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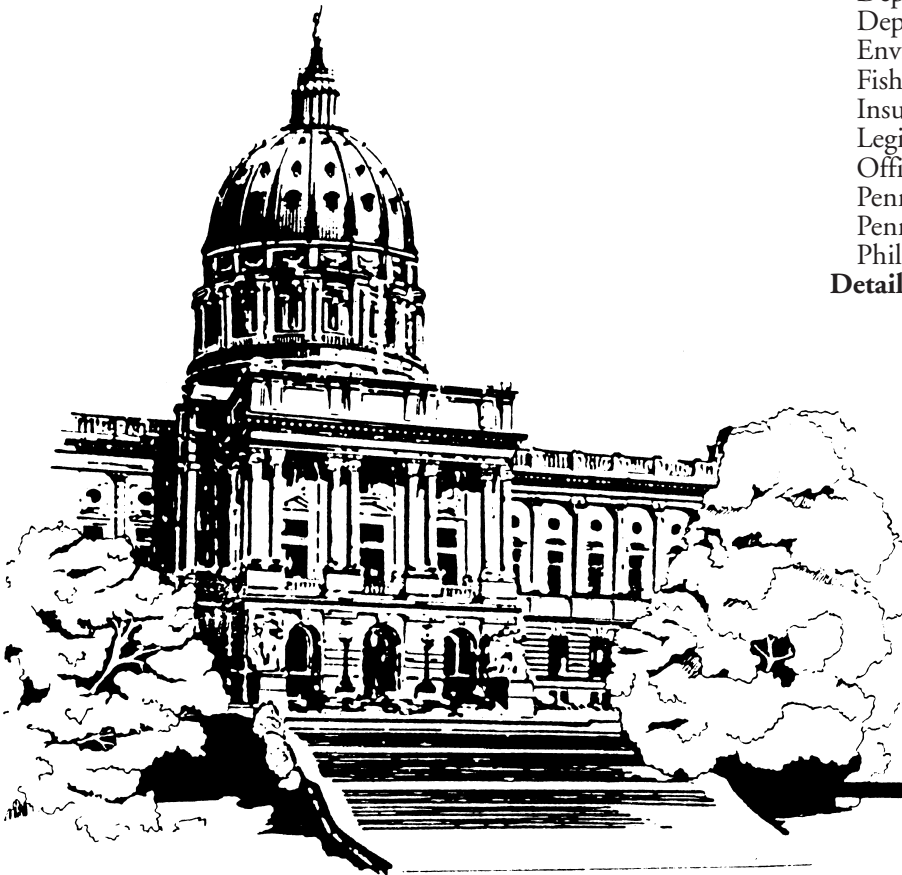
# PENNSYLVANIA BULLETIN

Volume 47  
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Number 50  
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**Agencies in this issue**

The General Assembly  
The Courts  
Department of Banking and Securities  
Department of Education  
Department of Environmental Protection  
Department of Health  
Department of Human Services  
Department of Transportation  
Environmental Hearing Board  
Fish and Boat Commission  
Insurance Department  
Legislative Reference Bureau  
Office of the Budget  
Pennsylvania Gaming Control Board  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority

**Detailed list of contents appears inside.**



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

**No. 517, December 2017**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](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 2017.

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# THE GENERAL ASSEMBLY

## Recent Actions during the 2017 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2017 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>2017 General Acts of Regular Session Enacted—Act 055 through 057</b>					
055	Nov 6	HB0178	PN2609	Immediately*	Public School Code of 1949—omnibus amendments
056	Nov 29	HB0165	PN0129	60 days	Military and Veterans Code (51 Pa.C.S.)—authorized decorations, medals, badges and awards and specifications
057	Nov 29	SB0785	PN1239	60 days	Vehicle Code (75 Pa.C.S.)—vehicles exempt from registration and operation of golf carts

\* denotes an effective date with exceptions

### Effective Dates of Statutes

The effective dates specified 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 date of statutes).

### Advance Copies of Statutes

Section 1106 of 1 Pa.C.S. (relating to prothonotaries to keep files of advance copies of 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.

One-time purchases of the advance copies of statutes can be purchased through the State Bookstore's web site at [www.shoppaheritage.com](http://www.shoppaheritage.com).

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

[Pa.B. Doc. No. 17-2068. Filed for public inspection December 15, 2017, 9:00 a.m.]

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CH. 83 ]

#### Amendment of Rule 221 of the Rules of Disciplinary Enforcement; No. 155 Disciplinary Rules Doc.

##### Order

##### *Per Curiam*

*And Now*, this 1st day of December, 2017, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 47 Pa.B. 3490 (June 24, 2017):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 211 of the Pennsylvania Rules of Disciplinary Enforcement is amended in the following form.

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

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart B. DISCIPLINARY ENFORCEMENT

#### CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

##### Subchapter B. MISCONDUCT

#### Rule 221. Funds of clients and third persons. Mandatory overdraft notification.

\* \* \* \* \*

(h) An Eligible Institution shall be approved as a depository for Trust Accounts of attorneys if it shall be in compliance with applicable provisions of Rule 1.15 of the Pennsylvania Rules of Professional Conduct and the Regulations of the IOLTA Board and shall file with the Disciplinary Board an agreement [ **(in a form provided by the Board)** ] **in a form approved by the Board to comply with IOLTA Regulations governing approved Eligible Institutions and to make a prompt report to the Lawyers Fund for Client Security Board whenever any check or similar instrument is presented against a Trust Account when such account contains insufficient funds to pay the instrument, regardless of**

\* \* \* \* \*

(k) A failure on the part of an Eligible Institution to make a report [ **called for by this rule** ] **to the Lawyers Fund for Client Security Board called for by this rule or to comply with IOLTA Regulations governing approved Eligible Institutions** may be cause for termination of approval by the Supreme Court,

but such failure shall not, absent gross negligence, give rise to a cause of action, by any person who is proximately caused harm thereby.

\* \* \* \* \*

[Pa.B. Doc. No. 17-2069. Filed for public inspection December 15, 2017, 9:00 a.m.]

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

#### [ 204 PA. CODE CH. 211 ]

##### Judicial Salaries

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

#### CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

##### § 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-DE-NJ-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2017, was 0.8 percent (0.8%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Wednesday, November 15, 2017.)

##### § 211.2. Judicial salaries effective January 1, 2018.

The annual judicial salaries for calendar year beginning January 1, 2018 will be adjusted by a cost-of-living factor.

##### (a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$207,703.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$213,748.

##### (b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$195,978.

(2) The annual salary of the President Judge of the Superior Court shall be \$202,020.

##### (c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$195,978.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$202,020.

##### (d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$180,299.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$183,321.

(ii) Philadelphia County, \$183,926.

(iii) Judicial districts having six or more judges, \$181,871.

(iv) Judicial districts having five or fewer judges, \$181,086.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with six or more judges, \$181,871.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with five or fewer judges, \$181,086.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with six or more judges, \$181,871.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with five or fewer judges, \$181,086.

(e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$176,127.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$178,848.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$90,154.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$558 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 17-2070. Filed for public inspection December 15, 2017, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BEAVER COUNTY

#### Local Rules Regarding Public Access Policy; No. 10149 of 2017

##### Administrative Order

The following amendment to the Beaver County Local Rule of Judicial Administration, is hereby adopted, effective on January 6, 2018, after publication in the *Pennsylvania Bulletin*.

It is hereby Ordered and Directed that the Local Rules of Judicial Administration, read as follows:

#### Rule 100. Public Access Policy; Case Records of the Trial Courts.

Pursuant to Section 7, subsection C of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information

as defined by the Policy shall file in all filing offices two versions of any document, a Redacted Version and an Unredacted Version.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

2. File two (2) paper copies and one (1) electronic copy in Microsoft Word format only to [bulletin@palrb.us](mailto:bulletin@palrb.us) with Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. Publish a copy of this Administrative Order on the Beaver County Court of Common Pleas website, <http://www.beavercountypa.gov/Depts/Courts/CCP/Pages/LocalRules.aspx>, after publication in the *Pennsylvania Bulletin*;

4. Incorporate the Local Rule into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*;

5. Keep a copy of this Administrative Order continuously available for public inspection and copying in the Beaver County Law Library.

By the Court

RICHARD MANCINI,  
President Judge

[Pa.B. Doc. No. 17-2071. Filed for public inspection December 15, 2017, 9:00 a.m.]

### BRADFORD COUNTY

#### Local Rules of Judicial Administration; No. 2016IR0074

##### Order

And Now, this 4th day of December, 2017, it is hereby Ordered and Decreed that Bradford County Court of Common Pleas adopts the following Local Rules of Judicial Administration governing the Public Access Policy for the 42nd Judicial District to be effective thirty (30) days after publication.

The Bradford County District Court Administrator is Ordered and Directed to do the following:

1) File one (1) copy of the local rules with the Administrative Office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Publish the local rules on the court's website after publication in the *Pennsylvania Bulletin*.

