine from AMFIRE Mining Company LLC. This site is 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: December 31, 2014. Permit issued: July 27, 2015.

**17990101. RES Coal LLC** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Permit renewal for reclamation only of a bituminous surface and auger mine located in Girard Township, **Clearfield County** affecting 149.0 acres. Receiving stream(s): Unnamed Tributaries to Surveyor Run. There are no potable water supply intakes within 10 miles downstream. Application received: July 23, 2015. Permit issued: July 31, 2015.

**17940107 and NPDES PA 0219801. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal to an existing bituminous surface mine/coal refuse disposal located in Karthaus Township, **Clearfield County** affecting 449.8 acres. Receiving streams: Unnamed Tributaries to Saltlick Run and Unnamed Tributaries to Upper Three Runs, classified for the following use(s): High Quality Waters—CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 17, 2014. Permit issued: July 29, 2015.

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

**63090103 and NPDES Permit No. PA0251747. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Fallowfield and Somerset Townships, **Washington County**, affecting 222.2 acres. Receiving streams: Sawmill Creek and unnamed tributaries to Sawmill Creek. Application received: May 8, 2015. Renewal permit issued: July 29, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 54040202R2, Frederick Consulting**, (PO Box 524, Minersville, PA 17954), renewal of an existing anthracite coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 30.0 acres, receiving stream: unnamed tributary to West Creek. Application received: February 13, 2015. Renewal issued: July 28, 2015.

**Permit No. 54040202GP104, Frederick Consulting**, (PO Box 524, Minersville, PA 17954), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54040202 in Cass Township, **Schuylkill County**, receiv-

ing stream: unnamed tributary to West Creek. Application received: February 13, 2015. Permit issued: July 28, 2015.

**Permit No. 54150101. Park Mine Coal Co., LLC**, (294 Pine Creek Drive, Orwigsburg, PA 17961), commencement, operation and restoration of an anthracite surface mine and coal refuse reprocessing operation in West Mahanoy Township, **Schuylkill County** affecting 99.7 acres, receiving streams: Mahanoy and Shenandoah Creeks. Application received: December 17, 2014. Permit issued: August 3, 2015.

**Permit No. 54150101GP104. Park Mine Coal Co., LLC**, (294 Pine Creek Drive, Orwigsburg, PA 17961), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54150101 in West Mahanoy Township, **Schuylkill County**, receiving streams: Mahanoy and Shenandoah Creeks. Application received: December 17, 2014. Permit issued: August 3, 2015.

**Permit No. 54-305-032GP12. Park Mine Coal Co., LLC**, (294 Pine Creek Drive, Orwigsburg, PA 17961), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54150101 in West Mahanoy Township, **Schuylkill County**. Application received: December 17, 2014. Permit issued: August 3, 2015.

#### *Noncoal Permits Issued*

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

**26980601 and NPDES Permit No. PA0202193. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425-9503). Permit revision issued for additional 39.6 acres to an existing large noncoal surface and underground mine, located in Bullsken Township, **Fayette County**, affecting 856.4 acres. Receiving streams: unnamed tributaries to Hollow Run and Breakneck Run. Revision application received: January 2, 2015. Permit issued: July 31, 2015.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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

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#### *Blasting Permits Issued*

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

**10154103. Wampum Hardware Company** (2856 Stoystown Road, Friedens, PA 15541-7020) Blasting activity permit for pipeline construction in Connoquenessing Borough, **Butler County**. This blasting activity permit expires December 31, 2015. Permit Issued: July 27, 2015.

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

**08154101. Midstream Explosives LLC** (289 Southside Drive, Newville, PA 17241). Blasting for Hemlock Pipeline located in Canton Township, **Bradford County**; Fox Township, **Sullivan County**; and McNett Township, **Lycoming County** with an expiration date of July 23, 2016. Permit issued: July 28, 2015.

**57154101. Midstream Explosives LLC** (289 Southside Drive, Newville, PA 17241). Blasting for Wheelerville to SGL 12 pipeline located in Fox Township, **Sullivan County**; Leroy and Overton Townships, **Bradford County** with an expiration date of July 21, 2016. Permit issued: July 28, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 36154129. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Sunset Ridge in Manheim Township, **Lancaster County** with an expiration date of July 31, 2016. Permit issued: July 29, 2015.

**Permit No. 45154104. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Germano Lot on Janet Street in Middle Smithfield Township, **Monroe County** with an expiration date of July 22, 2016. Permit issued: July 29, 2015.

**Permit No. 46154106. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Ag Harleysville in Lower Salford Township, **Montgomery County** with an expiration date of December 31, 2015. Permit issued: July 31, 2015.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E51-266. Philadelphia Water Department**, Office of Watersheds, 1101 Market St., 4th Floor, Philadelphia, PA 19107, **Philadelphia County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway and floodplain of the Schuylkill River (WWF, MF) associated with the upgrading of the Children's Hospital of Philadelphia (CHOP).

1. To remove the existing 42-inch RCP combined sewer overflow pipe and replacing with a 54-inch pipe. Total length is about 590 feet; which includes about 144 feet under the CSX railroad.
2. To rehabilitate and maintain two manholes and RC tide gate chamber in the floodplain.
3. To rehabilitate and maintain the outfall structure in the floodway for the replaced 54-inch pipe line.

The site is located along former Bainbridge Street between Schuylkill Avenue and the Schuylkill River (Philadelphia—PA USGS Quadrangle Latitude 39.945402; Longitude -75.186760).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-851. Staci Rogge, Transcontinental Gas Pipe Line Company, LLC**, 2800 Post Oak Blvd. Level 17, Houston, TX 77056, Sadsbury Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the removing of existing Main Line "A" pipeline about 3,230 feet, 30-inch O.D x 0.3125-inch W.T. X-52 pipe and replacing with 30-inch O.D x 0.343-inch W.T. X-70 pipe. This upgrading is required by the U.S. Department of Transportation (DOT).

1. Four wetland crossings within the EV wetlands. Approximately 0.47 acre of temporary wetland will be impacted and restored.
2. Two stream crossings, one at tributary to Buck Run and second at Buck Run (TSF, MF). Approximately 249 linear feet of temporary stream impact.

The site is located at Main Line from M.P. 1704.52 to M.P. 1705.13 (Parkesburg—PA USGS Quadrangle Latitude 39.9759; Longitude -75.8977).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E07-458. PA DOT, Engineering District 9-0**, 1620 N. Juniata Street, Hollidaysburg, PA 16648. Allegheny Township, **Blair County**, ACOE Baltimore District.

To construct the below-listed water obstruction and encroachments associated with the access road way exiting off the Ramp of Eastbound S.R. 0022 (S.R. 8004-Ramp C) to the proposed Cross Keys interchange winter maintenance stockpile. Specific Water Obstruction and Encroachment activities associated with this project are:

1. To construct and maintain a single span steel I-beam bridge over an unnamed tributary to Gillians Run (CWF/MF) on GRS abutments, with an approximately span length of 43.63', proposed waterway opening of 222.84 sf.
2. To construct temporary stream diversion utilizing sandbag diversions and an 18-inch temporary diversion pipe to convey flows through the project area and through the center of the channel during the construction of the abutments.
3. To temporarily and permanently impact wetlands (Palustrine Emergent) to facilitate the construction of the project construction access and the proposed abutment for the new bridge.
4. To conduct minor grading and compaction within the floodway of the stream to facilitate the overall objective of the project.

The proposed project is located within the Cross Keys Interchange area of S.R. 0022 project centered on a mixed patch of land and wetlands between the island in the Schuylkill River and the Aquarium Drive (formerly Waterworks Drive) on the mainland in Allegheny Township, Blair County (USGS Hollidaysburg, PA, Quadrangle; Longitude 78°26'22.1316", Latitude 40°26'34.429").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E46-1113. Pennsylvania Department of Transport, District 6**, 7000 Geerdes Blvd, King of Prussia, PA 19406, West Norriton, and Upper Merion Townships, **Montgomery County**, ACOE Philadelphia District.

To perform the below listed water obstruction and encroachment activities associated with the replacement of the existing US 422 bridges while providing new structures for US 422 project. The US 422 corridor improvements include approximately 1.0 mile of reconstruction and widening of approach roadway work providing for 3 lanes (plus ramp auxiliary lanes) in each direction. Specific Water Obstruction and Encroachments are:

1. To replace the existing US 422 Bridge over the Schuylkill River (WWF, MF) and construct and maintain in its place a five span prestressed concrete bulb tee bridge approximately 785 feet total span and approximately 157 wide with average underclearance of 45.5 feet.
2. To construct and maintain scour protection of approximately 4, 598 cubic yards rip-rap to facilitate the protection of the proposed bridge abutment.
3. To temporarily place approximately 33,432 cubic yards of fill in the stream to provide for causeway erection to facilitate the construction of the bridge substructures.

The project is located at the boarder of Upper Merion and West Norriton Townships in Montgomery County

along the Pottstown Expressway (US 422) (USGS Valley Forge Quadrangle Meridian at the center of the proposed bridge—Latitude 40° 06' 27.56"; Longitude 75° 25' 12.34").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511*

**E39-531. Waterfront Redevelopment Partners, L.P.**, 1665 Valley Center Parkway, Suite 110, Bethlehem, PA 18017. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Waterfront Redevelopment Project:

1. Four outfall structures in the floodway of the Lehigh River (WWF, MF), consisting of a 48-inch, a 42-inch and two 36-inch diameter HDPE pipes with concrete headwalls and riprap aprons.
2. Two floating docks (118-feet wide by 36-feet long and 90-feet wide by 39-feet long) anchored by fixed piles and associated pedestrian walkways projecting into the Lehigh River (WWF, MF).
3. One floating fountain (6-feet wide by 12-feet long) anchored by fixed piles and an associated trash diverter and 30-foot by 1-foot electrical feed projecting into Lehigh River (WWF, MF).

The project is located on the west bank of the Lehigh River, immediately north and south of the Tilghman Street Bridge crossing (Allentown East, PA Quadrangle, Latitude: 40.619360 N; Longitude: -75.459165 W) in the City of Allentown, Lehigh County.

**E48-408A. Knollwood Development, L.P.**, 1177 North Sixth Street, Whitehall, PA 18052. Forks Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To amend Permit No. E48-408 to authorize the construction and maintenance of a roadway crossing of a Tributary to Bushkill Creek consisting of an open bottom concrete arch culvert with a 41-foot span and a 9-foot underclearance, in lieu of the previously approved crossing. E48-408 authorized the construction and maintenance of a roadway crossing of a Tributary to Bushkill Creek consisting of an open bottom concrete arch culvert with a 48-foot span and a 10-foot underclearance, and to construct and maintain a 15-inch reinforced concrete pipe outfall in the floodway of the Tributary to Bushkill Creek. The encroachments are associated with the Knollwood Estates residential subdivision. The project is located approximately 0.10 mile east from its intersection of Bushkill Drive and Zucksville Road (Stroudsburg Quadrangle Latitude: 40°43'10.8"; Longitude: -75°14'24.6").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E07-456: Allegheny Township Sewer and Water Authority**, 3131 Colonial Drive, Duncansville, PA 16635 in Allegheny Township, **Blair County**, U.S. Army Corps of Engineers, Baltimore District.

To install and maintain the following 8-inch diameter sanitary sewer crossings:



<i>Description of Impact</i>	<i>Resource Name (Classification)</i>	<i>Length of Crossing</i>	<i>Impact area (acres)</i>	<i>Latitude (North)</i>	<i>Longitude (West)</i>
Spencer Run	WWF, MF	50	0	40° 26' 57"	78° 27' 07"
UNT Spencer Run	WWF, MF	15	0	40° 27' 03"	78° 27' 23"
Spencer Run	WWF, MF	31	.02	40° 27' 04"	78° 27' 31"
UNT Spencer Run	WWF, MF	30	.01	40° 27' 07"	78° 27' 39"
Spencer Run	WWF, MF	40	0	40° 27' 06"	78° 27' 38"
UNT Spencer Run	WWF, MF	30	0	40° 27' 07"	78° 27' 45"
Spencer Run	WWF, MF	30	.01	40° 27' 11"	78° 27' 52"
Spencer Run	WWF, MF	30	.01	40° 27' 14"	78° 27' 54"
Spencer Run	WWF, MF	30	.01	40° 27' 17"	78° 27' 58"
Spencer Run	WWF, MF	30	.01	40° 27' 19"	78° 28' 00"
Spencer Run	WWF, MF	30	.02	40° 27' 20"	78° 28' 02"
Spencer Run	WWF, MF	30	.02	40° 27' 23"	78° 28' 12"
Spencer Run	WWF, MF	30	.02	40° 27' 23"	78° 28' 14"
Spencer Run	WWF, MF	30	.02	40° 27' 28"	78° 28' 27"
Spencer Run	WWF, MF	30	.01	40° 27' 31"	78° 28' 48"
Spencer Run	WWF, MF	30	.02	40° 27' 33"	78° 28' 52"
Spencer Run	WWF, MF	30	0	40° 27' 35"	78° 28' 54"
Wetlands	EV	8	.01	40° 27' 01"	78° 27' 14"
Wetlands	EV	85	.06	40° 27' 02"	78° 27' 15"
Wetlands	EV	11	.01	40° 27' 04"	78° 27' 26"
Wetlands	EV	8	.01	40° 27' 22"	78° 28' 04"
Wetlands	EV	95	.07	40° 27' 22"	78° 28' 07"

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). The permit was issued on July 15, 2015.

**E22-614: Pennsylvania Department of Environmental Protection**, 400 North Street, 6th Floor, Harrisburg, PA 17105-3457 in Lower Swatara Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to install and maintain a 25-linear foot open bottom box culvert with a 9-foot wide by 6.7 foot high opening in UNT to Swatara Creek (WWF, MF) (Latitude: 40° 11' 48", Longitude: -76° 44' 3") for improvements to the current transportation corridor to meet current and future needs. No wetlands will be impacted by this project. The permit was issued on July 16, 2015.

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

**E41-661. Brett Snyder**, 599 Lyons Barr Road, Montoursville, PA 17754. Snyder Property along Loyalsock Creek in Fairfield Township, **Lycoming County**, ACOE Baltimore District (Montoursville North, PA Quadrangle Lat: 41° 16' 36"; Long: -76° 55' 01").