4) Forward one (1) paper copy and/or (1) electronic copy in a Microsoft Word format for the publication *Bradford County Law Journal*.

5) File one copy of the local rules in the appropriate filing offices for public inspection and copying.

By the Court

MAUREEN T. BEIRNE,  
President Judge



## LOCAL RULES OF JUDICIAL ADMINISTRATION

**Rule 100. Confidential Documents.**

A. Pursuant to Section 7.0 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, unless required by applicable authority, the following information is confidential and shall not be included in any document filed with the Court or the Office of the Prothonotary, Clerk of Courts, or Clerk of Orphans' Court, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver License Numbers;
4. State Identification (SID) Numbers;
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name.

Section 7.0 of the said Public Access Policy and this Rule are not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

B. The Confidential Information Form shall be available on the website of Court Administration and at the Offices of the Prothonotary and Court Administrator.

C. Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the Court. The certification that shall accompany each filing shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

D. The Court or staff of the Office of the Prothonotary, Clerk of Courts, or Clerk of Orphans' Court is not required to review or redact any filed document for compliance with Section 7.0 of said Public Access Policy or this Rule. A party's or attorney's failure to comply with Section 7.0 of said Public Access Policy or this Rule shall not affect access to case records that are otherwise accessible.

E. If a filed document fails to comply with the requirements of Section 7.0 of said Public Access Policy or this Rule, the Court may, upon motion or its own initiative, with or without a hearing order the filed document sealed, redacted, amended or any combination thereof. The Court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

F. This Rule shall apply to all documents for any case filed with the Court or in the Office of the Prothonotary, Clerk of Courts, or Clerk of Orphans' Court on or after January 6, 2018.

[Pa.B. Doc. No. 17-2072. Filed for public inspection December 15, 2017, 9:00 a.m.]

## CARBON COUNTY

**Public Access Policy: Official Case Records of the Carbon County Court of Common Pleas C.C.R.J.A 5001; No. 17-2602; 17-9395; CP-13-AD-0000010-2017**

**Administrative Order No. 15-2017**

And Now, this 28th day of November, 2017, it is hereby Ordered that Carbon County Local Rules of Judicial Administration 5000.5—Requests for Transcripts, and 5000.7—Fees for Transcripts are vacated.

Carbon County Local Rule of Judicial Administration 5001—Public Access Policy: Official Case Records of the Carbon County Court of Common Pleas, is adopted as follows:

All filings in the Court of Common Pleas of Carbon County shall comply with the Public Access Policy of the Unified Judicial System of Pennsylvania. Information that is confidential as defined by the Public Access Policy shall not be included in any document filed in the Court of Common Pleas of Carbon County, except on a Confidential Information Form filed contemporaneously with the document.

Confidential information filed in accordance with the Public Access Policy shall be on a standardized Confidential Information Form provided by the Administrative Office of Pennsylvania Courts. The form shall be available in each filing office as well as on the Court's website at [www.carboncourts.com](http://www.carboncourts.com). Failure to comply with the requirements may result in the matter being before the court for hearing or sanctions.

A copy of this policy shall be continuously available for public inspection in each filing office, in the Court Administration Office of Carbon County Courts, and on the Court's website at [www.carboncourts.com](http://www.carboncourts.com).

This policy shall be effective as of January 6, 2018.

The Carbon County District Court Administrator is *Ordered and Directed* to:

1. File one (1) copy electronically to [adminrules@pa.courts.us](mailto:adminrules@pa.courts.us) of this Administrative Order and Manual with the Administrative Office of Pennsylvania Courts.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format to [bulletin@palrb.us](mailto:bulletin@palrb.us) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of this Administrative Order on the Unified Judicial System's website at: <http://ujportal.pacourts.us/localrules/ruleselection.aspx>
4. Publish a copy of the Administrative Order on the Carbon County Court of Common Pleas website at: [www.carboncourts.com](http://www.carboncourts.com).
5. Forward one (1) copy for publication in the *Carbon County Law Journal*.
6. Forward one (1) copy to the Carbon County Law Library.
7. Keep copies of the Administrative Order and Policy continuously available for public inspection in the Clerk of Courts' Office, Prothonotary's Office, and Register of Wills/Clerk of Orphans Court office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

[Pa.B. Doc. No. 17-2073. Filed for public inspection December 15, 2017, 9:00 a.m.]

### ERIE COUNTY

#### Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts; Doc. No. 90052-17

##### Administrative Order

*And Now*, to wit, this 29th day of November, 2017, pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, it is hereby *Ordered* that persons who file documents containing confidential information as defined by the Policy shall use and file a Confidential Information Form. The Confidential Information Form is published by the Administrative Office of Pennsylvania Courts at: <http://www.pacourts.us/public-records/public-records-forms> and shall also be available in each filing office.

This Order shall be processed in accordance with Pa.R.J.A. 103(c). It shall appear as a Rule of Judicial Administration for the Erie County Court of Common Pleas and shall be effective January 6, 2018.

JOHN J. TRUCILLA,  
*President Judge*

[Pa.B. Doc. No. 17-2074. Filed for public inspection December 15, 2017, 9:00 a.m.]

### LAWRENCE COUNTY

#### Adoption of Local Rule of Judicial Administration 510; No. 90182 of 2017, A.D.

##### Administrative Order of Court

*And Now*, this 22nd day of November, 2017, it is *Ordered* that Lawrence County Local Rule of Judicial Administration L510 is adopted, effective January 6, 2018, as follows:

##### Rule L510. Confidential Information Form.

Pursuant to § 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information as defined by the Policy shall use and file a Confidential Information Form (CIF) or a Confidential Document Form (CDF), as applicable, in accordance with § 8 of the Public Access Policy of the Unified Judicial System of Pennsylvania, in order to comply with the Policy. Parties are expressly prohibited from filing two versions of any document, i.e., a redacted version and an unredacted version. The forms shall be available in each filing office as well as on the Public Records page of the UJS website at <http://www.pacourts.us/public-records-policies>.

This rule may be cited as L.C.R.J.A. 510.

The prior Order dated November 6, 2017 establishing Rule L510 is rescinded and replaced by this Order.

The Prothonotary shall exit a copy of this Order to all Lawrence County Judges; all Lawrence County Magisterial District Court Judges; Court Administration; and to the Lawrence County Prothonotary and Clerk of Courts.

The Lawrence County District Court Administrator is *Ordered* and *Directed* to do the following:

1. File one (1) copy with the Administrative Office of Pennsylvania Courts.

2. File two (2) paper copies and one (1) electronic copy in Microsoft Word format only to [bulletin@palrb.us](mailto:bulletin@palrb.us) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish the Order on the Lawrence County Court website at [www.co.lawrence.pa.us](http://www.co.lawrence.pa.us), and in the *Lawrence County Law Journal* and the *New Castle News*.

4. File one (1) copy of the local rule with the Lawrence County Law Library and the Office of the County Commissioners for public inspection and copying.

*By the Court*

DOMINICK MOTTO,  
*President Judge*

[Pa.B. Doc. No. 17-2075. Filed for public inspection December 15, 2017, 9:00 a.m.]

### MONTGOMERY COUNTY

#### Amendment to Local Rule of Civil Procedure 4019\*—Discovery Master; No. 17-00001

##### Order

*And Now*, this 30th day of November, 2017, the Court hereby Amends Montgomery County Local Rules of Civil Procedure 4019\*—Discovery Master. This Amended Local Rule shall become effective 30 days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

*By the Court*

THOMAS M. DELRICCI,  
*President Judge*

##### Rule 4019\*. Discovery Master.

In order to facilitate the prompt disposition of discovery motions, the Court adopts Local Rule of Civil Procedure 4019\* implementing the "Discovery Master Program" as follows:

(1) The Board of Judges shall appoint a designated number of members of the Bar [ **who shall have practiced civil law in Montgomery County for a minimum of 15 years** ] to serve as Discovery Masters, for an indeterminate term, without compensation, at the pleasure of the Court.

(2) \* \* \*

(3) \* \* \*

(4) \* \* \*

(5) \* \* \*

(6) \* \* \*

(7) \* \* \*

[Pa.B. Doc. No. 17-2076. Filed for public inspection December 15, 2017, 9:00 a.m.]



**NORTHUMBERLAND COUNTY**  
**Local Rule—NCV-001; No. AD-2017-6**

**Order**

*And Now*, this 29th day of November, 2017, it is hereby *Ordered* that Local Rule of Judicial Administration, NCV-001 is adopted to be effective January 6, 2018.

The Northumberland County District Court Administrator is directed as follows:

(1) File one (1) copy of the Administrative Order with Amended Local Rules with the Administrative Office of Pennsylvania Courts.