To construct and maintain an existing single family home in Fairfield Township, Lycoming County, which is located within the floodway/floodplain of Loyalsock Creek. The project proposes three fill areas which would be offset by a borrow pit area located within the floodway.

The project will have a no net fill with approximately 1,200 cubic yards of cut and 1,200 cubic yards of fill. Approximately 1,184 cubic yards of material will be removed from a borrow pit located within the floodway of Loyalsock Creek. Excavated material from construction operations will be disposed out of the floodway. The proposed project and calculations show a balance in cut/fill, which will have no effect on the flood storage capacity.

The proposed project will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. Loyalsock Creek is classified with a designated use of Trout Stocked Fishery (TSF) and with an existing use of Exceptional Value (EV).

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

**E03-463. Pennsylvania Department of Transportation—District 10-0**, 2550 Oakland Avenue, Indiana, PA 15701; Valley Township, **Armstrong County**; ACOE, Pittsburgh District.

Has been given consent to remove the existing SR 85, 51 foot long, 8 foot wide by 4.5 foot center clearance arch culvert; construct and maintain a replacement 63 foot long, 7 foot diameter RCP culvert depressed 1 foot; and install 45 feet of stream relocation upstream of the culvert; in an unnamed tributary with a drainage area of 0.86 square mile at the confluence with Cowanshannock Creek (TSF);

Install 460 feet of bank protection along Cowanshannock Creek centered on the culvert replacement;

In addition place and maintain fill in a de minimis 0.002 acre of PEM wetland; install and maintain road associated stormwater outfalls; temporarily impact 0.034 acre of PEM wetland and 864 linear feet of stream associated with construction; and install and remove temporary floodplain encroachments associated with construction.

This project is associated with the SR 85 improvement project with these encroachments located 3.5 miles east of the SR 85 and SR 28/66 intersection in Valley Township, Armstrong County (Mosgrove PA Quadrangle, North 12.9 inches and West 9.9 inches; Latitude 40° 49' 17.9" and Longitude -79° 26' 46.6").

**E32-503. Pennsylvania Department of Transportation—District 10-0**, 2550 Oakland Avenue, PO Box 429, Indiana, PA 15701; Rayne Township, **Indiana County**, ACOE, Pittsburgh District.

Has been given consent to remove the existing SR 119 two lane, 34 ft wide by 28 ft long single span concrete arch bridge having a underclearance of 11.9 feet; construct and maintain 203 ft downstream a replacement two lane, 38 ft wide by 400 total ft long, three span bridge having a underclearance of 23.8 feet spanning a rail line and Pine Run (CWF) with a drainage area of 9.37 square miles;

Remove the existing McElhoes Road 12 inch 150 ft long corrugated metal pipe, and construct and maintain a replacement 18 to 24 inch 170 ft long enclosure carrying an unnamed tributary to Pine Run (CWF) with a drainage area of less than 100 acres.

In addition construct and maintain stormwater outfalls and temporarily impact 430 ft of stream for the construction of the encroachments. The project is associated with the realignment of SR 119, approximately 1,500 ft south of the SR 85 and SR 119 intersection (Clymer Quadrangle, N 20.1 inches; W 14.6 inches; Latitude: 40° 44' 5"; Longitude: -79° 6' 19") in Rayne Township, Indiana County.

**E56-377. Pennsylvania Department of Transportation—District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648; Somerset Township, **Somerset County**, ACOE, Pittsburgh District.

Has been given consent to remove the existing SR 31, 52.7 ft long, 6.25 ft span, steel arch culvert; and to construct and maintain a 6 ft by 4.5 ft, 64.25 ft long RC box culvert replacement depressed 1 ft on a UNT to West Branch Coxes Creek (WWF) with a drainage area of 0.7 square miles; fill and maintain 0.066 acre of PEM/PSS wetland; and construct and maintain 0.08 acre of mitigation PEM/PSS wetland onsite. In addition install and maintain road associated stormwater outfalls; and temporarily impact 125 feet of stream for the purpose of constructing the encroachments. This project is associated with the SR 31 improvement project with these encroachments extending approximately 2,000 ft west of Somerset PA in Somerset Township, Somerset County (Somerset Quadrangle, N: 1.75 inches; W: 15 inches; Lat: 40° 0' 37"; Long: -79° 6' 27").

**E63-663. Pennsylvania Department of Transportation—District 12-0**, 825 North Gallatin Avenue, Uniontown, PA 15401; Bentleyville Borough, Fallowfield Township, Somerset Township, **Washington County**, ACOE, Pittsburgh District.

Has been given consent to remove the existing SR 70 5 span 66 ft wide 367.5 ft total length, 41 ft underclearance bridge; and construct and maintain a three span 112 ft

wide 344 ft total length, 41 ft underclearance replacement bridge on the existing alignment over a rail line and Pigeon Creek with a drainage area of 37.8 square miles;

Remove the existing SR 2023 bridge and restore 20 ft of bridge site stream bank on a UNT to Pigeon Creek (WWF) with a drainage area of 3.3 square miles;

Construct and maintain a 56.5 ft upstream and 30.5 ft downstream extensions of an existing SR 70, 205 ft long, 20 ft wide, 10 ft center clearance arch culvert enclosure on a UNT to Pigeon Creek (WWF) with a drainage area of 3.3 square miles;

Construct and maintain a 35 ft upstream extension to an existing SR 70, 150 ft long, 6 ft by 6 ft box culvert enclosure on a UNT to Pigeon Creek (WWF) with a drainage area of 188 acres;

Construct and maintain a 51 ft upstream extension and downstream endwall on an existing SR 70, 154.5 ft long total, 5 ft by 5 ft box culvert narrowing to a 4 ft diameter enclosure on a UNT to Pigeon Creek (WWF).

In addition install and maintain road associated stormwater outfalls; minor repairs to existing encroachments; fill and maintain 175.5 ft of UNTs to Pigeon Creek (WWF) with drainage areas less than 100 acres; and construct and maintain a 138 ft long open channel of UNTs to Pigeon Creek with drainage areas less than 100 acres; place and maintain fill in a de minimis 0.028 acre of PEM wetland; temporarily impact of 2,431 ft of stream for construction of the encroachments. Stream mitigation will occur approximately 2.5 miles northwest of the project on the North Branch of Pigeon Creek (Hackett Quadrangle, North 4.75 and West 4.9 inches, Latitude 40° 9' 3.4" and Longitude -80° 1' 48.3").

**E65-964. PHOCC, LLC**, 210 Culbertson Ave., Greensburg, PA 15601; Hempfield Township, **Westmoreland County**, ACOE, Pittsburgh District.

Has been given consent to:

1. Enlarge an existing farm pond from 0.31 acre to 0.4 acre and to modify its existing non-jurisdictional dam, by repairing the embankment and retrofitting the outlet structure, in order to convert this pond into a stormwater management pond, and to

2. Construct and maintain another non-jurisdictional dam, in association with the construction of a 0.18 acre detention forebay, upgradient of the enlarged pond,

In association with the construction of the Fairfield Estates residential subdivision. These structures and activities will also affect a de minimus amount (0.04 acre) of PEM wetlands. This project is located approximately 600 LF, from the intersection between Warwick Drive (T-679) and S.R. 2009 (USGS Greensburg, PA topographic quadrangle; Latitude: 40° 16' 01"; Long: -79° 31' 34"), in the Slate Creek Watershed (WWF) in Hempfield Township, Westmoreland County.

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

**E10-494. Allegheny Mineral Corporation**, P. O. Box 1022, Kittaning, PA 16201 in Slippery Rock Township, **Butler County**, ACOE Pittsburgh District.

To install and maintain a stream enclosure in a tributary to Slippery Rock Creek consisting of two, parallel 72-inch diameter, 133-foot long HDPE culverts with concrete head and wing walls extending approximately 14 feet upstream on the inlet and a rip-rap apron extending approximately 20 feet downstream at the outlet, and including permanent fill within 0.31 acre of floodway and

0.63 acre of wetland in the floodway and floodplain for roadway approaches associated with the construction of a new roadway connecting S.R. 108 with Crestview Road (Slippery Rock, PA Quadrangle N: 41°, 03', 24.75"; W: 80°, 03', 36.96")

As mitigation for project impacts, the permittee will create 2.2 acres of new PFO wetland in the floodplain of a tributary to Slippery Rock Creek approximately 3,000 feet downstream of the impact area.

#### 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.

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

*Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-6501*

<i>ESCGP -2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
10 13 804(2)	MarkWest Liberty Bluestone LLC 4500 J Barry Court, Suite 500 Canonsburg, PA 15317	Butler	Butler, Connoquenessing, Forward, Jackson, & Penn Township	Little Connoquenessing Creek CWF and Connoquenessing Creek WWF

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX29-117-14-0013(01)  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Chatham Twp  
Receiving Stream(s) and Classification(s) Losey Creek  
(WWF), UNT to Crooked Creek (WWF)  
Secondary—Tioga River

ESCGP-2 # ESX12-117-0004(01)  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Union Twp  
Receiving Stream(s) and Classification(s) Sugar Works  
Run (HQ-CWF)  
Secondary—Lycoming Creek

ESCGP-2 # ESX10-117-0144(01)  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 2100 Georgetown Drive, Suite 400  
City, State, Zip Sewickley, PA 15143  
County Tioga  
Township(s) Union Twp  
Receiving Stream(s) and Classification(s) UNT to Lycoming  
Creek (HQ-CWF)  
Secondary—Lycoming Creek

ESCGP-2 # ESX29-131-15-0007  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Wyoming  
Township(s) Mehoopany Twp  
Receiving Stream(s) and Classification(s) Susquehanna  
River (WWF)  
Secondary—Susquehanna River (WWF)

ESCGP-2 # ESG29-023-15-0006  
Applicant Name Seneca Resources Corporation  
Contact Person Doug Kepler  
Address 5800 Corporate Drive, Suite 300  
City, State, Zip Pittsburgh, PA 15237  
County Cameron  
Township(s) Shippen Twp  
Receiving Stream(s) and Classification(s) (2) UNT to  
North Creek and Ravens Run/Sinnemahoning Creek  
(CWF, TNR)  
Secondary—Driftwood Branch Sinnemahoning Creek

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr., Pittsburgh, PA*

ESCGP-2 No: ESX14-005-0021  
Applicant Name: Mountain Gathering LLC  
Contact Person Dewey Chalos  
Address: 810 Houston Street  
City: Fort Worth State: TX Zip Code: 76102  
County: Armstrong Township: South Buffalo  
Receiving Stream(s) and Classifications: UNT Allegheny  
River (WWF), Knapp run (WWF)/Allegheny River  
(WWF); Other WWF

ESCGP-2 No.: ESX14-059-0079  
 Applicant Name: Rice Poseidon Midstream LLC  
 Contact Person: Kyle A Shirey  
 Address: 400 Woodcliff Drive  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Greene Township(s): Jefferson  
 Receiving Stream(s) and Classifications: UNT1, UNT2,  
 UNT3, Tributaries to South Fork Tenmile Creek; Other  
 WWF

ESCGP-2 No.: ESX15-125-0008  
 Applicant Name: Rice Poseidon Midstream LLC  
 Contact Person: Kyle Shirey  
 Address: 400 Woodcliff Drive  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): North Bethlehem  
 Receiving Stream(s) and Classifications: UNT to South  
 Branch Pigeon Creek/Middle Monongahela River; Other  
 WWF

ESCGP-2 No.: ESG14-125-0057  
 Applicant Name: Rice Drilling B LLC  
 Contact Person: Joseph C Mallow  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Somerset  
 Receiving Stream(s) and Classifications: Opossum Run, 2  
 UNT Opossum Run/Chartier Creek; HQ; Other WWF

ESCGP-2 No.: ESX15-125-0034  
 Applicant Name: MarkWest Liberty Midstream & Re-  
 sources LLC  
 Contact Person: Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code: 15317  
 County Washington Township(s): Robinson  
 Receiving Stream(s) and Classifications: UNTs to Robin-  
 son Run, UNT to Little Raccoon Run; Other WWF

ESCGP-2 No.: ESX13-003-0012 Major Revision  
 Applicant Name: CONE Gathering LLC  
 Contact Person: Carol Phillips  
 Address: 200 Evergreene  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Allegheny Township(s): Findlay  
 Receiving Stream(s) and Classifications: Raredon Run,  
 Tributaries to Raredon Run, Montour Run, Tributaries  
 to Montour Run/Ohio River Watershed—see appendix  
 for additional receiving waters; Other Warm Water  
 Fisheries (WWF), Trout Stocking Fisheries (TSF); Silt-  
 ation-Impaired

ESCGP-2 No.: ESG14-125-0008 Major Revision  
 Applicant Name: MarkWest Liberty Midstream & Re-  
 sources LLC  
 Contact Person: Rick Lowry  
 Address: 4600 J Barry Court Suite 500  
 City: Canonsburg State: PA Zip Code 15317  
 County: Washington Township(s): Buffalo  
 Receiving Stream(s) and Classifications: UNTs to Buffalo  
 Creek; HQ

ESCGP-2 No.: ESX14-059-0083  
 Applicant Name: EQT Production Company  
 Contact Person: Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Greene & Washington Township(s): Morgan &  
 East Bethlehem  
 Receiving Stream(s) and Classifications: Tenmile Creek,  
 Ohio/Tenmile Creek 19B; Other Trout Stocked Fishery  
 (TSF)

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## SPECIAL NOTICES

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### Intent to Issue a Synthetic Minor State Only Operating Permit

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

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

**S15-006: The Vanguard Group, Inc.** (2000 Kubach Road and 2101 Hornig Road, Philadelphia, PA 19116), for the operation of two office buildings in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four 2,340 hps diesel emergency generators and one 1,810 hps diesel emergency generator.

The facility wishes to amend the testing requirements for the emergency generators from 120 minutes per month as per Plan Approval No. 13313 to 30 minutes per week to meet manufacturer's specifications.

The operating permit will be issued under the *Pennsylvania Code* Title 25, 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 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 (30) days before the hearing.

### Intent to Issue a Natural Minor Operating Permit

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

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Natural Minor Operating Permit for the following facility:

**N15-003: Packaging Coordinators, Inc.** (3001 Red Lion Road, Philadelphia, PA 19114), for the operation of a packaging and labeling process facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 8.63 MMBTUs/hr chillers firing natural gas or No. 2 fuel oil, three 1.4 MMBTU/hr boilers firing natural gas, one 4.2 MMBTUs/hr boiler firing natural gas or No. 2 fuel oil, one 500 kW emergency generator firing diesel fuel, one 300 kW emergency generator firing diesel fuel, and packaging processes including the Hibistat packaging process, packaging equipment sanitation, and the package labeling and ink tray cleaning process.