(2) Two (2) copies of the Administrative Order with Amended Local Rules shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy with Amended Local Rules shall be sent to the Northumberland County Law Library and the Editor of the *Northumberland County Legal Journal*.

(4) Publish a copy of the Administrative Order with Amended Local Rules on the web site of Northumberland County.

(5) Thereafter, compile the Amended Local Rules within the complete set of local rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.

It is further *Ordered* that a copy of the Amended Local Rules shall be kept continuously available for public inspection and copying in the office of the Prothonotary of Northumberland County.

*By the Court*

CHARLES H. SAYLOR,  
*President Judge*

**LOCAL RULE OF JUDICIAL ADMINISTRATION**

**Rule NCV-001. Required Redaction of Pleadings and Other Papers Filed with the Court.**

Pursuant to Section 7, subsection C of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information as defined by the Policy shall file in all filing offices two versions of any document, a Redacted Version and an Unredacted Version. Parties or attorneys shall file a Certificate of Compliance with such documents. The Certificate of Compliance is available at [www.norrrycopa.net](http://www.norrrycopa.net), [www.pacourts.us](http://www.pacourts.us), or in the filing office.

[Pa.B. Doc. No. 17-2077. Filed for public inspection December 15, 2017, 9:00 a.m.]

**WAYNE COUNTY**

**Local Rules of Judicial Administration; 61-Civil-2017**

**Order**

*And Now*, to wit, this 29th day of November, 2017, the Court hereby adopts the following new Local Rules of Judicial Administration:

**Rule 1000. Public Access—Confidential Information.**

A. Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, the following information is confidential and shall be not included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver's License Numbers;
4. State Identification (SID) Numbers;
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. 1931(a), except for victim's name.

B. In order to comply with this Rule, all confidential information, as defined by Section A, shall be documented on a Confidential Information Form. The form shall be available in each filing office as well as on the court website at: [www.waynecountypa.gov/court-of-common-pleas](http://www.waynecountypa.gov/court-of-common-pleas).

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, such as juvenile cases or adoptions.

D. Attorneys and self-represented parties shall be solely responsible for complying with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts and the applicable state and local rules and shall certify their compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. The court or appropriate filing office is not required to review or redact any filed document for compliance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts. A party's or attorney's failure to comply with this rule shall not affect access to case records that are otherwise accessible.

F. If a filed document fails to comply with the requirements of this section, a court may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended, or any combination thereof. A court may also impose appropriate sanctions for failing to comply with this section.

**Rule 1001. Public Access—Confidential Documents.**

A. Pursuant to Section 8 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, the following documents are confidential and shall be filed with the

appropriate filing office under a cover sheet designated "Confidential Document Form":

1. Financial Source Documents;
2. Minors' educational records;
3. Medical/Psychological records;
4. Children and Youth Services' records;
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. 1920.33;
6. Income and Expense Statements as provided in Pa.R.C.P. 1910.27(c); and
7. Agreements between parties as used in 23 Pa.C.S. § 3105.

B. The Confidential Document Form shall be available in each filing office as well as on the court website at: [www.waynecountypa.gov/court-of-common-pleas](http://www.waynecountypa.gov/court-of-common-pleas). Confidential documents submitted with the Confidential Document Form shall not be accessible to the public. The Confidential Document Form shall be accessible to the public.

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, such as juvenile cases or adoptions.

D. Parties and their attorneys shall be solely responsible for complying with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts and the applicable state and local rules and shall certify their

compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. The court or appropriate filing office is not required to review or redact any filed document for compliance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If confidential documents are not submitted with the Confidential Document Form, a court may, upon motion or its own initiative, with or without a hearing, order that any such documents be sealed. A court may also impose appropriate sanctions for failing to comply with this section.

Said Local Rules of Judicial Administration shall be effective January 6, 2018. The District Court Administrator shall publish this order as may be required.

*By the Court*

RAYMOND L. HAMILL,  
*President Judge*

[Pa.B. Doc. No. 17-2078. Filed for public inspection December 15, 2017, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 461a, 463a, 465a, 467a,  
601a, 605a AND 607a ]

#### Hybrid Gaming Tables and Electronic Wagering Terminals

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), (2), (2.1), (4) and (6), 13A25(c) and 13A62(a) (relating to regulatory authority; table game accounting controls and audit protocols; and table game taxes) amends Chapters 461a, 463a, 465a, 467a, 601a, 605a and 607a to read as set forth in Annex A.

#### *Purpose of this Final-Form Rulemaking*

This final-form rulemaking will add hybrid gaming tables, a new game technology, to the complement of table games available for play in this Commonwealth.

#### *Explanation*

Hybrid gaming tables, or those tables that combine live dealer action with fully automated electronic wagering, are a new technology to this Commonwealth. In essence, hybrid gaming table games are comprised of two very distinct components: 1) a physical table referred to as a "hybrid table" at which a dealer conducts a game on felt covered table; and 2) separate electronic wagering terminals located apart from the table at which players make wagers and monitor the game being dealt at the table. All wagering and recordation of wins and losses as well as printing of gaming vouchers occur at the electronic wagering terminal.

This final-form rulemaking incorporates this new technology into the existing Board regulations on device testing, internal controls, table game taxes and the provisions associated with electronic gaming tables.

#### *Chapter 461a. Slot machine and table game device testing and control*

Like all slot machines and fully automated electronic gaming tables, electronic wagering terminals (the devices patrons will utilize to wager at hybrid gaming tables) are required to meet a number of criteria to assure the security and proper operation of the gaming equipment as well as to assure fairness to patrons. Specifically, amendments to this chapter require each electronic wagering terminal to have an asset number for purposes of tracking the terminal, to be tested and approved, utilize bill validators for the acceptance of cash and gaming vouchers and issue gaming vouchers upon a patron cashing out, and to be connected to the Department of Revenue's central control computer system (CCCS). Connection to the CCCS is required because, just like slot machines and fully automated electronic gaming tables, all wagering on hybrid gaming tables is conducted electronically through the use of an electronic wagering terminal. Electronic wagering terminals are equipped with a bill validator, meters to determine amount of play and a drop box for the collection of cash and gaming vouchers.

The CCCS will act as the system of record for accounting purposes and the CCCS will calculate revenue for

table game tax purposes, just as it does for slot machines and fully automated electronic gaming tables.

In addition to testing of electronic wagering terminals to assure proper operation in accordance with the rules of play and crediting of player accounts in § 461a.4 (relating to submission for testing and approval), under § 461a.26 (relating to testing and software installation on the live gaming floor), a slot machine licensee shall provide advance notice of placement of hybrid gaming tables and electronic wagering terminals to the Board prior to placement on the gaming floor to assure that the gaming product has been tested and approved for placement into play to promote fairness to the patrons.

#### *Chapter 463a. Possession of slot machines, electronic wagering terminals and fully automated electronic gaming tables*

This chapter requires that an electronic wagering terminal be treated just like a slot machine or fully automated electronic gaming table as it relates to movement of the machines into, around and out of a licensed facility, and requires that operators account for each machine's location in the licensed facility or storage area on a master table game list submitted monthly. These requirements are consistent with the current requirements applicable to slot machines and fully automated electronic gaming tables.

#### *Chapter 465a. Accounting and internal controls*

This chapter requires that an operator that intends to install hybrid gaming tables and electronic wagering terminals update its internal controls to reflect the additional machines and tables. Surveillance requirements for electronic wagering terminals and hybrid gaming tables are in § 465a.9 (relating to surveillance system; surveillance department control; surveillance department restrictions) and supervision requirements are in § 465a.11 (relating to slot machine licensee's organization; jobs compendium). With respect to supervision requirements in § 465a.11, the supervision of electronic gaming terminals and hybrid gaming tables are separated to place supervision of the electronic wagering terminals under the supervision of the slot operations department due to the connectivity to the CCCS, and supervision of the hybrid gaming tables is placed under the table games operations department to assure consistency in game dealing and play among table game dealers.

Sections 465a.18 and 465a.25 (relating to transportation of slot cash storage boxes and table game drop boxes to and from the gaming floor; storage; and counting and recording of slot cash storage boxes and table game drop boxes) address the procedure for the collection and counting of drop boxes connected to electronic wagering terminals. Because revenue is based on a metered win and all electronic wagering terminals are required to be connected to the CCCS, the Board has allowed for the collection of drop boxes connected to electronic wagering terminals to be conducted at the same time as drop boxes connected to slot machines and fully automated electronic gaming tables. Additionally, unlike traditional table game drop boxes that are collected and counted daily, the Board will not require that boxes connected to electronic wagering terminals be collected or counted on a daily basis.

In § 465a.19 (relating to acceptance of tips or gratuities from patrons), a provision is added allowing for the



acceptance of tips placed electronically through the use of electronic wagering terminals provided the operator specifies how the tips will be pooled and distributed in conformance with 4 Pa.C.S. § 13A02(6).