The facility wishes to amend the testing time of its emergency generators from 30 minutes per month as of the original installation permits to 30 minutes per week.

The operating permit will be issued under the *Pennsylvania Code* Title 25, 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 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 (30) days before the hearing.

**Proposed Revision to the State Implementation Plan to Meet the Requirements of Reasonably Available Control Technology set forth by the Clean Air Act under the 1997 8-Hour NAAQS**

The Clean Air Act Amendments of 1990 (CAA) requires Philadelphia County (Philadelphia) to submit to the U.S. Environmental Protection Agency (EPA) a State Implementation Plan (SIP) revision demonstrating that Philadelphia has implemented all necessary Reasonably Available Control Technology (RACT) controls on all major stationary sources of volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>).

The Philadelphia Department of Public Health, Air Management Services (AMS) is now seeking public comment on a proposed SIP revision that updates Philadelphia's RACT demonstration for the 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS).

On December 13, 2013 (78 FR 75902), EPA conditionally approved Philadelphia's 1997 8-hour ozone RACT demonstration provided in the 2006 and 2010 SIP revisions, based upon a commitment from AMS to submit additional SIP revisions to provide source-specific RACT determinations for certain major sources of VOC and NO<sub>x</sub> in Philadelphia and a certification that previously adopted source-specific RACT controls approved by EPA in the Pennsylvania's SIP under the 1-hour ozone NAAQS for the remaining sources in Philadelphia County (as listed in 40 CFR 52.2020(d)(1)) continue to adequately represent RACT for the 1997 8-hour ozone NAAQS.

This SIP revision is intended to partially satisfy AMS' commitment by addressing source-specific RACT determinations for certain major sources of VOC and/or NO<sub>x</sub> and certifying that previously adopted source-specific RACT controls approved by EPA in the Pennsylvania's SIP under the 1-hour ozone NAAQS continue to adequately represent RACT for the 1997 8-hour ozone NAAQS.

This SIP revision also includes revisions to the approved RACT plan approvals for the following facilities:

**PES Refinery (formerly Sunoco Refinery)**—3144 Passyunk Ave; Exelon Generation Company, Richmond Station, 3901 North Delaware Ave; Veolia Energy Philadelphia, Schuylkill Station (formerly Trigen—Schuylkill), 2600 Christian St; Kinder Morgan (previously GATX), 3300 North Delaware Ave; Plains Products Terminals LLC, 3400 S 67th St; Philadelphia Prison System, 8001 State Rd; Naval Surface Warfare Center Carderock Division, 5001 S. Broad St.

The SIP revision and other supporting information are available for inspection at the offices of AMS during normal business hours or on AMS' website at <http://www.phila.gov/health/AirManagement/PublicMeetings.html>.

Anyone affected by the proposed updates to the SIP revision may submit written comments or a request for a public hearing by mail to Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, Attn: Debra Williams within thirty (30) days from today. If requested, AMS will hold a public hearing to accept additional public comments on September 17, 2015 at 6 PM at the Spellman Building, 321 University Avenue, 1st Floor Conference Room, Philadelphia, PA 19104. Persons with a disability who desire to attend the meeting and require an auxiliary aid, service, or other accommodation to participate in the proceedings should contact Alison Riley at (215) 685-9422 to discuss how AMS may accommodate their needs.

If no request for public hearing is received by 4 PM on September 14, 2015, the hearing will be cancelled and notice of the cancellation will be published on September 16, 2015, on AMS' website <http://www.phila.gov/health/AirManagement/PublicMeetings.html>. Interested parties may also call (215) 685-7572 to find out if the hearing has been cancelled.

**Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of July 2015 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Bass Home Inspections, Inc.	750 E. Parkside Dr. Boardman, OH 44512	Testing
Harold Beers H.E. Beers, Co.	2421 Fishing Creek Valley Rd. Harrisburg, PA 17112	Mitigation
Matthew Beinhour Harris Environmental, Inc.	600 Stone House Rd. Clarion, PA 16214	Testing
Scott Coslett	332 E. 11th St. Berwick, PA 18603	Testing
D-Tech, Inc.	PO Box 902 Blue Bell, PA 19422	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Joseph Dunlap	115 Heather Dr. Monaca, PA 15061	Testing
Stephen Genzale	417 E. Beil Ave. Nazareth, PA 18064	Testing
Richard Haag Safe Shelter Environmental	346 N. Pottstown Pk. Exton, PA 19341	Testing & Mitigation
Patrick Kelly	601 S. Irving Ave. Lancaster, PA 17604	Testing
Robert Krause	113 Stanton Dr. Clarks Summit, PA 18411	Testing
James Makara	PO Box 1133 Southampton, PA 18966	Testing
Scott McCollough	129 Cadogan Slate Lick Rd. Kittanning, PA 16201	Testing
Matthew Mielnik	132 Lowry Dr. Duncansville, PA 16635	Mitigation
Joseph Miloser	160 Rustic Ridge Fombell, PA 16123	Testing
Lewis Nelson, IV First Choice Radon Testing Co., Inc.	PO Box 830 Huntingdon Valley, PA 19006	Testing
Val Sarko	PO Box 15052 Reading, PA 19612	Testing
Terry Spalti	902 High Rd. Ashland, PA 17921	Testing
Paul Suhrie	2648 Majestic Ct. East Stroudsburg, PA 18302	Testing
Michael Watson	129 Colonial Village Dr. Pittsburgh, PA 15235	Testing

[Pa.B. Doc. No. 15-1499. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Availability of Draft Modification of Residual Waste General Permit WMGR052

The Department of Environmental Protection (Department) by this notice is announcing the availability of a proposed permit modification 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 residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

General Permit Number WMGR052 authorizes processing by blending of flue gas desulfurization (FGD) sludge, coal ash and lime to form low permeability cementitious material for beneficial use.

The Department is proposing a number of modifications to the general permit to:

1. Bring the general permit into compliance with the requirements in 25 Pa. Code Chapter 290 (relating to beneficial use of coal ash).

2. Narrow the scope of the general permit by limiting the beneficial use of the mixture of lime, FGD and coal ash material to permitted mining activity sites.

3. Improve coordination between the Department waste and mining programs regarding the approval of the material and use of the material on mine sites.

4. Increase public notice and the opportunity for the public to comment on both the waste general permit and the proposed use of the material on a permitted or authorized mine site.

Interested persons may submit comments by October 14, 2015. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originators name and address. Commentators are encouraged to submit comments using eComment at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can also be submitted to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, [eComment@pa.gov](mailto:eComment@pa.gov). When submitting comments by e-mail, use “Comments on WMGR052” in the subject line.

Questions regarding the permit modification should be directed to the Division of Municipal and Residual Waste, (717) 787-7381, [ra-epbenuseall@pa.gov](mailto:ra-epbenuseall@pa.gov).

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1500. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Availability of Federal Consistency under the Coastal Zone Management Act

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program has received notice that Gregory Ganzer is proposing to construct a personal watercraft boat lift on the Niagara Pier within Presque Isle Bay of Lake Erie.

The applicant is proposing to construct a 14-foot by 28-foot personal watercraft lift composed of six steel pilings, 10-foot by 14-foot permanent dock and a 6-foot by 10-foot permanent dock (walkway) adjacent to an existing watercraft lift. The site is at 4 Niagara Pier, Erie, PA, along the eastern side of the Niagara Pier on water lots currently owned by the applicant. This project is also being considered for authorization by the Department under permit number E25-744 and by the United States Army Corps of Engineers under permit number 2012-346.

This project is subject to Department review for Federal consistency because it is a Federal license and permit activity and will have reasonably foreseeable effects on the Commonwealth's coastal resources or uses.

In accordance with National Oceanic and Atmospheric Administration (NOAA) regulations in 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), Gregory Ganzer has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, (717) 772-2196, RA-Fed\_Consistency@pa.gov.

The Department will consider all comments received on or before August 31, 2015, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Commentators are urged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted to Matthew Walderon, Department of Environmental Protection, Interstate Waters Office, 400 Market Street, P. O. Box 8465, Harrisburg, PA 17101-8465, [ecomment@pa.gov](mailto:ecomment@pa.gov).

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1501. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Notice of Suspension of Certification to Perform Radon-Related Activities in this Commonwealth

On July 24, 2015, the Department of Environmental Protection (Department), under the authority of the Radon Certification Act (63 P.S. §§ 2001—2014) and 25 Pa. Code § 240.203(b) (relating to conditions of certification), suspended Wally Magno's certification to perform radon testing activities in this Commonwealth. The De-

partment suspended Wally Magno's radon testing individual certification No. 2989 for his failure to submit the required 45-day reporting and late reporting fee in violation of 25 Pa. Code § 240.303(a)(3) and 25 Pa. Code § 240.303(a) and Chapter 240, Appendix A (relating to reporting of information; and radon certification fee schedule). Copies of this suspension are available from Kelley Oberdick, Department of Environmental Protection, 400 Market Street, 13th Floor, Harrisburg, PA 17101, (717) 783-3594.

*Name*  
Wally C. Magno

*Address*  
185 Pleasant View Drive  
Kittanning, PA 16201-7149

*Type of Radon Certification*  
Testing individual

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1502. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Public Notice of Draft NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13); Extension of Public Comment Period

Notice of the availability of the Department of Environmental Protection's (Department) draft National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13) was published at 45 Pa.B. 2674 (May 30, 2015) and the comment period ended on July 29, 2015.

The Department is, by this notice, extending the public comment period for the draft PAG-13 General Permit through August 31, 2015. All comments received after the initial July 29, 2015, comment period closing, and before midnight on Monday, August 31, 2015, will be considered.

The PAG-13 General Permit is intended to provide NPDES permit coverage to existing or proposed regulated small municipal separate storm sewer systems (MS4) for discharges of stormwater to surface waters of the Commonwealth. The existing PAG-13 General Permit in effect at this time, effective March 16, 2013, will expire on March 15, 2018, and remains in full force and effect until that date. See 41 Pa.B. 5042 (September 17, 2011). The Department is proposing to reissue a final PAG-13 General Permit to become effective on March 16, 2018.

To access the draft General Permit and related documents, visit [www.eLibrary.dep.state.pa.us](http://www.eLibrary.dep.state.pa.us) (select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "National Pollutant Discharge Elimination System—NPDES," then "Municipal Separate Storm Sewer Systems—MS4s," then "Draft PAG-13 General Permit"). A link to these documents is also available at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) under the "Open Comment Periods" section.

The Department is seeking comments on the draft PAG-13 General Permit (3800-PM-BPNPSM0100d) and accompanying documents through August 31, 2015.

Interested persons may submit written comments by August 31, 2015. Comments submitted by facsimile will not be accepted. Commentators are urged to submit comments using the Department's online eComment for

policies at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can also be submitted to the Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, P. O. Box 8774, Harrisburg, PA 17105-8774, RA-EPPAMS4@pa.gov.

Questions regarding the draft PAG-13 General Permit should be directed to Bureau of Point and Non-Point Source Management, (717) 787-8184, RA-EPPAMS4@pa.gov.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 15-1503. Filed for public inspection August 14, 2015, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Retail Space to the Commonwealth Westmoreland County

Proposers are invited to provide a proposal to the Department of General Services for 4,000 to 6,500 ± net usable square feet of retail space for the Liquor Control Board in Mount Pleasant, Westmoreland County. For more information on SFP No. 94753, which is due on or before 3 p.m. on Friday, October 2, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,  
*Secretary*

[Pa.B. Doc. No. 15-1504. Filed for public inspection August 14, 2015, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Research Advisory Committee Meeting

The Health Research Advisory Committee (Committee) of the Department of Health (Department) will hold a public meeting on August 24, 2015, from 10:30 a.m. to 12 p.m. in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA, 17120.

The Committee makes recommendations to the Department regarding research priorities under section 903 of the Tobacco Settlement Act (act) (35 P.S. § 5701.903). The purpose of the meeting is to finalize Committee recommendations to the Department for health research priorities under section 906 of the act (35 P.S. § 5701.906) for the Commonwealth Universal Research Enhancement Program relating to clinical and health services research for the 2015-2016 State fiscal year.

For additional information or persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation should contact Sylvia Golas, DMD, MPH, Public Health Program Administrator, or Dawn Houff, MBA, Program Analyst, Health Research Office, Health and Welfare Building, Room 833, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 231-2825 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. 15-1505. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

*Facility Name*

Allegheny Health Network  
Monroeville Surgery Center

*Regulation*

28 Pa. Code § 559.2 (relating to director of nursing)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (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>
Ohio Valley General Hospital	2.1-7.2.2.14(2)	Decorative water features	2014

All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.



Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1506. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Highland View Healthcare and Rehabilitation Center  
90 Main Street  
Brockway, PA 15824  
FAC ID # 027702

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(d) and (e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Longwood at Oakmont  
500 Route 909  
Verona, PA 15147  
FAC ID # 017202

Southmont of Presbyterian SeniorCare  
835 South Main Street  
Washington, PA 15301  
FAC ID # 422902

The Willows of Presbyterian SeniorCare  
1215 Hulton Road  
Oakmont, PA 15139  
FAC ID # 161502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j):

Masonic Village at Lafayette Hill  
801 Ridge Pike  
Lafayette Hill, PA 19444  
FAC ID # 137102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) and (k) (relating to electric requirements for existing and new construction):

StoneRidge Popular Run  
450 East Lincoln Avenue  
Myerstown, PA 17067  
FAC ID # 055702

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 15-1507. Filed for public inspection August 14, 2015, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$1 Million Fever Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania \$1 Million Fever.