As previously specified, because wagering at a hybrid gaming table is conducted electronically at an electronic wagering terminal and is not conducted through the use of value chips like a traditional table game, §§ 465a.36—465a.42, which are associated with table inventories, opening and closing tables, and the distribution and removal of chips, are not applicable. Therefore, electronic wagering terminals are excluded from §§ 465a.36—465a.42.

#### *Chapter 601a. General table game provisions*

Section 601a.9 (relating to table game taxes and gross table game revenue) addresses the calculation of table game taxes and gross table game revenue. As specified in subsection (e), net revenue from electronic wagering terminals is determined through the CCCS and will be taxed at the traditional table game rate, not at the fully automated table game rate. This provision is consistent with 4 Pa.C.S. § 13A62, which specifies that fully automated electronic gaming tables, which are operated without the assistance of a dealer, are taxed at a higher rate than those tables that operate with the assistance of a dealer, including hybrid gaming tables connected to electronic wagering terminals.

#### *Chapter 605a. Electronic gaming tables*

This chapter provides the definitions and requirements specific to hybrid gaming tables and electronic wagering terminals. As defined in § 605a.1 (relating to definitions), the hybrid gaming table is where the dealing of the table game takes place while electronic wagering terminals are the devices patrons utilize to buy in, cash out and place their wagers.

Because game play on an electronic wagering terminal is captured utilizing meters, just like fully automated electronic gaming tables, the sections addressing the meter requirements in § 605a.5 (relating to fully automated electronic gaming tables and electronic wagering terminals) are amended to include electronic wagering terminals.

Section 605a.9 (relating to hybrid gaming tables) is added to address requirements specific to hybrid gaming tables. Included in this section is the provision that addresses how hybrid gaming tables and electronic wagering terminals will be counted for purposes of the number of gaming tables each facility is authorized to operate.

The Board has specified that regardless of the number of hybrid gaming tables each facility operates, every five electronic wagering terminals will count as one gaming table. The Board has focused on the number of electronic wagering terminals instead of the number of hybrid gaming tables because operators can connect a significant number of electronic wagering terminals to each hybrid gaming table, in essence having one table connected to a high number of player positions, far more player positions than a traditional table game could accommodate.

The Board believes that if it were to ignore the number of electronic wagering terminals and count only the number of hybrid gaming tables a facility operates, the regulation would run afoul of the legislatively mandated cap on the number of authorized tables which is 250 tables for Category 1 and 2 licensees and 50 tables for

Category 3 licensees. See 4 Pa.C.S. § 13A11(b) (relating to authorization to conduct table games).

#### *Chapter 607a. Possession of table games and table game devices*

This chapter addresses transportation, table game master list and offsite storage of table games and table game devices, which by definition includes hybrid gaming tables. Section 607a.2 (relating to table game device master list) is amended to specify that for the purpose of submitting a table game device master list, electronic wagering systems that are required to be listed on the table game device master list do not include those required under § 463a.5 (relating to slot machine, electronic wagering terminal and fully automated electronic gaming table master lists), and that hybrid gaming tables are required to be listed on the table game device master list. Through this amendment, the Board assures that both components of a hybrid table game system comprised of the electronic wagering terminals and the hybrid gaming tables are accounted for.

#### *Comment and Response Summary*

Notice of proposed rulemaking was published at 45 Pa.B. 4170 (August 1, 2015). The Board did not receive comments from the regulated community. On September 30, 2015, the Board received the following comments from the Independent Regulatory Review Commission (IRRC).

IRRC indicated that the preamble of the proposed rulemaking was not sufficient to determine if the rulemaking is in the public interest, specifically where hybrid gaming tables are included in §§ 461a.4, 461a.26, 465a.11(b)(9) and 607a.2(a)(6). In addition, IRRC requested further explanation as to why the Board excluded hybrid tables from §§ 463a.1—463a.7, the provisions being applied to electronic wagering terminals to determine the public interest.

The issues identified in §§ 461a.4, 461a.26, 465a.11(b)(9) and 607a.2(a)(6) are addressed in this preamble.

In addition, “hybrid gaming tables” has been excluded in instances such as §§ 463a.1—463a.7 because of the inapplicability of those sections to hybrid gaming tables or because hybrid gaming tables are addressed in different sections. Hybrid gaming table games are comprised of two very distinct components: 1) a physical table referred to as a “hybrid gaming table” at which a dealer conducts a game on a table covered by felt having the traditional look of a table game but without spots for players; and 2) separate electronic wagering terminals located apart from the table at which players make wagers and monitor the game being dealt at the table. All wagering and recordation of wins and losses as well as printing of gaming vouchers occurs at the electronic wagering terminal.

Chapter 463a (relating to possession of slot machines, electronic wagering terminals and fully automated electronic gaming tables) addresses the possession of slot machines, electronic wagering terminals and fully automated electronic gaming tables. All three of these items are electronic, receive and record wagers, and are connected to the CCCS. Moreover, all three items can only be used for gambling purposes and have no legitimate purpose outside of gambling. As similar electronic gambling devices, they are similarly and strictly controlled in terms of possession (§ 463a.1 (relating to possession of slot machines, electronic wagering terminals and fully automated electronic gaming tables generally)), transportation (§ 463a.2 (relating to transportation of slot machines, electronic wagering terminals and fully automated

electronic gaming tables into, within and out of this Commonwealth)), location on the floor (§ 463a.3 (relating to slot machine, electronic wagering terminal and fully automated electronic gaming table location on the gaming floor)), connection to the central control computer (§ 463a.4 (relating to notice and connection to the central control computer system)), recorded on a master list (§ 463a.5) and subject to strict offsite storage limitations (§ 463a.7 (relating to off premises storage of slot machines, electronic wagering terminals and fully automated electronic gaming tables)).

On the other hand, tables used for the conduct of gaming as hybrid gaming tables are categorized as “table game devices.” See 4 Pa.C.S. § 1103 (relating to definitions) and § 601a.1 (relating to definitions). Because of the differing nature of the actual gambling devices and the tables used in hybrid table gaming, issues including the possession, transportation, master list and off premises storage of table games and table game devices are addressed in Chapter 607a (relating to possession of table games and table game devices). The preparation of a table game devices master list and location on the gaming floor are addressed in § 607a.2. Hybrid gaming tables are not included in § 463a.4 because the table is not connected to that system, rather the electronic wagering terminal is connected.

IRRC sought clarity in relation to: 1) § 465a.9 as proposed to be amended to apply to electronic wagering terminals and hybrid gaming tables, but only electronic wagering systems were proposed to be added; 2) §§ 461a.15 and 461a.16 (relating to casino management systems; and player tracking systems) in which “table games and table game devices” was proposed to be added, but a slot machine licensee may or may not possess a table game operation certificate; 3) §§ 465a.11 and 465a.19 where “a slot machine licensee that has a certificate to operate table games” is used and then referred to a “certificate holder” without a definition for the latter term; and 4) the proposed headings of § 461a.14 (relating to slot machine, fully automated gaming tables and electronic wagering terminal monitoring systems) and § 465a.11 which did not reflect the addition of new gaming technology.

The preamble to the proposed rulemaking stated that surveillance requirements for electronic terminals and hybrid gaming tables are in § 465a.9, not that this section was amended to include both. Section 465a.9(c)(1)(i) is amended to provide for surveillance coverage over the electronic terminals where wagers are made and § 465a.9(c)(1)(ii) provides for surveillance over gaming conducted at each table that is not a fully automated electronic gaming table or an electronic wagering terminal. As a hybrid gaming table is neither a fully automated electronic gaming table nor an electronic wagering terminal, the hybrid table is subject to the surveillance requirement. Section 465a.9(c)(1)(ii) does not need to be amended to add hybrid tables as they already are included in the section as it existed.

With respect to §§ 461a.15 and 461a.16, while the Board recognizes that a slot machine licensee could opt not to obtain a certificate to operate table games and thereby not offer table games, only the holder of a slot machine license can obtain a certificate to operate table games and thereby the holder of that certificate is a slot machine licensee as titled at the highest level. Casino management systems and player tracking systems maintained by the slot machine licensee may be used but are not required to be used by the slot machine licensee for

slot machines, table games, table game devices and related systems as approved by the Board. The Board does not believe the use of “slot machine licensee” is inconsistent or not appropriate in these instances.

With respect to §§ 465a.11 and 465a.19, “certificate holder” is used according to its definition in § 401a.3 (relating to definitions) as a slot machine licensee that was awarded a certificate to operate table games. Section 465a.11(b)(7) has been revised to reflect this usage and to insure consistency.

The Board revised the heading of § 461a.14 to reflect the addition of the new technology. The Board does not believe revising the heading of § 465a.11 is warranted as the section places duties in relation to organization and jobs compendiums on slot machine licensees which covers all gaming offerings.