2. *Price:* The price of a Pennsylvania \$1 Million Fever instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$1 Million Fever instant game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions printed in black ink and 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), 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), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions printed in red ink and 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), 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), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and

their captions printed in black ink and 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), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), and a Fever (FEVER) symbol. The play symbols and their captions printed in red ink and 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), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY) and a 10X (10TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$25,000 (TWYFIVTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$50, \$100, \$150, \$200, \$400, \$500, \$1,000, \$10,000, \$25,000 and \$1,000,000. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania \$1 Million Fever instant game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1MILL (ONE MIL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum cash payment.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WIN-

NING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$1,000 (ONE THO) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in red ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in red ink, and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol and a prize symbol of \$100 (ONE HUN) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$500 (FIV HUN) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in red ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in red ink, and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$400 (FOR HUN) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and

caption printed in black ink, and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$200 (TWO HUN) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$150 (ONEHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$150 (ONEHUNFTY) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$150.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in red ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in red ink, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$100 (ONE HUN) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and

caption printed in red ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in red ink, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$30<sup>00</sup> (THIRTY) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$30.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Fever (FEVER) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears under that Fever (FEVER) symbol, on a single ticket, shall be entitled to a prize of \$20.

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

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$20 w/ FEVER	\$20	12	500,000
\$20	\$20	20	300,000
\$30 w/ FEVER	\$30	25	240,000
\$30	\$30	37.5	160,000
\$30 + \$20	\$50	60	100,000
\$50 w/ FEVER	\$50	30	200,000
\$50	\$50	60	100,000
\$20 x 5	\$100	150	40,000
\$50 x 2	\$100	150	40,000
\$20 w/ RED MATCH	\$100	150	40,000

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$100 w/ FEVER	\$100	150	40,000
\$100	\$100	150	40,000
\$50 × 3	\$150	2,400	2,500
(\$20 w/ RED MATCH) + \$50	\$150	600	10,000
\$30 w/ RED MATCH	\$150	600	10,000
(\$50 w/ FEVER) × 3	\$150	2,400	2,500
\$150 w/ FEVER	\$150	2,400	2,500
\$150	\$150	2,400	2,500
\$50 × 4	\$200	2,400	2,500
\$100 × 2	\$200	2,400	2,500
\$20 w/ 10X	\$200	1,200	5,000
(\$20 w/ RED MATCH) × 2	\$200	600	10,000
\$200 w/ FEVER	\$200	1,200	5,000
\$200	\$200	1,200	5,000
\$20 × 20	\$400	24,000	250
\$100 × 4	\$400	24,000	250
(\$20 w/ 10X) × 2	\$400	12,000	500
(\$20 w/ RED MATCH) × 4	\$400	12,000	500
\$400 w/ FEVER	\$400	12,000	500
\$400	\$400	12,000	500
\$100 × 5	\$500	12,000	500
\$50 w/ 10X	\$500	12,000	500
\$100 w/ RED MATCH	\$500	12,000	500
\$500 w/ FEVER	\$500	12,000	500
\$500	\$500	12,000	500
\$50 × 20	\$1,000	12,000	500
\$500 × 2	\$1,000	12,000	500
\$100 w/ 10X	\$1,000	12,000	500
\$200 w/ RED MATCH	\$1,000	12,000	500
\$1,000 w/ FEVER	\$1,000	12,000	500
\$1,000	\$1,000	12,000	500
\$1,000 × 10	\$10,000	240,000	25
\$10,000	\$10,000	240,000	25
\$25,000	\$25,000	240,000	25
\$1,000,000	\$1,000,000	1,200,000	5

When matching numbers are red, win 5 times the prize shown under the matching number.

Reveal a "10X" (10TIMES) symbol, win 10 times the prize shown under it.

Reveal a "FEVER" (FEVER) symbol, win prize shown under that symbol automatically!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$1 Million Fever instant lottery game tickets.

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

only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

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

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

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

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 15-1508. Filed for public inspection August 14, 2015, 9:00 a.m.]

**Pennsylvania Bacon Bucks Instant Lottery Game**

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

- 1. *Name:* The name of the game is Pennsylvania Bacon Bucks.
- 2. *Price:* The price of a Pennsylvania Bacon Bucks instant lottery game ticket is \$1.
- 3. *Play Symbols:* Each Pennsylvania Bacon Bucks instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Bacon (BACON) symbol and a Cash (WIN20) symbol.
- 4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$4,000 (FOR THO).
- 5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$400, \$1,000 and \$4,000. The player can win up to 6 times on the ticket.
- 6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Bacon Bucks instant lottery game.
- 7. *Determination of Prize Winners:*

(a) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$4,000 (FOR THO) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$4,000.

(b) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$1,000 (ONE THO) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$400 (FOR HUN) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$40<sup>00</sup> (FORTY) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with a Cash (WIN20) symbol in the play area, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$4<sup>00</sup> (FOR DOL) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets with a Bacon (BACON) symbol in the play area and a prize symbol of FREE (TICKET) in the “prize” area under that Bacon (BACON) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Bacon Bucks instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

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

<i>Reveal A “BACON” (BACON) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
FREE	FREE \$1 TICKET	10	1,200,000
\$2	\$2	20	600,000
\$2 × 2	\$4	60	200,000
\$4	\$4	60	200,000
\$5	\$5	60	200,000
\$2 × 5	\$10	300	40,000
\$5 × 2	\$10	600	20,000

Reveal A "BACON" (BACON)  
Symbol, Win Prize Shown  
Under That Symbol. Win  
With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
(\$4 × 2) + \$2	\$10	300	40,000
\$10	\$10	600	20,000
\$10 × 2	\$20	3,000	4,000
(\$2 × 5) + \$10	\$20	3,000	4,000
\$20 w/ CASH	\$20	428.57	28,000
\$20	\$20	3,000	4,000
(\$20 w/ CASH) + (\$5 × 4)	\$40	6,000	2,000
(\$20 w/ CASH) + (\$10 × 2)	\$40	6,000	2,000
(\$20 w/ CASH) × 2	\$40	3,000	4,000
\$40	\$40	24,000	500
(\$20 w/ CASH) + (\$40 × 2)	\$100	8,000	1,500
(\$20 w/CASH) × 5	\$100	8,000	1,500
\$100	\$100	24,000	500
\$100 × 4	\$400	240,000	50
\$400	\$400	240,000	50
(\$400 × 2) + (\$100 × 2)	\$1,000	1,200,000	10
\$1,000	\$1,000	1,200,000	10
\$4,000	\$4,000	1,200,000	10

Reveal a "CASH" (WIN20) symbol, win \$20 instantly.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Bacon Bucks instant lottery game tickets.

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

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

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

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

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 15-1509. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Pennsylvania Eagles '15 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Eagles '15.

2. *Price:* The price of a Pennsylvania Eagles '15 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Eagles '15 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31

(THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (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), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Field Goal (FLDGL) symbol and a TOUCHDOWN (TDOWN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$25<sup>.00</sup> (TWY FIV), \$40<sup>.00</sup> (FORTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$400, \$500, \$1,000, and \$50,000. A player can win up to 12 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct four Eagles second-chance drawings for which non-winning Pennsylvania Eagles '15 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Eagles '15 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$100 (ONE HUN) appears in eight of the "prize" areas and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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 is a Field Goal (FLDGL) symbol and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Field Goal (FLDGL) symbol, 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 is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(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 \$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.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in two of the "prize" areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in two of the "prize" areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in two of the "prize" areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in eight of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50<sup>.00</sup> (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$40<sup>.00</sup> (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol and a prize symbol of \$40<sup>.00</sup> (FORTY) appears in the "prize" area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$25<sup>.00</sup> (TWY FIV) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in the "prize" area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$25.

(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 \$20<sup>.00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

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

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Field Goal (FLDGL) sym-

bol, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

\$5 w/ FIELD GOAL
\$5
\$5 × 2
\$10 w/ FIELD GOAL
\$10
\$5 × 4
\$10 × 2
\$20 w/ FIELD GOAL
\$20
\$5 × 5
(\$10 × 2) + \$5
(\$5 w/ FIELD GOAL) + (\$5 × 4)
\$25 w/ FIELD GOAL
\$25
\$5 × 8
\$20 × 2
(\$20 w/ FIELD GOAL) + \$20
\$40 w/ FIELD GOAL
\$40
TOUCHDOWN w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))
TOUCHDOWN w/ ((\$25 × 2) + (\$5 × 10))
\$10 × 10
\$20 × 5
\$25 × 4
\$100 w/ FIELD GOAL
\$100
TOUCHDOWN w/ ((\$100 × 2) + (\$20 × 10))
\$40 × 10
\$50 × 8
\$100 × 4
\$400 w/ FIELD GOAL
\$400
TOUCHDOWN w/ ((\$100 × 8) + (\$50 × 4))
\$500 × 2
\$1,000
\$50,000

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$5	15	360,000
\$5	20	270,000
\$10	60	90,000
\$10	27.27	198,000
\$10	60	90,000
\$20	300	18,000
\$20	200	27,000
\$20	46.15	117,000
\$20	300	18,000
\$25	300	18,000
\$25	600	9,000
\$25	150	36,000
\$25	300	18,000
\$25	600	9,000
\$40	600	9,000
\$40	600	9,000
\$40	300	18,000
\$40	300	18,000
\$40	600	9,000
\$100	1,333	4,050
\$100	800	6,750
\$100	1,714	3,150
\$100	1,714	3,150
\$100	1,714	3,150
\$100	1,714	3,150
\$100	1,714	3,150
\$400	40,000	135
\$400	40,000	135
\$400	40,000	135
\$400	40,000	135
\$400	40,000	135
\$400	40,000	135
\$1,000	120,000	45
\$1,000	120,000	45
\$1,000	120,000	45
\$50,000	540,000	10

Reveal a “FIELD GOAL” (FLDGL) symbol, win prize shown under that symbol automatically.  
 Reveal a “TOUCHDOWN” (TDOWN) symbol, win all 12 prizes shown!



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

10. *Second-Chance Drawing*: Eagles Second-Chance Drawings (hereafter, "Drawings").

(a) *Qualifying Tickets*: Non-winning PA-1160 Eagles '15 instant game tickets (\$5) ("Qualifying Tickets") are eligible for entry into the Drawings.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawings. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawings, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawings' promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry periods. The identifying information from a Qualifying Ticket may be submitted only once into the Eagles Second-Chance Drawings. Entries awarded will be applied to the active drawing at the time of successful submission of the entry and will carry forward to the next drawings. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets into each Drawing.

(c) *Drawings Description*:

(1) The Lottery will conduct four Drawings. Drawing entries are cumulative and are eligible for all Drawings that occur after the entry is made. All time references are Eastern Prevailing Time.

(i) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. September 3, 2015, will be entered into Drawing #1, held between September 4, 2015 and September 8, 2015.

(ii) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. October 15, 2015, will be entered into Drawing #2, held between October 16, 2015 and October 20, 2015.

(iii) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. November 19, 2015, will be entered into Drawing #3, held between November 20, 2015 and November 24, 2015.

(iv) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. December 17, 2015, will be entered into Drawing #4, held between December 18, 2015 and December 22, 2015.

(2) The entry periods for the Drawings will be posted to the Pennsylvania Lottery's publically accessible website.

(3) A Qualifying Ticket will receive 5 entries.

(4) Players may review their entries for the Drawings via the Drawings' promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning*:

(1) The Lottery will conduct four Drawings from among all the entries available to be drawn as described in section 10(c).

(2) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or mentioned anywhere else in these rules.

(3) *The following prizes shall be awarded for Drawing #1*:

(i) The first through the fourth entries selected from the entries submitted in Drawing #1 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one Club Seat Experience prize. Each Club Seat Experience prize includes two Club Seats and one reserved parking pass to all 2015 regular season Philadelphia Eagles home games.

(ii) The fifth through the ninth entries selected from the entries submitted in Drawing #1 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one Luxury Suite Experience prize. Each Luxury Suite Experience prize includes four suite tickets, food and non-alcoholic beverages for the Philadelphia Eagles home game to be held on December 20, 2015. The exact suite to be used, as well as the food and non-alcoholic beverage to be provided as part of this prize will be selected at the sole discretion of the Philadelphia Eagles.

(iii) The tenth entry selected from the entries submitted in Drawing #1 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on September 20, 2015.

(iv) The eleventh entry selected from the entries submitted in Drawing #1 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on October 11, 2015.

(v) The twelfth entry selected from the entries submitted in Drawing #1 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on October 19, 2015.

(vi) The thirteenth through the fourteenth entries selected from the entries submitted in Drawing #1 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one VIP Road Trip Experience prize. Each VIP Road Trip Experience prize includes two game tickets, and accommodations for the Philadelphia Eagles away game to be held on October 4, 2015. Accommodations are limited to round-trip commercial transportation, hotel stay consisting of one double occupancy room for one night, and dinner for two.

(4) *The following prizes shall be awarded for Drawing #2:*

(i) The first entry selected from the entries submitted in Drawing #2 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on November 15, 2015.

(ii) The second entry selected from the entries submitted in Drawing #2 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on November 22, 2015.

(iii) The third entry selected from the entries submitted in Drawing #2 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on December 13, 2015.

(iv) The fourth through the twenty-eighth entries selected from the entries submitted in Drawing #2 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one VIP Tailgate and Game Tickets prize. Each VIP Tailgate and Game Tickets prize includes four game tickets and a pre-game catered tailgate with food and non-alcoholic beverages for the Philadelphia Eagles home game to be held on November 15, 2015. The food and non-alcoholic beverage to be provided as part of this prize will be selected at the sole discretion of the Philadelphia Eagles.

(5) *The following prizes shall be awarded for Drawing #3:*

(i) The first entry selected from the entries submitted in Drawing #3 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on December 20, 2015.

(ii) The second entry selected from the entries submitted in Drawing #3 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Fan Zone Tickets and Pre-Game Sideline Experience prize. The Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes, two Fan Zone game tickets, and one reserved parking pass for the Philadelphia Eagles home game to be held on December 26, 2015.

(iii) The third and fourth entries selected from the entries submitted in Drawing #3 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one VIP Road Trip Experience prize. Each VIP Road Trip Experience prize includes two game tickets, and accommodations for the Philadelphia

Eagles away game to be held on January 3, 2016. Accommodations are limited to round-trip commercial transportation, hotel stay consisting of one double occupancy room for one night, and dinner for two.

(iv) The fifth through the forty-fourth entries selected from the entries submitted in Drawing #3 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one Philadelphia Eagles Autographed Replica Jersey. The Eagles player(s) to actually autograph the jerseys will be determined at the sole discretion of the Philadelphia Eagles.