#### *Additional Revisions*

The Board made minor cross-reference corrections to §§ 461a.4(n) and 463a.1(b)(6) and § 467a.1(a)(2) (relating to gaming floor plan) in this final-form rulemaking.

#### *Fiscal Impact*

*Commonwealth.* The Board does not expect that this final-form rulemaking will have a fiscal impact on the Board or other Commonwealth agencies as testing and approval of the new hybrid gaming tables will be conducted by existing Board staff.

As it relates to internal controls, updates to internal control procedures will be reviewed by existing Board staff.

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

*Private sector.* This final-form rulemaking will provide slot machine licensees that have a certificate to operate table games (a certificate holder) with additional table game options. If a certificate holder decides to offer hybrid gaming tables within the licensed facility, the certificate holder will be required to acquire equipment and train their dealers and support staff. While these hybrid gaming table systems require a substantial capital expenditure, the requirements in this final-form rulemaking should not increase costs operators would already have to incur to acquire the new technology. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

*General public.* This final-form rulemaking will not have fiscal impact on the general public.

#### *Paperwork Requirements*

If a certificate holder elects to offer table gaming on hybrid gaming tables, the certificate holder will be required to update internal controls reflecting the changes and submit them electronically to Board staff.

#### *Effective Date*

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

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 15, 2015, the Board submitted a copy of the notice of proposed rulemaking, published at 45 Pa.B. 4170, to IRRC and the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC and the House and Senate Committees copies of 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.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 11, 2017, 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 October 12, 2017, and approved the final-form rulemaking.

#### Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

#### Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code Chapters 461a, 463a, 465a, 467a, 601a, 605a and 607a, are amended by adding § 605a.9 and amending §§ 461a.1, 461a.4, 461a.8, 461a.10, 461a.14, 461a.15, 461a.16, 461a.26, 461a.27, 463a.1—463a.5, 463a.7, 465a.2, 465a.6, 465a.9, 465a.11, 465a.17—465a.19, 465a.25, 465a.26, 465a.35—465a.42, 467a.1, 601a.9, 605a.1—605a.5, 605a.7 and 607a.2 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(*Editor's Note:* The amendment to § 467a.1 was not included in the proposed rulemaking.)

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

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

DAVID M. BARASCH,  
Chairperson

(*Editor's Note:* See 47 Pa.B. 6790 (October 28, 2017) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 125-189 remains valid for the final adoption of the subject regulations.

#### Annex A

### TITLE 58. RECREATION

#### PART VII. GAMING CONTROL BOARD

#### Subpart E. SLOT MACHINE, TABLE GAME AND ASSOCIATED EQUIPMENT TESTING AND CONTROL; ACCOUNTING AND INTERNAL CONTROLS

#### CHAPTER 461a. SLOT MACHINE AND TABLE GAME DEVICE TESTING AND CONTROL

##### § 461a.1. Definitions.

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

**Asset number**—A unique number assigned to a slot machine, fully automated electronic gaming table, elec-

tronic wagering terminal or piece of associated equipment by a slot machine licensee for the purpose of tracking the slot machine, fully automated electronic gaming table, electronic wagering terminal or piece of associated equipment while owned by the slot machine licensee.

**Automated jackpot payout machine**—The collective hardware, software, communications technology and other ancillary equipment used to facilitate the payment of a jackpot that is not totally and automatically paid directly from a slot machine, fully automated electronic gaming table or electronic wagering terminal.

**Bill validator**—An electronic device designed to interface with a slot machine, fully automated electronic gaming table or electronic wagering terminal for the purpose of accepting and validating any combination of United States currency, gaming vouchers, coupons or other instruments authorized by the Board for incrementing credits on a slot machine, fully automated electronic gaming table or electronic wagering terminal.

**Bonus award**—An award of cash or credits to a randomly selected player that is not generated by the slot machine.

**Cash equivalents**—Instruments with a value equal to United States currency or coin including value chips and plaques, Counter Checks, personal checks, certified checks, cashier's checks, travelers' checks, money orders, gaming vouchers or other representations of value that the Board deems a cash equivalent.

**Cashless funds transfer system**—The collective hardware, software, communications technology and other ancillary equipment used to facilitate the electronic transfer of cashable or noncashable credits to a patron at a slot machine.

**Casino management system**—The collective hardware, software, communications technology and other ancillary equipment used to collect, monitor, interpret, analyze, report and audit data with regard to activity at slot machines, fully automated electronic gaming tables or electronic wagering terminals, inclusive of slot machine level accounting transactions, player tracking and productivity analysis.

**Common carrier**—An entity that transports persons or goods, and offers its services to the general public.

**Conversion**—A change or alteration to a slot machine that does not affect the manner or mode of play or operation of the slot machine.

**Count team**—The group of employees of a slot machine licensee who are responsible for counting the contents of slot cash storage boxes and table game drop boxes.

**Coupon**—An instrument issued by a slot machine licensee under which cashable or noncashable slot machine credits are provided directly or indirectly to a patron with or without regard to the identity of the patron or the patron's level of gaming activity.

**Coupon system**—The collective hardware, software, communications technology and other ancillary equipment used to facilitate the issuance of coupons, the acceptance of a coupon by a slot machine or its redemption at an automated coupon redemption machine, cashiers' cage or other locations.

**Currency cassette**—A container that holds banknotes that are available for dispensing.

**Double-up**—An optional wager on a slot machine in which the player has a mathematically equal probability of winning or losing the wager.



*Drop team*—The group of employees of a slot machine licensee who are responsible for collecting and transporting slot cash storage boxes and table game drop boxes.

*Educational institution*—A facility that teaches and certifies students in slot machine design, operation, repair or servicing.

*External bonusing system*—The collective hardware, software, communications technology and other ancillary equipment used in conjunction with slot machines to deliver randomly selected player incentives (bonus awards) to active slot machine players and to effect the accurate metering of the bonus award event on the slot machine.

*Fill*—The distribution of gaming chips, coins and plaques to a gaming table to replenish the table inventory.

*Finance department*—The department that is responsible for the management of the financial and accounting activities relating to slot machines and table games being utilized in a licensed facility.

*Gaming day*—A period of time not to exceed 24 hours corresponding to the beginning and ending times of gaming activities for the purpose of accounting reports and determination of gross terminal and gross table game revenue.

*Gaming voucher*—An instrument that upon insertion into a bill validator entitles the patron inserting the gaming voucher to cashable or noncashable credits on a slot machine and cashable credits on an electronic gaming table corresponding to the value printed on the gaming voucher. A gaming voucher that contains noncashable credits may be used only for the purpose of slot machine gaming.

*Gaming voucher system*—The collective hardware, software, communications technology and other ancillary equipment used to facilitate the issuance of gaming vouchers and the redemption of gaming vouchers by slot machines, fully automated electronic gaming tables, electronic wagering terminals, automated gaming voucher redemption machines, the cashiers' cage or in other locations.

*Hand pay*—The payment of credits that are not totally and automatically paid directly from a slot machine, fully automated electronic gaming table or electronic wagering terminal.

*Machine displayed payout percentage*—The selectable payout percentage that is set by the slot machine licensee during the initial configuration or a subsequent reconfiguration of a slot machine and is displayed in the slot machine's service menu during normal operation.

*Manufacturer's par sheet*—A document supplied by the manufacturer that shows payable information including, but not limited to, theoretical payout percentage, winning combinations, awards and reel strips.

*Merchandise jackpot*—A slot machine jackpot in the form of:

- (i) A cash payout and a payout of merchandise or a thing of value.
- (ii) An option to choose between a cash payout and a payout of merchandise or a thing of value.

*Minimum payout percentage*—The lowest aggregate awards expected to be paid out over one cycle of the game divided by the total number of combinations in the cycle of the game.

*Modification*—A change or alteration in a slot machine, fully automated electronic gaming table, electronic wagering terminal or associated equipment that affects the manner or mode of play or operation of the slot machine or associated equipment.

(i) The term includes a change to control or graphics programs and to the theoretical hold percentage.

(ii) In the case of slot machines, the term does not include:

(A) A conversion.

(B) Replacement of one approved component with an identical component.

(iii) In the case of a wide area progressive system, the term includes a change in:

(A) A system name or theme.

(B) The odds to win the progressive payout.

(C) The reset amount.

(D) The rate at which a progressive award increases.

(E) The wager necessary to win the progressive payout.

*Paytable*—A selectable part of a slot machine program that contains slot machine characteristics including, but not limited to, the theoretical payout percentage, reel strips and awards.

*Player rating*—A score or ranking assigned to a player based on an evaluation of the amount and frequency of play by the person.

*Player rating system*—A computerized system by which a player is assigned a score or ranking based upon an evaluation of the amount and frequency of play by the person.

*Player tracking system*—The collective hardware, software, communications technology and other ancillary equipment used to collect, monitor, interpret, analyze, authorize, report and audit data with regard to player activity generally or on an individual basis at slot machines or table games.