(6) *The following prizes shall be awarded for Drawing #4:*

(i) The first through the tenth entries selected from the entries submitted in Drawing #4 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one 2016 Preseason Luxury Game Suite Experience prize. Each 2016 Preseason Luxury Game Suite Experience prize includes four suite tickets, food and non-alcoholic beverages for a Philadelphia Eagles 2016 preseason home game. The date of the 2016 preseason home game and the exact suite to be used, as well as the food and non-alcoholic beverages to be provided as part of this prize will be determined at the sole discretion of the Philadelphia Eagles.

(ii) The eleventh through the fiftieth entries selected from the entries submitted in Drawing #4 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one 2016 Regular Season Fan Zone Tickets and Pre-Game Sideline Experience prize. Each 2016 Regular Season Fan Zone Tickets and Pre-Game Sideline Experience prize includes two pre-game sideline passes and two Fan Zone game tickets for a Philadelphia Eagles 2016 regular season home game.

(iii) The fifty-first through the one hundred and twentieth entries selected from the entries submitted in Drawing #4 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one 2016 Preseason Game Tickets and a Pre-Game Sideline Experience prize. Each 2016 Preseason Game Tickets and a Pre-Game Sideline Experience prize includes two pre-game sideline passes and two game tickets for a Philadelphia Eagles 2016 preseason home game.

(7) The entry deadlines and the number of winning entries to be selected for each Drawing will be posted to the Pennsylvania Lottery's publically accessible website.

(8) The odds of an entry being selected in the Drawings depend upon the number of entries received for the Drawings.

(9) A computer generated randomizer will be used to select the winning entries for the Drawings.

(e) *Second-Chance Drawing Restrictions:*

(1) Each winner, his or her respective heirs, legal representatives, and assigns, agree to indemnify, defend, release, and discharge the Pennsylvania Lottery, Philadelphia Eagles, LLC, Eagles Stadium Operator, LLC, and the NFL, as well as their employees, officers, directors and commissioners from and against any loss, claim, damage, suit, or injury arising out of or relating to this promotion. By entering, the winner indemnifies, releases, discharges, and agrees to hold harmless the Pennsylvania Lottery, Philadelphia Eagles, LLC, Eagles Stadium Operator, LLC, and the NFL, as well as their employees, officers, directors and commissioners from unanticipated

cancellation, suspension, or postponement of the promotion due to natural disaster, national emergency, or other unforeseen act of God or man. Winners participate solely at their own risk and responsibility.

(2) To be eligible to participate in the Drawings, entrants must have complied with the requirements of these rules.

(3) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawings. The Lottery is not responsible for entries that are not entered into the Drawings because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Drawings entry is selected as a winner and rejected during or following the Drawings, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(4) If any discrepancy exists between these rules and any material describing the Drawings, these rules shall govern.

(5) Employees of the Pennsylvania Lottery, MARC Advertising, MUSL, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawings. Offer void where prohibited or restricted.

(6) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawings and change these rules if the Drawings cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawings.

(7) All entries shall be subject to verification by the Pennsylvania Lottery.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawings or to be acting in violation of these rules or applicable law.

(9) The Drawings are governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A winner is responsible for all taxes arising from or in connection with any prize won.

(12) A player may only win the prize for which they are first selected in each of the Drawings. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(13) Prizes are not transferrable.

(14) Winners and/or guest(s) must abide by all venue policies. Any promotional partner reserves the right to revoke full or partial prize from any winner or winner's guest who it and/or venue personnel deem may, in their sole discretion, be intoxicated, be a safety risk, have violated any venue policy or law, and/or may bring the promotional partner into disrepute.

(15) The winner is responsible for all costs, expenses and transportation, not specifically included in the prize won in the Drawings, arising from or in connection with any prize won.

(16) Prizes are not redeemable for cash.

(17) If a date is provided for a game or event that is part of a prize described in section 10(d), the date is subject to change at the sole discretion of the Philadelphia Eagles.

(18) If no date is provided for a game or event that is part of a prize described in section 10(d), the date will be determined by the Philadelphia Eagles and provided to the winner by the Lottery.

(19) In the event the winner is not available on the date of the game or event that is part of a prize described in section 10(d), there will be no extensions or substitutions of prizes and the winner will not receive any reimbursement for the unused prize.

(20) In the event a prize described in section 10(d) is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(21) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Eagles '15 instant lottery game tickets.

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

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Eagles '15, prize money from winning Pennsylvania Eagles '15 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Eagles '15 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Eagles '15 or through normal communications methods.

EILEEN H. McNULTY, Secretary

[Pa.B. Doc. No. 15-1510. Filed for public inspection August 14, 2015, 9:00 a.m.]

**Pennsylvania MONOPOLY MILLIONAIRES' CLUB™ Instant Lottery Game; Change to Game Rules**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania MONOPOLY MILLIONAIRES' CLUB instant lottery game rules that were published at 45 Pa.B. 2018 (April 18, 2015).

The Pennsylvania Lottery has altered a portion of the rules associated with the MONOPOLY MILLIONAIRES' CLUB Instant Lottery Game Second-Chance Drawing. Pursuant to this change, the TV Game Show will feature three (3) Contestants rather than the five (5) Contestants originally indicated in the instant lottery game rules that were published at 45 Pa.B. 2018, 2022—2023. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 45 Pa.B. 2018—2023:

\* \* \* \* \*

10. *Second-chance drawing:* MONOPOLY MILLIONAIRES' CLUB National TV Game Show Second-Chance Drawings (hereafter, "Drawings").

\* \* \* \* \*

(i) *TV Game Show.*

(1) For each episode of the nationally televised TV Game Show, three (3) Contestants will be randomly chosen to each play one (1) MONOPOLY MILLIONAIRES' CLUB "Mini Game." The top prize for each of the "Mini Games" is \$100,000. All money won by a Contestant in a "Mini Game" is split by the Contestant and the lottery winners seated in their section. After the completion of the three (3) "Mini Games", one (1) Contestant will be given the chance to play the "MONOPOLY Go for a Million Game" for a chance to win \$1 million. Note: In the event the Producer needs to stop the Game for any reason (including but not limited to human, mechanical, equipment failure, rule violation, or safety issues), the Contestants and/or the Game pieces (i.e. dice, street, etc.) may be reset to a particular position or the entire Game may be thrown out and restarted from the beginning at the Producer's sole and absolute discretion.

\* \* \* \* \*

EILEEN H. McNULTY, Secretary

[Pa.B. Doc. No. 15-1511. Filed for public inspection August 14, 2015, 9:00 a.m.]

**Pennsylvania Multiply Your Money Instant Lottery Game**

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

1. *Name:* The name of the game is Pennsylvania Multiply Your Money.

2. *Price:* The price of a Pennsylvania Multiply Your Money instant lottery game ticket is \$3.

3. *Prize Play Symbols:* Each Pennsylvania Multiply Your Money instant lottery game ticket will contain one play area featuring "GAME 1," "GAME 2," "GAME 3" and "GAME 4." Each "GAME" will contain six play symbols. Each "GAME" is played separately. The prize play symbols and their captions located in "GAME 1" are: \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$9<sup>00</sup> (NIN DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$90<sup>00</sup> (NINTY), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$20,000 (TWY THO), \$50,000 (FTY THO), and a Money (WIN50) symbol. The prize play symbols and their captions located in "GAME 2" are: \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$150 (ONEHUNFTY), \$10,000 (TEN THO), and a Money (WIN50) symbol. The prize play symbols and their captions located in "GAME 3" are: \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$90<sup>00</sup> (NINTY), \$300 (THR HUN), and a Money (WIN50) symbol. The prize play symbols and their captions located in "GAME 4" are: \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), and a Money (WIN50) symbol. The Money (WIN50) symbol does not multiply the prize won.

4. *Prizes:* "GAME 1" prizes shown are not multiplied, "GAME 2" prizes shown are doubled, "GAME 3" prizes shown are tripled, and "GAME 4" prizes shown are quintupled. The prizes that can be won in "GAME 1" are: \$3, \$5, \$6, \$9, \$10, \$20, \$30, \$50, \$90, \$150, \$300, \$1,000, \$10,000, \$20,000 and \$50,000. The prizes that can be won in "GAME 2" are: \$3, \$5, \$10, \$20, \$50, \$150 and \$10,000. The prizes that can be won in "GAME 3" are: \$3, \$5, \$10, \$30, \$50, \$90 and \$300. The prizes that can be won in "GAME 4" are: \$5, \$6, \$10, \$20, \$30 and \$50. The player can win up to 3 times on each ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 9,000,000 tickets will be printed for the Pennsylvania Multiply Your Money instant lottery game.

6. *Determination of Prize Winners:*

(a) "GAME 1":

(i) Holders of tickets upon which three prize symbols of \$50,000 (FTY THO) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$50,000.

(ii) Holders of tickets upon which three prize symbols of \$20,000 (TWY THO) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$20,000.

(iii) Holders of tickets upon which three prize symbols of \$10,000 (TEN THO) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$10,000.

(iv) Holders of tickets upon which three prize symbols of \$1,000 (ONE THO) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$1,000.

(v) Holders of tickets upon which three prize symbols of \$300 (THR HUN) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$300.

(vi) Holders of tickets upon which three prize symbols of \$150 (ONEHUNFTY) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$150.

(vii) Holders of tickets upon which three prize symbols of \$90<sup>00</sup> (NINTY) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$90.

(viii) Holders of tickets upon which three prize symbols of \$50<sup>00</sup> (FIFTY) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$50.

(ix) Holders of tickets upon which a Money (WIN50) symbol appears in "GAME 1," on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which three prize symbols of \$30<sup>00</sup> (THIRTY) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$30.

(xi) Holders of tickets upon which three prize symbols of \$20<sup>00</sup> (TWENTY) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$20.

(xii) Holders of tickets upon which three prize symbols of \$10<sup>00</sup> (TEN DOL) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$10.

(xiii) Holders of tickets upon which three prize symbols of \$9<sup>00</sup> (NIN DOL) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$9.

(xiv) Holders of tickets upon which three prize symbols of \$6<sup>00</sup> (SIX DOL) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$6.

(xv) Holders of tickets upon which three prize symbols of \$5<sup>00</sup> (FIV DOL) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$5.

(xvi) Holders of tickets upon which three prize symbols of \$3<sup>00</sup> (THR DOL) appear in "GAME 1," on a single ticket, shall be entitled to a prize of \$3.

(b) "GAME 2":

(i) Holders of tickets upon which three prize symbols of \$10,000 (TEN THO) appear in "GAME 2," on a single ticket, shall be entitled to a prize of \$20,000.

(ii) Holders of tickets upon which three prize symbols of \$150 (ONEHUNFTY) appear in "GAME 2," on a single ticket, shall be entitled to a prize of \$300.

(iii) Holders of tickets upon which three prize symbols of \$50<sup>00</sup> (FIFTY) appear in "GAME 2," on a single ticket, shall be entitled to a prize of \$100.

(iv) Holders of tickets upon which a Money (WIN50) symbol appears in "GAME 2," on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which three prize symbols of \$20<sup>00</sup> (TWENTY) appear in "GAME 2," on a single ticket, shall be entitled to a prize of \$40.

(vi) Holders of tickets upon which three prize symbols of \$10<sup>00</sup> (TEN DOL) appear in "GAME 2," on a single ticket, shall be entitled to a prize of \$20.

(vii) Holders of tickets upon which three prize symbols of \$5<sup>00</sup> (FIV DOL) appear in "GAME 2," on a single ticket, shall be entitled to a prize of \$10.

(viii) Holders of tickets upon which three prize symbols of \$3<sup>00</sup> (THR DOL) appear in "GAME 2," on a single ticket, shall be entitled to a prize of \$6.

(c) "GAME 3":

(i) Holders of tickets upon which three prize symbols of \$300 (THR HUN) appear in "GAME 3," on a single ticket, shall be entitled to a prize of \$900.

(ii) Holders of tickets upon which three prize symbols of \$90<sup>00</sup> (NINTY) appear in "GAME 3," on a single ticket, shall be entitled to a prize of \$270.

(iii) Holders of tickets upon which three prize symbols of \$50<sup>00</sup> (FIFTY) appear in "GAME 3," on a single ticket, shall be entitled to a prize of \$150.

(iv) Holders of tickets upon which three prize symbols of \$30<sup>00</sup> (THIRTY) appear in "GAME 3," on a single ticket, shall be entitled to a prize of \$90.

(v) Holders of tickets upon which a Money (WIN50) symbol appears in "GAME 3," on a single ticket, shall be entitled to a prize of \$50.

(vi) Holders of tickets upon which three prize symbols of \$10<sup>00</sup> (TEN DOL) appear in "GAME 3," on a single ticket, shall be entitled to a prize of \$30.

(vii) Holders of tickets upon which three prize symbols of \$5<sup>00</sup> (FIV DOL) appear in "GAME 3," on a single ticket, shall be entitled to a prize of \$15.

(viii) Holders of tickets upon which three prize symbols of \$3<sup>00</sup> (THR DOL) appear in "GAME 3," on a single ticket, shall be entitled to a prize of \$9.

(d) "GAME 4":

(i) Holders of tickets upon which three prize symbols of \$50<sup>00</sup> (FIFTY) appear in "GAME 4," on a single ticket, shall be entitled to a prize of \$250.

(ii) Holders of tickets upon which three prize symbols of \$30<sup>00</sup> (THIRTY) appear in "GAME 4," on a single ticket, shall be entitled to a prize of \$150.

(iii) Holders of tickets upon which three prize symbols of \$20<sup>00</sup> (TWENTY) appear in "GAME 4," on a single ticket, shall be entitled to a prize of \$100.

(iv) Holders of tickets upon which three prize symbols of \$10<sup>00</sup> (TEN DOL) appear in "GAME 4," on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which a Money (WIN50) symbol appears in "GAME 4," on a single ticket, shall be entitled to a prize of \$50.

(vi) Holders of tickets upon which three prize symbols of \$6<sup>00</sup> (SIX DOL) appear in "GAME 4," on a single ticket, shall be entitled to a prize of \$30.

(vii) Holders of tickets upon which three prize symbols of \$5<sup>00</sup> (FIV DOL) appear in "GAME 4," on a single ticket, shall be entitled to a prize of \$25.

*7. Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal 3 Like Prize Amounts In The Same Game, Win That Amount. Multiply Any Prize Won By The Multiplier Shown For That Game And Win That Amount. Win With:</i>				<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,000,000 Tickets</i>
<i>GAME 1 (1x)</i>	<i>GAME 2 (2x)</i>	<i>GAME 3 (3X)</i>	<i>GAME 4 (5x)</i>			
3 - \$3s				\$3	9.09	990,000
3 - \$5s				\$5	16.67	540,000
	3 - \$3s			\$6	100	90,000
3 - \$6s				\$6	100	90,000
		3 - \$3s		\$9	200	45,000
3 - \$3s	3 - \$3s			\$9	100	90,000
3 - \$9s				\$9	200	45,000
	3 - \$5			\$10	500	18,000
3 - \$10s				\$10	500	18,000
3 - \$5s		3 - \$5s		\$20	500	18,000
	3 - \$10s			\$20	333.33	27,000
3 - \$20s				\$20	333.33	27,000
3 - \$5s	3 - \$5s	3 - \$5s		\$30	1,000	9,000
		3 - \$10s		\$30	1,000	9,000
			3 - \$6s	\$30	1,000	9,000
3 - \$30s				\$30	1,000	9,000
3 - \$10s	3 - \$20s			\$50	2,400	3,750
	3 - \$10s	3 - \$10s		\$50	2,400	3,750
\$50 w/ MONEY				\$50	2,000	4,500
	\$50 w/ MONEY			\$50	2,000	4,500
		\$50 w/ MONEY		\$50	2,000	4,500
			\$50 w/ MONEY	\$50	2,000	4,500
			3 - \$10s	\$50	2,400	3,750
3 - \$50s				\$50	2,400	3,750
\$50 w/ MONEY		3 - \$5s	3 - \$5s	\$90	1,600	5,625
		3 - \$30s		\$90	2,400	3,750
3 - \$90s				\$90	2,400	3,750
\$50 w/ MONEY			3 - \$20s	\$150	3,429	2,625
3 - \$50s	3 - \$50s			\$150	4,800	1,875
		3 - \$50s		\$150	4,800	1,875
			3 - \$30s	\$150	4,800	1,875
3 - \$150s				\$150	4,800	1,875
		\$50 w/ MONEY	3 - \$50s	\$300	12,000	750
		3 - \$90s	3 - \$6s	\$300	24,000	375
	3 - \$150s			\$300	15,000	600
3 - \$300s				\$300	12,000	750
	\$50 w/ MONEY	3 - \$300s	3 - \$10s	\$1,000	24,000	375
3 - \$1,000s				\$1,000	24,000	375
3 - \$10,000s				\$10,000	900,000	10
	3 - \$10,000s			\$20,000	1,800,000	5
3 - \$20,000s				\$20,000	1,800,000	5
3 - \$50,000s				\$50,000	900,000	10

Reveal a "MONEY" (WIN50) symbol, win \$50 instantly.  
Each GAME is played separately. The "MONEY" (WIN50) symbol does not multiply.

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

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Multiply Your Money instant lottery game tickets.

9. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not

exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

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

11. *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.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Multiply Your Money or through normal communications methods.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 15-1512. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Pennsylvania Steelers '15 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Steelers '15.

2. *Price:* The price of a Pennsylvania Steelers '15 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Steelers '15 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27

(TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (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), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Field Goal (FLDGL) symbol and a TOUCHDOWN (TDOWN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20<sup>.00</sup> (TWENTY), \$25<sup>.00</sup> (TWY FIV), \$40<sup>.00</sup> (FORTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$400, \$500, \$1,000, and \$50,000. A player can win up to 12 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct four Steelers second-chance drawings for which non-winning Pennsylvania Steelers '15 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Steelers '15 instant lottery game.

#### 8. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$100 (ONE HUN) appears in eight of the "prize" areas and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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 is a Field Goal (FLDGL) symbol and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Field Goal (FLDGL) symbol, 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 is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(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 \$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.

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

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in two of the “prize” areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a TOUCHDOWN (TDOWN) symbol and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50<sup>.00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$40<sup>.00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Field Goal (FLDGL) symbol and a prize symbol of \$40<sup>.00</sup> (FORTY)

appears in the “prize” area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$25<sup>.00</sup> (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$25<sup>.00</sup> (TWY FIV) appears in the “prize” area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$25.

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

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

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Field Goal (FLDGL) symbol, and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under that Field Goal (FLDGL) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

\$5 w/ FIELD GOAL  
 \$5  
 \$5 × 2  
 \$10 w/ FIELD GOAL  
 \$10  
 \$5 × 4  
 \$10 × 2

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$5	15	360,000
\$5	20	270,000
\$10	60	90,000
\$10	27.27	198,000
\$10	60	90,000
\$20	300	18,000
\$20	200	27,000



When Any Of Your Numbers  
Match Any Winning Number,  
Win Prize Shown Under The  
Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets:
\$20 w/ FIELD GOAL	\$20	46.15	117,000
\$20	\$20	300	18,000
\$5 × 5	\$25	300	18,000
(\$10 × 2) + \$5	\$25	600	9,000
(\$5 w/ FIELD GOAL) + (\$5 × 4)	\$25	150	36,000
\$25 w/ FIELD GOAL	\$25	300	18,000
\$25	\$25	600	9,000
\$5 × 8	\$40	600	9,000
\$20 × 2	\$40	600	9,000
(\$20 w/ FIELD GOAL) + \$20	\$40	300	18,000
\$40 w/ FIELD GOAL	\$40	300	18,000
\$40	\$40	600	9,000
TOUCHDOWN w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	1,333	4,050
TOUCHDOWN w/ ((\$25 × 2) + (\$5 × 10))	\$100	800	6,750
\$10 × 10	\$100	1,714	3,150
\$20 × 5	\$100	1,714	3,150
\$25 × 4	\$100	1,714	3,150
\$100 w/ FIELD GOAL	\$100	1,714	3,150
\$100	\$100	1,714	3,150
TOUCHDOWN w/ ((\$100 × 2) + (\$20 × 10))	\$400	40,000	135
\$40 × 10	\$400	40,000	135
\$50 × 8	\$400	40,000	135
\$100 × 4	\$400	40,000	135
\$400 w/ FIELD GOAL	\$400	40,000	135
\$400	\$400	40,000	135
TOUCHDOWN w/ ((\$100 × 8) + (\$50 × 4))	\$1,000	120,000	45
\$500 × 2	\$1,000	120,000	45
\$1,000	\$1,000	120,000	45
\$50,000	\$50,000	540,000	10

Reveal a "FIELD GOAL" (FLDGL) symbol, win prize shown under that symbol automatically.  
Reveal a "TOUCHDOWN" (TDOWN) symbol, win all 12 prizes shown!

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

10. *Second-Chance Drawing*: Steelers Second-Chance Drawings (hereafter, "Drawings").

(a) *Qualifying Tickets*: Non-winning PA-1161 Steelers '15 instant game tickets (\$5) ("Qualifying Tickets") are eligible for entry into the Drawings.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawings. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawings, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawings' promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry periods. The identifying information from a Qualifying Ticket may be submitted only once into the Steelers Second-Chance Drawings. Entries awarded will be applied to the active drawing at the time of successful submission of the entry and will carry forward to the remaining Drawing or Drawings. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets into each Drawing.

(c) *Drawings Description*:

(1) The Lottery will conduct four Drawings. Drawing entries are cumulative and are eligible for all Drawings that occur after the entry is made. All time references are Eastern Prevailing Time.

(i) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. September 3, 2015, will be entered into Drawing #1, held between September 4, 2015 and September 8, 2015.

(ii) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. October 15, 2015, will be entered into Drawing #2, held between October 16, 2015 and October 20, 2015.

(iii) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. November 19, 2015, will be entered into Drawing #3, held between November 20, 2015 and November 24, 2015.

(iv) All Drawings entries received after 11:59:59 p.m. August 16, 2015, through 11:59:59 p.m. December 17,

2015, will be entered into Drawing #4, held between December 18, 2015 and December 22, 2015.

(2) The entry periods for the Drawings will be posted to the Pennsylvania Lottery's publicly accessible website.

(3) A Qualifying Ticket will receive 5 entries.

(4) Players may review their entries for the Drawings via the Drawings' promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning:*

(1) The Lottery will conduct four Drawings from among all the entries available to be drawn as described in section 10(c).

(2) The prize entitlements described below are subject to all restrictions and limitations described in section (e), or mentioned anywhere else in these rules.

(3) *The following prizes shall be awarded for Drawing #1:*

(i) The first through the fourth entries selected from the entries submitted in Drawing #1 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one Regular Season Home Game Tickets prize. Each Regular Season Home Game Tickets prize includes two Club Seats and one reserved parking pass to all 2015 regular season Pittsburgh Steelers home games.

(ii) The fifth through the ninth entries selected from the entries submitted in Drawing #1 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one Suite Tickets prize. Each Suite Tickets prize includes four suite tickets in a Luxury Suite, food and non-alcoholic beverages for the Pittsburgh Steelers home game to be held on November 1, 2015. The food and non-alcoholic beverage to be provided as part of this prize will be selected at the sole discretion of the Pittsburgh Steelers.

(iii) The tenth entry selected from the entries submitted in Drawing #1 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on September 20, 2015.

(iv) The eleventh entry selected from the entries submitted in Drawing #1 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on October 1, 2015.

(v) The twelfth entry selected from the entries submitted in Drawing #1 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on October 18, 2015.

(vi) The thirteenth entry selected from the entries submitted in Drawing #1 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-

game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on November 1, 2015.

(4) *The following prizes shall be awarded for Drawing #2:*

(i) The first through the fourth entries selected from the entries submitted in Drawing #2 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one Steelers Away Game Travel Package prize. Each Steelers Away Game Travel Package prize includes two game tickets and accommodations for the Pittsburgh Steelers away game to be held on December 27, 2015. Accommodations are limited to round-trip commercial transportation, hotel stay consisting of one double occupancy room for one night, and dinner for two.

(ii) The fifth through the twenty-ninth entries selected from the entries submitted in Drawing #2 will be winning entries, and the entrants who submitted the winning entries shall each be entitled to one VIP Tailgate and Game Tickets prize. Each VIP Tailgate and Game Tickets prize includes four game tickets, a pre-game catered tailgate with food and non-alcoholic beverage, and a souvenir for each ticket holder for the Pittsburgh Steelers home game to be held on December 6, 2015. The food, non-alcoholic beverage and the souvenir to be provided as part of this prize will be selected at the sole discretion of the Pittsburgh Steelers.

(iii) The thirtieth entry selected from the entries submitted in Drawing #2 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on November 8, 2015.

(iv) The thirty-first entry selected from the entries submitted in Drawing #2 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on November 15, 2015.

(v) The thirty-second entry selected from the entries submitted in Drawing #2 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on December 6, 2015.

(5) *The following prizes shall be awarded for Drawing #3:*

(i) The first entry selected from the entries submitted in Drawing #3 will be a winning entry, and the entrant who submitted the winning entry shall be entitled to one Home Game Sideline Experience prize. The Home Game Sideline Experience prize includes two pre-game field passes, two game tickets, and one reserved parking pass for the Pittsburgh Steelers home game to be held on December 20, 2015.

(ii) The second through the forty-first entries selected from the entries submitted in Drawing #3 will be winning entries, and the entrants who submitted the winning

entries shall each be entitled to one Pittsburgh Steelers Autographed Replica Jersey. The Steelers player(s) to actually autograph the jerseys will be determined at the sole discretion of the Pittsburgh Steelers.

(6) *The following prizes shall be awarded for Drawing #4:*

(i) The first through the tenth entries selected from the entries submitted in Drawing #4 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one 2016 Preseason Suite Tickets prize. Each 2016 Preseason Suite Tickets prize includes four Suite tickets and a sideline experience for each ticket holder for a Pittsburgh Steelers 2016 preseason home game. The date of the 2016 preseason home game will be determined at the sole discretion of the Pittsburgh Steelers.

(ii) The eleventh through the fiftieth entries selected from the entries submitted in Drawing #4 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one 2016 Regular Season Home Game Tickets prize. Each 2016 Regular Season Home Game Tickets prize includes two game tickets and a sideline experience for each ticket holder for a Pittsburgh Steelers 2016 regular season home game. The date of the 2016 regular season home game will be determined at the sole discretion of the Pittsburgh Steelers.

(iii) The fifty-first through the one hundred and twentieth entries selected from the entries submitted in Drawing #4 will be winning entries, and the entrants who submitted those winning entries shall each be entitled to one 2016 Preseason Home Game Tickets prize. Each 2016 Preseason Home Game Tickets prize includes two game tickets and a sideline experience for each ticket holder for a Pittsburgh Steelers 2016 preseason home game. The date of the 2016 preseason home game will be determined at the sole discretion of the Pittsburgh Steelers.

(7) The entry deadlines and the number of winning entries to be selected for each Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of an entry being selected in the Drawings depend upon the number of entries received for the Drawings.

(9) A computer generated randomizer will be used to select the winning entries for the Drawings.

(e) *Second-Chance Drawing Restrictions:*

(1) Each winner, his or her respective heirs, legal representatives, and assigns, agree to indemnify, defend, release, and discharge the Pennsylvania Lottery, Pittsburgh Steelers, LLC, PSSI Stadium, LLC, and the NFL, as well as their employees, officers, directors and commissioners from and against any loss, claim, damage, suit, or injury arising out of or relating to this promotion. By entering, the winner indemnifies, releases, discharges, and agrees to hold harmless the Pennsylvania Lottery, Pittsburgh Steelers, LLC, PSSI Stadium, LLC, and the NFL, as well as their employees, officers, directors and commissioners from unanticipated cancellation, suspension, or postponement of the promotion due to natural disaster, national emergency, or other unforeseen act of God or man. Winners participate solely at their own risk and responsibility.

(2) To be eligible to participate in the Drawings, entrants must have complied with the requirements of these rules.

(3) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawings. The Lottery is not responsible for entries that are not entered into the Drawings because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Drawings entry is selected as a winner and rejected during or following the Drawings, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(4) If any discrepancy exists between these rules and any material describing the Drawings, these rules shall govern.

(5) Employees of the Pennsylvania Lottery, MARC Advertising, MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawings. Offer void where prohibited or restricted.

(6) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawings and change these rules if the Drawings cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawings.

(7) All entries shall be subject to verification by the Pennsylvania Lottery.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawings or to be acting in violation of these rules or applicable law.