*Progressive awards*—The award to be paid out when the event in the progressive game that triggered the award occurs.

*Progressive controller*—A program or computer system, other than an approved program that controls the operation of the slot machine, which controls, adjusts and displays the amount of the progressive jackpot.

*Progressive payout*—A slot machine payout that increases in a monetary amount based on the amounts wagered in a progressive system.

*Progressive slot machine*—A slot machine that offers a jackpot that may increase in value based upon the slot machine wagers placed.

*Pseudo random number generator*—Software or hardware, or both, that ensures the randomness of slot machine outcomes.

*RAM*—Random access memory.

*RAM clear*—A process initiated by a service technician that results in the zeroing out of any meter information, configuration information or data stored in the memory of a slot machine, fully automated electronic gaming table, electronic wagering terminal or associated equipment.

*Randomness*—The observed unpredictability and absence of pattern in a set of elements or events that have definite probabilities of occurrence.



*Reel strips*—Components of a slot machine which display symbols.

*Related systems*—Systems which interface with slot machines or slot monitoring systems.

*Remote system access*—Connectivity to casino systems from outside the slot machine licensee's network.

*Reset amount*—The award value that a progressive award will revert to after the progressive award is paid out.

*Server supported slot system*—One or more slot machines connected to a slot machine server and an associated computer network.

*Skill*—The application of intelligence and specific knowledge to achieve the best result when a slot machine offers a choice of options during game play.

*Slot machine bill validator*—A component, made up of software and hardware that accepts and reads instruments such as bills, vouchers and coupons, into gaming devices such as slot machines and automated gaming voucher and coupon redemption machines.

*Slot machine server*—A computer configured to receive, store, authenticate and download to slot machines, Board-approved slot machine game themes and other approved software.

*Slot monitoring system*—The collective hardware, software, communications technology and other ancillary equipment used to collect, monitor, interpret, analyze, authorize, report and audit data with regard to activity at slot machines, inclusive of slot machine meter readings, error conditions, slot machine security, accounting, player tracking and productivity analysis.

*Slot operations department*—The department that is responsible for all operations in any area of the licensed facility where slot machines are kept.

*Slot system operator*—The persons designated in a slot system agreement as being responsible for the operation and administration of a wide area progressive system.

*Strategy choice*—A particular play option on a slot machine that requires the use of skill to consistently achieve the best result.

*Theme*—A concept, subject matter and methodology of design of a slot machine.

*Theoretical payout percentage*—The aggregate awards expected to be paid out over one cycle of the game divided by the total number of combinations in the cycle of the game.

*Trolley*—A wheeled apparatus used for the secured transport of slot cash storage boxes and drop boxes.

*Unredeemed gaming voucher*—A gaming voucher that has not been presented to a slot machine licensee for redemption or a gaming voucher that has been found and returned to a slot machine licensee.

*Wager*—Placing at risk in a slot machine, fully automated electronic gaming table or electronic wagering terminal a coin, bill, ticket, gaming voucher, coupon or similar object or, upon payment of any consideration, including the use of cashless funds transfer systems and external bonusing systems.

*Wide area progressive system*—Progressive slot machines located at a licensed facility that are linked with progressive slot machines at another licensed facility.

#### § 461a.4. Submission for testing and approval.

\* \* \* \* \*

(c) For the purposes of this section, slot machines, table game devices and associated equipment that shall be submitted for testing and approval include:

\* \* \* \* \*

(12) Table game devices including:

(i) Electronic gaming tables as described in § 605a.4 (relating to electronic gaming tables).

(ii) Fully automated electronic gaming tables as described in § 605a.5 (relating to fully automated electronic gaming tables and electronic wagering terminals).

(iii) Progressive table game systems as described in § 605a.7 (relating to progressive table games).

(iv) Automated card shuffling devices as described in § 603a.17 (relating to dealing shoes; automated card shuffling devices).

(v) Electronic dealing shoes as described in § 603a.17.

(vi) Electronic wagering systems as described in § 605a.2 (relating to electronic wagering systems).

(vii) Electronic wagering terminals as described in § 605a.5.

(viii) Hybrid gaming tables as described in § 605a.9 (relating to hybrid gaming tables).

(d) Slot machine prototypes, table game device prototypes and associated equipment prototypes, and modifications thereto, which are subject to testing and approval under this section will be evaluated by the Bureau of Gaming Laboratory Operations for overall operational integrity and compliance with the act, this subpart and technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site. In addition, with regard to any slot machine, fully automated electronic gaming table, electronic wagering terminal or modification thereto, the Bureau of Gaming Laboratory Operations will test for compatibility and compliance with the central control computer and protocol specifications approved by the Department including the ability to communicate with the central control computer for the purpose of transmitting auditing program information, real time information retrieval and activation and disabling of slot machines, fully automated electronic gaming tables and electronic wagering terminals.

\* \* \* \* \*

(n) Concurrent with the initial receipt of slot machines, a slot machine licensee shall file a slot machine master list as required by § 463a.5 (relating to slot machine, electronic wagering terminal and fully automated electronic gaming table master lists).

(o) The testing of equipment, devices or software under this subpart may require the dismantling of the product and testing that may result in damage to, or destruction of, one or more systems or components. Once submitted for testing, equipment, devices or software will not be returned to the manufacturer.

#### § 461a.8. Gaming vouchers.

\* \* \* \* \*

(d) Prior to issuing a gaming voucher, a slot machine licensee shall establish a system of internal controls for the issuance and redemption of gaming vouchers. The internal controls shall be submitted and approved by the

Board under § 465a.2 (relating to internal control systems and audit protocols) and address:

(1) Procedures for assigning an asset number and identifying other redemption locations in the system, and enabling and disabling voucher capabilities for slot machines, fully automated electronic gaming tables, electronic wagering terminals and redemption locations.

\* \* \* \* \*

(h) Upon presentation of a gaming voucher for redemption at a slot machine, fully automated electronic gaming table or electronic wagering terminal, the total value of which gaming voucher cannot be completely converted into an equivalent value of credits that match the denomination of the slot machine, fully automated electronic gaming table or electronic wagering terminal, the slot machine, fully automated electronic gaming table or electronic wagering terminal must perform one of the following procedures:

\* \* \* \* \*

(l) Gaming vouchers redeemed at cashiering locations shall be transferred to the finance department on a daily basis. Gaming vouchers redeemed by slot machines, fully automated electronic gaming tables and electronic wagering terminals shall be counted in the count room and forwarded to the finance department upon the conclusion of the count process. Gaming vouchers redeemed at automated gaming voucher redemption machines shall be forwarded to finance upon the conclusion of the cashiers' cage reconciliation process. Finance department representatives with no incompatible functions shall perform, at a minimum, the following:

\* \* \* \* \*

**§ 461a.10. Automated gaming voucher and coupon redemption machines.**

\* \* \* \* \*

(k) A gaming voucher or coupon accepted by an automated gaming voucher and coupon redemption machine shall be cancelled immediately upon exchange in a manner that effectively prevents its subsequent redemption by the cashiers' cage, another automated gaming voucher and coupon redemption machine or its acceptance in a slot machine, fully automated electronic gaming table or electronic wagering terminal bill validator. The methods utilized to comply with this requirement must be in accordance with this subpart and technical standards adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

\* \* \* \* \*

**§ 461a.14. Slot machine, fully automated gaming tables and electronic wagering terminal monitoring systems.**

(a) A slot machine licensee may utilize a slot monitoring system which has an interface between it and slot machines, fully automated electronic gaming tables, electronic wagering terminals and related systems that has been tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) A slot monitoring system must comply with the act, this subpart and technical standards on slot monitoring systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

**§ 461a.15. Casino management systems.**

(a) A slot machine licensee may utilize a casino management system which has an interface between it and

slot machines, table games, table game devices and related systems tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) A casino management system must comply with the act, this subpart and technical standards on casino management systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

**§ 461a.16. Player tracking systems.**

(a) A slot machine licensee may utilize a player tracking system which has an interface between it and slot machines, table games, table game devices and related systems tested and approved by the Board under § 461a.4 (relating to submission for testing and approval).

(b) A player tracking system may not include individuals who are under 21 years of age.

(c) Employees of a slot machine licensee who can view, print or copy any of the information in the slot machine licensee's player tracking system shall be licensed as a key employee or hold an occupation permit. This subsection does not apply to employees of the slot machine licensee that are members of a corporate reservations department whose duties and responsibilities do not require the employee to be located within this Commonwealth.

(d) A player tracking system must comply with the act, this subpart and technical standards on player tracking systems adopted by the Board and published in the *Pennsylvania Bulletin* and posted on the Board's web site.

**§ 461a.26. Testing and software installation on the live gaming floor.**

\* \* \* \* \*

(b) A slot machine licensee shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance at least 72 hours prior to the installation of any new software or the installation of any change in previously approved software and receive the required approvals prior to the installation of:

\* \* \* \* \*

(18) Server based slot systems.