(9) The Drawings are governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A winner is responsible for all taxes arising from or in connection with any prize won.

(12) A player may only win the prize for which they are first selected in each of the Drawings. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(13) Prizes are not transferrable.

(14) Winners and/or guest(s) must abide by all venue policies. Any promotional partner reserves the right to revoke full or partial prize from any winner or winner's guest who it and/or venue personnel deem may, in their sole discretion, be intoxicated, be a safety risk, have violated any venue policy or law, and/or may bring the promotional partner into disrepute.

(15) The winner is responsible for all costs, expenses and transportation, not specifically included in the prize won in the Drawings, arising from or in connection with any prize won.

(16) Prizes are not redeemable for cash.

(17) If a date is provided for a game or event that is part of a prize described in section 10(d), the date is subject to change at the sole discretion of the Pittsburgh Steelers.

(18) If no date is provided for a game or event that is part of a prize described in section 10(d), the date will be determined by the Steelers and provided to the winner by the Lottery.

(19) In the event the winner is not available on the date of the game or event that is part of a prize described in section 10(d), there will be no extensions or substitutions of prizes and the winner will not receive any reimbursement for the unused prize.

(20) In the event a prize described in section 10(d) is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

(21) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Steelers '15 instant lottery game tickets.

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

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

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Steelers '15, prize money from winning Pennsylvania Steelers '15 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Steelers '15 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Steelers '15 or through normal communications methods.

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 15-1513. Filed for public inspection August 14, 2015, 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 August 4, 2015, 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' 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 87	from SR 187 to Proctor and Gamble Mehoopany Plant	Wyoming	12.9

Questions should be directed to Matthew Hedge at (717) 772-5462.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 15-1514. Filed for public inspection August 14, 2015, 9:00 a.m.]

# ENVIRONMENTAL HEARING BOARD

## PBS Coals, Inc. v. DEP; EHB Doc. No. 2015-108-B

PBS Coals, Inc. appealed the issuance by the Department of Environmental Protection of a revised NPDES permit to PBS Coals, Inc. for a facility in Somerset and Brothersvalley Townships, Somerset 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 re-

viewed 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. 15-1515. Filed for public inspection August 14, 2015, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-4413	Bureau of Professional and Occupational Affairs Schedule of Civil Penalties—Podiatrists 45 Pa.B. 2704 (June 6, 2015)	7/6/15	8/5/15
57-309	Pennsylvania Public Utility Commission Customer Information Disclosure Requirements for Natural Gas Suppliers Providing Natural Gas Supply to Residential and Small Business Customers 45 Pa.B. 2705 (June 6, 2015)	7/6/15	8/5/15

### Bureau of Professional and Occupational Affairs Regulation #16A-4413 (IRRC #3100)

#### Schedule of Civil Penalties—Podiatrists

August 5, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the June 6, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Bureau of Professional and Occupational Affairs (Bureau) to respond to all comments received from us or any other source.

**Section 43b.27. Schedule of civil penalties—podiatrists.—Statutory authority; Whether the regulation is consistent with the intent of the General Assembly; Implementation procedures; Reasonableness; Clarity.**

Section 5(a) of Act 48 of 1993 (Act 48) authorizes the Commissioner of the Bureau to promulgate a schedule of civil penalties for violations of the acts or regulations of the licensing boards that fall under its jurisdiction. 63 P. S. § 2205(a). This proposed rulemaking establishes a

schedule of civil penalties for licensees of the State Board of Podiatry (Board) for practicing on a lapsed license and for failure to complete 50 hours of approved continuing education. The Preamble to this proposal notes that the Commissioner of the Bureau and the Board believe it is necessary to implement the civil penalties to streamline the disciplinary process. We raise the following issues for each of the violations described below.

*Failure to complete required hours of continuing education during the 2 years preceding renewal or reactivation.*

The Podiatry Practice Act (Act) requires licensees to attend continuing education conferences and to furnish proof of attendance to the Board. Licensees that fail to comply with these requirements will be denied license renewal. We specifically note the following provision of the Act:

No licensee shall be registered for the ensuing biennial licensure if he fails to comply with the provisions of this section relating to attendance at educational conferences.

63 P. S. § 42.9a.

This proposed rulemaking would impose civil penalties on licensees of the Board that fail to complete continuing education requirements. Is it the Board and Bureau's intent to impose civil penalties and not renew a license when a licensee fails to complete continuing education requirements when this fact is known to the Board at the time it is considering the renewal application? In the Preamble to the final-form rulemaking, we ask the Bureau to explain how this provision will be implemented.

In addition, the above-cited provision of the Act contains the following language: "Provided, that the Board may, at its discretion, register any licensee if he proves subsequent compliance with the provisions of this section." Not only does this language further evidence the General Assembly's intent that a person not have their registration renewed until they have completed the continuing education requirement but further appears to evidence intent that a person whose registration has been renewed but is later discovered to have not completed the continuing education requirement not be permitted to practice until he completes the continuing education, i.e. suspension of registration until completion. The only discretion that appears to be granted to the Board in Section 42.9a is the discretion to register a person after he complies with the continuing education requirement. In the Preamble to the final-form rulemaking, we ask the Bureau to explain how this provision will be implemented in this situation.

If the intent of the proposal is to allow a licensee to continue practicing by paying a civil penalty without meeting continuing education requirements of the Act, we question the Bureau's statutory authority for it. We believe that allowing a licensee to renew a license without obtaining the necessary continuing education or failure to have not complied with the continuing education requirement would be a violation of 63 P. S. § 42.9a and is not consistent with the intent of the General Assembly. If it is the Bureau's intent to only impose a civil penalty in lieu of non-renewal or suspension of a license, we ask the Bureau to explain why it believes it has the statutory authority for this action.

*Practicing or offering to practice podiatry by a person whose license is expired.*

We raise two concerns related to the clarity and reasonableness of the schedule of civil penalties being proposed for this type of violation. First, under the penalties for a first offense, would a licensee practicing on an expired license for one day and five months be subject to a \$500 fine (2–5 months) or \$1,000 (over 5–12 months)? Does the term "month" mean a whole month? This should be clarified in the final-form rulemaking.

Second, as written, it would appear that a licensee being charged with a first offense for practicing on an expired license for five months and one day could be subject to a \$1,000 fine (over 5–12 months), but a licensee being charged with a second offense would only be subject to a \$500 fine (less than 6 months). In addition, the penalties for a first offense and second offense for a licensee practicing on an expired license for three months or four months is the same—\$500. This scheme does not progressively increase civil penalties for continuing violations. We believe it would be more reasonable if penalties for second offenses are higher than penalties for first offenses. We ask the Bureau to consider this approach as it drafts the final-form rulemaking.

## Pennsylvania Public Utility Commission Regulation #57-309 (IRRC #3101)

### Customer Information Disclosure Requirements for Natural Gas Suppliers Providing Natural Gas Supply to Residential and Small Business Customers

August 5, 2015

We submit for your consideration the following comments on the proposed rulemaking published in the June 6, 2015 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the RRA (71 P. S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

#### 1. Determining whether the regulation is in the public interest; Economic or fiscal impacts; Compliance with the RRA.

Section 5.2 of the RRA (71 P. S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the Preamble and proposed regulation and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 745.5(a) in the Regulatory Analysis Form (RAF). Some of the information contained in the RAF submitted with this rulemaking is not sufficient to allow this Commission to determine if the regulation is in the public interest. For example:

- RAF #19 asks for a specific estimate of the costs and/or savings to the regulated community associated with compliance. In its response, the PUC notes that the regulated community commented that direct mailing costs may be burdensome. The PUC does not provide a specific estimate, but rather invites comments on this point.
- RAF #23 asks for an estimate of the fiscal savings and costs associated with the implementation and compliance for the regulated community, local government and state government. The PUC responds "N/A."
- RAF #23a asks for the past three-year expenditure history for programs affected by the regulation. The PUC responds "N/A."

We recommend that the PUC review the RAF and provide more detailed and complete responses to assist us in our determination of whether the regulation is in the public interest. If the appropriate response is "N/A," then we ask that the PUC explain why a particular RAF request is not applicable.

#### 2. Section 62.72. Definitions.—Clarity and lack of ambiguity.

The existing regulation defines the term billed prices and marketed prices, and the PUC is proposing to add a definition for the term billing month. However, we find several other terms in the regulation which are similar to these defined terms and seem to be interchangeable with them. For example:

- 62.75(c)(2)(iii) references "billing cycle"
- 62.81(a)(2)(ii) references "new price or renewal price"
- 62.81(a)(2)(ii)(A)(I) references "new price"

- 62.81(a)(2)(ii)(A)(II) references “pricing”
- 62.81(a)(2)(ii)(B) references “price to be charged”

We ask the PUC to consider whether these similar terms should be replaced by already defined terms or added to Section 62.72 as new defined terms. We ask the PUC to ensure that terms used throughout the final-form regulation are clearly defined and used consistently.

**3. Section 62.75. Disclosure statement for residential and small business customers.—Determining whether the regulation is in the public interest; Nature of required reports, forms or other paperwork; Protection of the public health, safety and welfare; Clarity and lack of ambiguity; Reasonableness of requirements.**

*Subparagraph (c)(2)(iii)*

Subparagraph (c)(2)(iii) requires that if there is not a limit on price variability, the natural gas distribution company (NGDC) must provide a clear and conspicuous statement that there is no limit on how the price may change from one billing cycle to the next. In the analogous electricity disclosure regulations, it is the electric generation supplier—rather than the distribution company—who is required to provide the variable pricing statement. Should Subparagraph (c)(2)(iii) reference the natural gas supplier (NGS) rather than the NGDC?

The PUC states in the Preamble that the statement in Subparagraph (c)(2)(iii) “provides vital information” for a potential customer considering a variable-priced product. While the regulation requires the statement to be “conspicuous,” the PUC states in the Preamble its intent that the statement “should also be highlighted in a larger type size.” Requiring a conspicuous statement may or may not lead the regulated community to utilize a larger type size as intended by the PUC. We ask the PUC to ensure that the final-form regulation contains specific requirements for the variable pricing statement that are clear for the regulated community to follow and which adequately protect the public welfare.

*Subparagraph (c)(2)(iv)*

Subparagraph (c)(2)(iv) requires a variable pricing statement to include the price to be charged, per billing unit, for the first billing month of service. A commentator believes this information may be insufficient in a marketplace where introductory rates are common. We agree that it is reasonable and in the public interest for the disclosure to include additional information related to introductory rates. We recommend that the PUC revise the final-form regulation to require the NGS to state the guaranteed length of time that the starting price will be in effect and provide the price to be charged, per billing unit, for the first month of service after the introductory period.

Related to this requirement to provide the price to be charged for the first billing month, the PUC solicits comments in the Preamble on whether a formulaic contract price that enables a customer to calculate a bill using either the contract, publicly available rates or price indices should be considered to be in compliance with this provision. One commentator states that such a formula may be impossible. Other commentators state that providing an initial starting price is problematic, and advocate for the option to provide a customer with a formula. It is unclear how a customer can be expected to calculate the first month’s bill if an NGS has difficulty doing so. If the PUC revises this provision in the final-form regula-

tion to include alternative methods of compliance, we ask the PUC to explain how the changes protect the public welfare and are reasonable.

*Subparagraph (c)(2)(v)*

Subparagraph (c)(2)(v) requires a description of when the customer will receive notification of price changes. This information is also proposed to be a component of the contract summary referenced in Subsection (i). The PUC states in the Preamble that the key piece of customer information is “knowledge as to when *and how* the customer will know the price the customer will pay for natural gas supply.” (Emphasis added.) However, neither this Subparagraph nor the contract summary requires a description of “how” a customer will receive notification of price changes. We recommend that the final-form regulation be amended to require that the variable pricing statement specifies how a customer will receive notification of price changes.

*Paragraph (c)(8)*

Paragraph (c)(8) requires the disclosure notice to include “renewal notices, *if applicable*.” (Emphasis added.) The use of the phrase “if applicable” indicates that an NGS may not renew a customer at the end of a contract. What happens to a customer at the end of a contract if an NGS does not include a renewal provision in the terms of service?

*Paragraph (c)(10)*

In Paragraph (c)(10) we recommend deleting the following sentence: “The NGS’s information shall appear first and be prominent.” Since the amended language is requiring that only the NGS contact information be provided, the sentence is no longer needed.

*Paragraph (c)(11)*

Paragraph (c)(11) proposes that the disclosure statement must include a statement directing consumers to the PUC’s PaGasSwitch website for natural gas shopping information. The PUC states in the Preamble that it intends to “alleviate potential customer confusion” by adding the statement in Paragraph (c)(11) and removing the language in existing Paragraph (c)(12), which requires a statement directing consumers to the PUC if they are not satisfied after discussing the terms of service contained in the disclosure statement with the NGS.

Some commentators expressed concern with removing the PUC contact information as not all consumers will have access to the Internet, and we agree. Further, the language in existing Paragraph (c)(12) addresses customer dissatisfaction, and it is unclear how directing a customer to the natural gas shopping website would help a customer in this regard, or alleviate customer confusion. We ask the PUC either to keep the requirement in existing Paragraph (c)(12) in addition to the proposed Paragraph (c)(11), or to revise proposed Paragraph (c)(11) to incorporate the customer satisfaction information in existing Paragraph (c)(12).

*Existing Paragraph (c)(13)*

The PUC proposes to remove the requirement to provide the name and telephone number for universal service program information found in existing Paragraph (c)(13). Commentators believe it is important for economically vulnerable customers to be able to obtain information about universal service programs that provide financial assistance and energy conservation measures. We ask the PUC either to retain the requirement in existing Para-

graph (c)(13), or to explain in the Preamble of the final rulemaking how removing universal service program information is reasonable and protects the public welfare.

*Subsection (i)*

Subsection (i) requires the NGS to provide with the disclosure statement a separate NGS contract summary in a format provided by the PUC. The PUC explains in the Preamble that the contract summary is referenced in the regulation but is not part of the regulation. This approach, the PUC points out, allows it flexibility to “more easily and readily revise the contract summary in the future to reflect the evolving energy markets without initiating a formal rulemaking.” However, since the proposed contract summary is a discrete document, it would not be subject to the regulatory review process. We have concerns that the regulated community and the public would not have formal opportunities to provide input on the type of information required to be contained in the contract summary. We recommend the PUC include the contract summary requirements in the final rulemaking. If the contract summary requirements remain separate from the regulation, we ask the PUC to explain how it is reasonable to make future amendments to this document without providing an opportunity for formal public comment and how such an approach is in the public interest.

A commentator expressed concern with the PUC’s approach regarding the contract summary and suggested that any revisions to the summary should be served to each licensed NGS and be published in the *Pennsylvania Bulletin*. We note that publishing a contract summary template in the *Pennsylvania Bulletin* does not give the industry or the public a formal opportunity to provide input into the required elements. If the PUC does not include in the final-form regulation the items required to be provided in the contract summary, we ask the PUC to specify in the final-form rulemaking where the regulated community can access the contract summary and how the regulated community will be made aware of any changes to the summary.

*Subsection (j)*

Subsection (j) requires the NGS to inform the customer if the contract is assignable. In order to protect the public welfare, we recommend that the PUC further require the NGS to provide the customer with notice if the contract is assigned and include the name of the new NGS and contact information.

**4. Section 62.81. Notice of contract expiration or change in terms for residential and small business customers.—Determining whether the regulation is in the public interest; Economic or fiscal impacts; Protection of the public health, safety and welfare; Clarity and lack of ambiguity; Need for the regulation; Reasonableness of requirements.**

*Paragraphs (a)(1) and (2)*

Paragraphs (a)(1) and (a)(2) address requirements for the initial and options notices, including the timeframes for providing customer notices. Paragraph (a)(1) proposes that the initial notice shall be provided to each affected customer *45 to 60 days* prior to the expiration date of the fixed duration contract or the effective date of the proposed change in terms. (Emphasis added.) Paragraph (a)(2) states that an options notice shall be provided by first-class mail to each affected customer at least *30 days* prior to the expiration date of the fixed duration contract or the effective date of the proposed change in terms.

(Emphasis added.) Existing regulations require these two notices to be given to customers at 90 and 60 days, respectively.

In the Preamble, the PUC notes there are currently inconsistencies between the notice timeframes found in the electric and gas industry rules. The PUC seeks comments as to whether the 60-day and 30-day timeframes in the electric industry (which has accelerated switching) can, at this time, be applied in the gas industry (which does not have accelerated switching). One commentator that supports the implementation of accelerated switching for gas customers states that the PUC has not begun the regulatory process of making such a change nor has it identified the manner in which it will be implemented by the utilities. We understand from the PUC that switching natural gas suppliers typically takes between four and six weeks, which means that it would be unlikely for a customer who receives the options notice at 30 days to be able to complete a switch prior to the end of the fixed duration contract or effective date of the proposed change in terms.

While we commend the PUC for working to achieve consistency for dual-energy supplier customers, given the current state of switching within the gas industry, we question the need for and reasonableness of reducing the existing notice timeframes. In order to protect the public welfare and reduce the economic impact on customers, we recommend the PUC keep the current timeframes in place until the gas industry moves to accelerated switching.

We have an additional concern related to the timeframes referenced above. Subsection (a) states, “An NGS shall provide the following notices . . .” and then, as noted above, lists the initial notice in Paragraph (a)(1) and the options notice in Paragraph (a)(2). While Section 62.75(g) requires the NGS to state in the disclosure statement that the customer will receive two separate written notifications, we have concerns that the phrase “at least 30 days prior” used in the options notice allows for the possibility that a customer could receive the initial notice and the options notice separately but on the same day. What precludes an NGS from sending the initial notice as part of a single mailing or the options notice in separate mailings but at the same time?

*Subparagraph (a)(1)(vi)*

Subparagraph (a)(1)(vi) proposes that the initial notice must include: “A statement indicating whether the existing fixed duration contract has a cancellation fee and an explanation of the fee amount and *how to avoid the fee, if possible*, including . . .” (Emphasis added.) Is it possible that a customer could be charged a cancellation fee even if the customer has fulfilled all of the requirements of the fixed duration contract? We ask the PUC to explain under what circumstance(s) this situation would be possible, or clarify the language as appropriate.

*Paragraph (a)(2)*

Paragraph (a)(2) requires that the options notice is sent via first-class mail. The regulated community states that first-class mail is becoming an outmoded form of communication and that alternatives should be allowed. Since a customer may opt to receive electronic notifications under Paragraph (a)(1) and Subclause (a)(2)(ii)(A)(II), why is electronic notification not permitted for the options notice in Paragraph (a)(2)? We recommend that the PUC revise the final-form regulation to allow a customer to elect to receive the options notice in an electronic form as an alternative to first-class mail.



*Clauses (a)(2)(ii)(C) and (D)*

We ask the PUC to consider whether the PUC contact information in Clause (a)(2)(ii)(C) is intended to be provided in the options notice, in which case it would be identified as (a)(2)(iii). Likewise, it appears that the requirement in Clause (a)(2)(ii)(D) relating to envelopes should be identified as (a)(2)(iv).

*Clause (b)*

The PUC requires an NGS to convert a customer's fixed duration contract to a month-to-month contract or another fixed duration contract when a customer fails to respond to the initial and options notices. This establishes a class of customers who do not enroll affirmatively in a variable price product, but rather are rolled onto a variable price product due to their non-response. We ask the PUC to explain why it is reasonable to allow an NGS to convert a customer from a fixed rate plan to a variable rate plan without affirmative customer consent. We recommend the PUC require that the disclosure statement inform customers that they may be rolled onto a variable rate plan at the end of a fixed duration contract if they do not respond to the notices.

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 15-1516. Filed for public inspection August 14, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of Humana Medical Plan of Pennsylvania, Inc.

Aetna Inc. has filed an application for approval to acquire control of Humana Medical Plan of Pennsylvania, Inc., a domestic health maintenance organization. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1517. Filed for public inspection August 14, 2015, 9:00 a.m.]

### Metropolitan Life Insurance Company (SERFF No. META-130181780); Rate Increase Filing for Several LTC Forms

Metropolitan Life Insurance Company is requesting approval to increase the premium 33.58% on 404 policyholders with forms TCL-LTC.04 (PA) Ed. 4/00 and TCL-LTC.04 (PA-E) Ed. 4/00.

Unless formal administrative action is taken prior to October 29, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

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 Lavery, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlavery@pa.gov](mailto:jlavery@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1518. Filed for public inspection August 14, 2015, 9:00 a.m.]

### TIAA-CREF Life Insurance Company (SERFF No. META-130181794); Rate Increase Filing for Several LTC Forms

TIAA-CREF Life Insurance Company is requesting approval to increase the premium 33.58% on 175 policyholders with forms TCL-LTC.04 (PA) Ed. 4/00 and TCL-LTC.04 (PA-E) Ed. 4/00.

Unless formal administrative action is taken prior to October 29, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

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 Lavery, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlavery@pa.gov](mailto:jlavery@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 15-1519. Filed for public inspection August 14, 2015, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau

will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

*Governor's Office*

Manual No. M210.3—Index of Issuances, Amended July 6, 2015.

Management Directive No. 515.20—Reemployment of Commonwealth Annuitants, Amended July 20, 2015.

Administrative Circular No. 15-10—Revenue Estimates, 2015-16 & 2016-17 Fiscal Years, Dated July 21, 2015.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 15-1520. Filed for public inspection August 14, 2015, 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 August 31, 2015. 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-2015-2464992. R.L. Limousine, LLC** (152 Elizabeth Street, Millersville, Lancaster County, PA 17551) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Lancaster County, to points in Lancaster, Berks, Chester, Cumberland, Dauphin, Lebanon, Schuylkill, Mifflin, Juniata, Perry, Lehigh, Montgomery, Northampton, Carbon, Monroe, Pike and Wayne Counties. *Attorney:* Nichole M. Baer, Appel & Yost LLP, 33 North Duke Street, Lancaster PA 17602.

**A-2015-2466615 (Amended). Penn Medical Logistic Transportation, LLC** (6658 Terrace Way, Harrisburg, PA 17111) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in York, Berks, Lancaster, Perry, Juniata, Northumberland, Adams, Schuylkill, Franklin and Mifflin Counties, to medical appointments within Pennsylvania, and return.

**A-2015-2491365. Renegade Tours, Inc.** (8368 Oswald Drive, Germansville, Lehigh County, PA 18053) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Monroe, Carbon, Northampton, Lehigh and Schuylkill, to points in Pennsylvania, and return, excluding transportation under the jurisdiction of the Philadelphia Parking Authority.

**A-2015-2491553. Jamie A. Mullen d/b/a Greater Valley Limo** (404 East Orchard Street, Athens, PA 18818-1923) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points, within the Borough of Athens, Bradford County to points in Pennsylvania, and return.

**A-2015-2493269. Mercy Ambulance & EMS, Inc. t/a Mercy Ambulance & t/a Mercy Fleet** (3021 Franks Road, Suite 8, Huntingdon Valley, PA 19006-4216) a corporation of the Commonwealth, for amendment to its common carrier certificate, which grants the right, to transport by motor vehicle, persons, in paratransit service, from the City and County of Philadelphia to facilities in Pennsylvania, and return; *So as to Permit:* the transportation of persons in paratransit service, limited to persons that have personal convictions that prevent them from owning or operating motor vehicles and persons that require wheelchair or stretcher vans, in the Counties of Montgomery, Bucks and Delaware to points in Pennsylvania, and return.

**A-2015-2495239. Legacy Limousine, LLC** (620 Sewickley Heights Drive, Sewickley, Allegheny County, PA 15143) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Allegheny, Beaver, Butler, Lawrence, Washington and Westmoreland, to points in Pennsylvania, and return, excluding transportation 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-2015-2494832. Hometown Transport Services, Inc.** (506 Mulberry Street, Scottdale, Westmoreland County, PA 15683) in paratransit service, from specified points in Westmoreland County, as more thoroughly described in the original ordering paragraphs at A-00105811, F2, Am-A, Am-B and Am-C, to Francis E. Criner, t/a Mount Pleasant Yellow Cab and Jeannette City Transit, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 150 Green Commons Drive, Pittsburgh, PA 15243.

**Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.**

**A-2015-2495265. Estocin Transportation Services** (44C Hall Drive, Turtle Creek, Allegheny County, PA 15145) 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 persons between points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1521. Filed for public inspection August 14, 2015, 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 August 31, 2015, 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. Associated Express, Inc; Docket No. C-2014-2411984

#### 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 Associated Express, Inc, (respondent) is under suspension effective March 10, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 729 N Lincoln Avenue, Scranton, PA 18504.
3. That respondent was issued a Certificate of Public Convenience by this Commission on April 25, 2004, at A-00120325.
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-00120325 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: 3/25/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by 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. Acord 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.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. P. S. Jagiela Enterprises Inc t/a Aries Limousine Service; Docket No. C-2015-2487558**

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 P. S. Jagiela Enterprises Inc, t/a Aries Limousine Service, (respondent) is under suspension effective May 13, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1026 Shawnee Lane, Shamong, NJ 08088-8973.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 20, 2006, at A-00108221.

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-00108221 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: 6/17/2015

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

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. Aord 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.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Steel City Limo, LLC; Docket No. C-2015-2489446**

**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 Steel City Limo, LLC, (respondent) is under suspension effective June 15, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 68 Bridge Street, Pittsburgh, PA 15223.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 24, 2005, at A-00121628.

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-00121628 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: 6/30/2015

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

**NOTICE**

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise

all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord 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.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-1522. Filed for public inspection August 14, 2015, 9:00 a.m.]

## Telecommunications

**A-2015-2496156. Windstream Pennsylvania, LLC, Windstream D & E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Spectrotel, Inc. d/b/a One Touch Communications d/b/a Touch Base Communications.** Joint petition of Windstream Pennsylvania, LLC, Windstream D & E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Spectrotel, Inc. d/b/a One Touch Communications d/b/a Touch Base Communications for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC, Windstream D & E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Spectrotel, Inc. d/b/a One Touch Communications d/b/a Touch Base Communications, by their counsel, filed on August 3, 2015, 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, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Windstream Pennsylvania, LLC, Windstream D & E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Spectrotel, Inc. d/b/a One Touch Communications d/b/a Touch Base Communications 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](http://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. 15-1523. Filed for public inspection August 14, 2015, 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:

September 30, 2015 Richard A. Edwards (D) 12 p.m.  
(Contested Death  
Benefit)

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. 15-1524. Filed for public inspection August 14, 2015, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.  
Douglas A. Ford; Doc. No. 1046-42-2015**

On June 15, 2015, Douglas A. Ford, license no. BL046524L, of Philadelphia, Philadelphia County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Barber Examiners, P. O. Box 69523, Harrisburg, PA 17106-9523.

JOHN E. PAYNE, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 15-1525. Filed for public inspection August 14, 2015, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.  
Dominican High Explosion Hair Salon; Doc. No.  
1015-45-2015**

On June 11, 2015, Dominican High Explosion Hair Salon, of Philadelphia, Philadelphia County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Cosmetology, P. O. Box 69523, Harrisburg, PA 17106-9523.

STEPHEN A. WALLIN,  
*Chairperson*

[Pa.B. Doc. No. 15-1526. Filed for public inspection August 14, 2015, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Amanda Petaccio; Doc. No. 1047-45-2015**

On June 15, 2015, Amanda Petaccio, of Philadelphia, Philadelphia County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Cosmetology, P. O. Box 69523, Harrisburg, PA 17106-9523.

STEPHEN A. WALLIN,  
*Chairperson*

[Pa.B. Doc. No. 15-1527. Filed for public inspection August 14, 2015, 9:00 a.m.]

## STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.  
Michelle Lee Luzik, LPN; File No. 14-51-07554;  
Doc. No. 0821-51-2015**

On May 8, 2015, Michelle Lee Luzik, LPN, license no. PN250988L, of Crescent, Allegheny County, was automatically suspended based on a felony conviction under The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

Individuals may obtain a copy of the adjudication by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1528. Filed for public inspection August 14, 2015, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Garry Marshall, LPN; File No. 12-51-06064; Doc.  
No. 1461-51-2013**

On June 5, 2015, Garry Marshall, LPN, license no. PN251767L, of Yeadon, Delaware County, was revoked based on a felony conviction.

Individuals may obtain a copy of the adjudication by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,  
*Chairperson*

[Pa.B. Doc. No. 15-1529. Filed for public inspection August 14, 2015, 9:00 a.m.]

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