(19) Hybrid gaming tables.

(20) Electronic wagering terminals.

(c) The notification required under subsection (b) must include:

\* \* \* \* \*

**§ 461a.27. RAM clear.**

(a) When a slot machine licensee becomes aware of a nonresponsive slot machine, fully automated electronic gaming table, hybrid gaming table or electronic wagering terminal and communication between the slot machine, fully automated electronic gaming table, hybrid gaming table or electronic wagering terminal and the central control computer cannot be reestablished, the slot machine licensee shall immediately notify the Department's operator of the central control computer and the casino compliance representatives at the licensed facility. The slot machine licensee may not do a RAM clear on the affected slot machine, fully automated electronic gaming table, electronic wagering terminal or associated equipment until a casino compliance representative has recorded the information on the financial meters.

(b) For planned RAM clears, the slot machine licensee shall provide notice to the Department's operator of the central control computer and the casino compliance representatives at the licensed facility at least 48 hours prior to the scheduled RAM clear. A second notice shall be provided to the Department's operator of the central control computer and the casino compliance representatives at the licensed facility immediately prior to actually conducting the RAM clear.

**CHAPTER 463a. POSSESSION OF SLOT MACHINES, ELECTRONIC WAGERING TERMINALS AND FULLY AUTOMATED ELECTRONIC GAMING TABLES**

**§ 463a.1. Possession of slot machines, electronic wagering terminals and fully automated electronic gaming tables generally.**

(a) Except as otherwise provided in this section and 18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.), a person may not possess any slot machine, electronic wagering terminal or fully automated electronic gaming table within this Commonwealth that may be used for gambling activity.

(b) The following persons and any employee or agent acting on their behalf may possess slot machines, electronic wagering terminals or fully automated electronic gaming tables in this Commonwealth for the purposes described herein provided that slot machines, electronic wagering terminals or fully automated electronic gaming tables located outside of a licensed facility may not be used for gambling activity:

(1) A slot machine licensee, for the purpose of maintaining for use, training or operating slot machines in a licensed facility.

(2) The holder of a manufacturer license for the purpose of manufacturing, exhibiting, demonstrating, training or preparing for transfer to a manufacturer designee licensee, supplier licensee or slot machine licensee.

(3) The holder of a manufacturer designee license or supplier license for the purpose of distributing, repairing, servicing, exhibiting or demonstrating slot machines or fully automated electronic gaming tables and any training with regard thereto.

(4) An educational institution for the purpose of teaching slot machine design, operation, repair or servicing.

(5) A manufacturer, manufacturer designee or supplier of slot machines not licensed within this Commonwealth for the limited purpose of temporary exhibition or demonstration.

(6) A common carrier, for the purpose of transporting slot machines or fully automated electronic gaming tables in accordance with § 463a.2 (relating to transportation of slot machines, electronic wagering terminals and fully automated electronic gaming tables into, within and out of this Commonwealth).

(7) An employee or agent of the Board, the Department, the Pennsylvania State Police or any law enforcement agency of this Commonwealth for the purpose of fulfilling official duties or responsibilities.

(8) Other persons upon a finding that the possession of slot machines or fully automated electronic gaming tables by those persons in this Commonwealth is not contrary to the goals and objectives of the act.

(c) Persons seeking to possess slot machines, electronic wagering terminals or fully automated electronic gaming tables under subsection (b)(4), (5) and (8) shall submit a

petition to the Board as required under § 493a.4 (relating to petitions generally). The petition to the Board must contain:

(1) The purpose for having the slot machines, electronic wagering terminals or fully automated electronic gaming tables.

(2) The proposed location of the slot machines, electronic wagering terminals or fully automated electronic gaming tables.

(3) The time period for which the slot machines, electronic wagering terminal or fully automated electronic gaming tables will be kept.

(4) How the slot machines, electronic wagering terminal or fully automated electronic gaming tables will be secured.

(d) Requests approved by the Board may be subject to specific terms and conditions imposed by the Board.

(e) A person authorized to possess slot machines, electronic wagering terminals or fully automated electronic gaming tables under subsection (d) that desires to store the slot machines, electronic wagering terminals or fully automated electronic gaming tables at a location other than the location specified in subsection (c)(2) shall obtain approval from the Board's Executive Director prior to storing the slot machines, electronic wagering terminal or fully automated electronic gaming tables at the other location.

**§ 463a.2. Transportation of slot machines, electronic wagering terminals and fully automated electronic gaming tables into, within and out of this Commonwealth.**

(a) In furtherance of section 1511 of the act (relating to declaration of exemption from Federal laws prohibiting slot machines), prior to the transport or movement of a slot machine, electronic wagering terminal or fully automated electronic gaming table into, within or out of this Commonwealth, from one person authorized to possess slot machines, electronic wagering terminals or fully automated electronic gaming tables under § 463a.1 (relating to possession of slot machines, electronic wagering terminals and fully automated electronic gaming tables generally) to another person, the persons causing the slot machine, electronic wagering terminal or fully automated electronic gaming table to be transported or moved shall notify the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance in writing or in an electronic format approved by the Bureau of Gaming Laboratory Operations. The notice shall be submitted no later than the day the slot machine, electronic wagering terminal or fully automated electronic gaming table is transported and include the following information:

(1) The name and address of the person shipping or moving the slot machine, electronic wagering terminal or fully automated electronic gaming table.

(2) The name and address of the person who owns the slot machine, electronic wagering terminal or fully automated electronic gaming table, if different from the person shipping or moving the machine.

(3) The name and address of a new owner if ownership is being changed in conjunction with the shipment or movement.

(4) The method of shipment or movement and the name and address of the common carrier or carriers, if applicable.



(5) The name and address of the person to whom the slot machine, electronic wagering terminal or fully automated electronic gaming table is being sent and the destination of the slot machine, electronic wagering terminal or fully automated electronic gaming table, if different from that address.

(6) The quantity of slot machines, electronic wagering terminals or fully automated electronic gaming tables being shipped or moved and the manufacturer's serial number of each machine.

(7) The expected date and time of delivery to, or removal from, any authorized location within this Commonwealth.

(8) The port of entry, or exit, if any, of the slot machine, electronic wagering terminal or fully automated electronic gaming table if the origin or destination of the slot machine, electronic wagering terminal or fully automated electronic gaming table is outside the continental United States.

(9) The reason for transporting or moving the slot machine, electronic wagering terminal or fully automated electronic gaming table.

(b) In addition to the requirements in subsection (a), if a slot machine licensee is shipping slot machines, electronic wagering terminals or fully automated electronic gaming tables to or from the slot machine licensee's approved, off-premises storage location, the slot machine licensee shall comply with the requirements in subsection (a) and record the movement in the licensee's movement log as required under § 463a.5(e) (relating to slot machine, electronic wagering terminal and fully automated electronic gaming table master lists). If a slot machine, electronic wagering terminal or fully automated electronic gaming table is being transported to the licensed facility from the licensee's approved, off-premises storage location, the licensee shall specify in the notice required under subsection (a) whether the slot machine, electronic wagering terminal or fully automated electronic gaming table will be placed directly onto the gaming floor or stored off the gaming floor in a restricted area within the licensed facility.

**§ 463a.3. Slot machine, electronic wagering terminal and fully automated electronic gaming table location on the gaming floor.**

(a) A gaming floor must consist of one or more areas within a licensed facility approved by the Board or Executive Director under § 467a.1 (relating to gaming floor plan) for the placement and operation of slot machines, electronic wagering terminals or fully automated electronic gaming tables.

(b) A slot machine, electronic wagering terminal or fully automated electronic gaming table on a gaming floor shall be placed at a location, which location may contain no more than one slot machine, electronic wagering terminal or fully automated electronic gaming table, identified by number on a gaming floor plan approved by the Board or Executive Director under section 1322 of the act (relating to slot machine accounting controls and audits) and § 467a.1 and shall also be identified by this slot machine, electronic wagering terminal or fully automated electronic gaming table location number and an asset number on the Gaming Floor Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List.

**§ 463a.4. Notice and connection to the central control computer system.**

(a) Prior to utilization for gambling activity, a slot machine, electronic wagering terminal or fully automated electronic gaming table on a gaming floor shall be connected or linked to a central control computer system having the capabilities and in compliance with the terms of section 1323 of the act (relating to central control computer system).

(b) To ensure activation or disabling, as appropriate, in the central control computer system and the retrieval of real time meter information from the slot machine, electronic wagering terminal or fully automated electronic gaming table in conjunction with the movement of a slot machine, electronic wagering terminal or fully automated electronic gaming table, the slot machine licensee shall provide the Department with written notice of the slot machine, electronic wagering terminal or fully automated electronic gaming table movement, prior to any of the following:

(1) Placement of a slot machine, electronic wagering terminal or fully automated electronic gaming table on the gaming floor.

(2) Movement of a slot machine, electronic wagering terminal or fully automated electronic gaming table between slot machine, electronic wagering terminal or fully automated electronic gaming table locations on the gaming floor.

(3) Removal of a slot machine, electronic wagering terminal or fully automated electronic gaming table from the gaming floor.

**§ 463a.5. Slot machine, electronic wagering terminal and fully automated electronic gaming table master lists.**

(a) Prior to the commencement of operations at a licensed facility, a slot machine licensee shall file the following with the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance, in an electronic format approved by the Bureau of Gaming Laboratory Operations:

(1) Gaming Floor Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List.

(2) Restricted Area/Off Premises Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List.

(b) A Gaming Floor Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List must list all slot machines, electronic wagering terminals and fully automated electronic gaming tables located on the gaming floor in consecutive order by the device location number under § 463a.3 (relating to slot machine, electronic wagering terminal and fully automated electronic gaming table location on the gaming floor) and contain the following:

(1) The date the list was prepared.

(2) A description of each slot machine, electronic wagering terminal or fully automated electronic gaming table which includes:

(i) The zone/location number.

(ii) The asset number.

(iii) The manufacturer's serial number.

(iv) The base denomination, or if configured for multiple denominations, a list of the denominations.

(v) The game software/program ID.

(vi) The operating system/base ROM.

(vii) The manufacturer.

(viii) The slot machine, electronic wagering terminal or fully automated electronic gaming table model.

(ix) The model type (reel or video), if applicable.

(x) The game theme/description.

(xi) The minimum payout percentage, if applicable.

(xii) The machine displayed payout percentage, if applicable.

(xiii) The payable ID.

(xiv) Whether the slot machine, electronic wagering terminal or fully automated electronic gaming table is in a smoking area.

(xv) If the slot machine, electronic wagering terminal or fully automated electronic gaming table is a progressive, the type of progressive, the progressive controller type and the progressive software.

(xvi) The fund transfer/voucher system software.

(c) If a slot machine, electronic wagering terminal or fully automated electronic gaming table is configured to allow a patron to select from multiple games or game themes, each game or game theme, minimum and machine displayed payout percentages, if applicable, and payable ID must be listed in the Gaming Floor Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List. Instead of listing each game or game theme, minimum and machine displayed payout percentage and payable ID for a slot machine, electronic wagering terminal or fully automated electronic gaming table configured to offer multiple game themes with the slot machine, electronic wagering terminal or fully automated electronic gaming table, a slot machine licensee may use a unique generic code for the game theme and attach an appendix which lists the game themes, minimum and machine displayed payout percentages and payable IDs that correspond to each unique generic game theme code.

(d) A Restricted Area/Off Premises Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List must include all slot machines, electronic wagering terminals and fully automated electronic gaming tables located off the gaming floor in a restricted area within the licensed facility approved under § 465a.8(b) (relating to licensed facility), or in storage locations in this Commonwealth off the premises of the licensed facility approved under § 463a.7 (relating to off premises storage of slot machines, electronic wagering terminals and fully automated electronic gaming tables) grouped by the location where the slot machines, electronic wagering terminals or fully automated electronic gaming tables are located. A Restricted Area/Off Premises Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List must include the following information:

(1) The date the list was prepared.

(2) A description of each slot machine, electronic wagering terminal and fully automated electronic gaming table which includes:

(i) The location of the slot machine, electronic wagering terminal or fully automated electronic gaming table.

(ii) The asset number.

(iii) The manufacturer's serial number.

(iv) The game software/program ID.

(v) The operating system/base ROM.

(vi) The game theme/description.

(vii) The manufacturer.

(viii) The slot machine, electronic wagering terminal or fully automated electronic gaming table model.

(ix) The model type (reel or video), if applicable.

(e) Once a slot machine, electronic wagering terminal or fully automated electronic gaming table has been placed in an authorized location on the gaming floor, stored in a restricted area off the gaming floor but within the licensed facility approved under § 465a.8 or in a location in this Commonwealth off the premises of the licensed facility approved under § 463a.7, all subsequent movements of that slot machine, electronic wagering terminal or fully automated electronic gaming table shall be recorded by a slot department member in a slot machine movement log which includes the following:

(1) The asset number and model and manufacturer's serial number of the moved slot machine, electronic wagering terminal or fully automated electronic gaming table.

(2) The date and time of movement.

(3) The location from which the slot machine, electronic wagering terminal or fully automated electronic gaming table was moved.

(4) The location to which the slot machine, electronic wagering terminal or fully automated electronic gaming table was moved.

(5) The date and time of any required notice to the Department in connection with activation or disabling of the slot machine, electronic wagering terminal or fully automated electronic gaming table in the central control computer system.

(6) The signature of the slot shift manager and the lead technician verifying the movement of the slot machine, electronic wagering terminal or fully automated electronic gaming table in compliance with this section.

(f) Documentation summarizing slot machine, electronic wagering terminal or fully automated electronic gaming table movements, as described in subsection (e), shall be submitted to the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance, in an electronic format approved by the Bureau of Gaming Laboratory Operations, on a daily basis.

(g) On the first Tuesday of each month a slot machine licensee shall file an updated Gaming Floor Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List and an updated Restricted Area/Off Premises Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List containing the information required under subsections (b)—(d). The Gaming Floor Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List and the Restricted Area/Off Premises Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List shall be filed in an electronic format with the Bureau of Gaming Laboratory Operations.

(h) Persons authorized by the Board to possess slot machines, electronic wagering terminals or fully auto-

mated electronic gaming tables under § 463a.1(c) (relating to possession of slot machines, electronic wagering terminals and fully automated electronic gaming tables generally) shall file with the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations, a complete list of slot machines, electronic wagering terminals or fully automated electronic gaming table possessed by the person. The list shall:

(1) Be denoted as a Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List.

(2) Be filed within 3 business days of the initial receipt of slot machines, electronic wagering terminals or fully automated electronic gaming tables.

(3) Contain the following information:

(i) The date on which the list was prepared.

(ii) A description of each slot machine, electronic wagering terminal or fully automated electronic gaming table including:

(A) The manufacturer.

(B) The manufacturer's serial number.

(C) The slot machine, electronic wagering terminal or fully automated electronic gaming table model.

(D) The model type (reel or video), if applicable.

(E) Whether or not the slot machine, electronic wagering terminal or fully automated electronic gaming table is a progressive, and if it is, the type of progressive.

(i) On the first Tuesday of each month following the initial filing of a Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List, those persons enumerated in subsection (h) shall file with the Bureau of Gaming Laboratory Operations, in an electronic format approved by the Bureau of Gaming Laboratory Operations, an updated Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List containing the information required in subsection (h).

**§ 463a.7. Off premises storage of slot machines, electronic wagering terminals and fully automated electronic gaming tables.**

(a) A slot machine licensee may not store slot machines, electronic wagering terminals or fully automated electronic gaming tables off the premises of a licensed facility without prior approval from the Board's Executive Director.

(b) A slot machine licensee seeking to store slot machines, electronic wagering terminal or fully automated electronic gaming tables off the premises of a licensed facility shall submit a written request to the Bureau of Gaming Operations for off premise storage. The written request must include:

(1) The location and a physical description of the proposed storage facility.

(2) A description of the type of surveillance system that has been or will be installed at the proposed storage facility.

(3) The plan to provide 24 hour, 7 day a week security at the proposed storage facility.

(4) The anticipated number of slot machines, electronic wagering terminals or fully automated electronic gaming tables that may be stored at the proposed storage facility.

(c) Before the Board's Executive Director will act on a request for off premise storage of slot machines, the Director of Casino Compliance will inspect the proposed storage facility.

(d) The Board's Executive Director will approve or disapprove requests within 60 days. Requests approved by the Board's Executive Director may be subject to specific terms and conditions imposed by the Board's Executive Director.

**CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS**

**§ 465a.2. Internal control systems and audit protocols.**

\* \* \* \* \*

(d) A submission by a slot machine licensee must include, at a minimum, the following:

\* \* \* \* \*

(3) Procedures and controls for ensuring, in accordance with section 1323 of the act (relating to central control computer system), that each slot machine, electronic wagering terminal and fully automated electronic gaming table directly provides and communicates all required activities and financial details to the central control computer system as set by the Board.

\* \* \* \* \*

**§ 465a.6. Retention, storage and destruction of books, records and documents.**

\* \* \* \* \*

(c) Original books, records and documents shall be retained by a slot machine licensee for a minimum of 5 years with the following exceptions:

(1) Documentation with regard to gaming vouchers reported to the Board as possibly counterfeit, altered or tampered with should be retained for a minimum of 2 years.

(2) Coupons entitling patrons to cash, match play at a table game or slot machine credits, whether unused, voided or redeemed shall be retained for a minimum of 6 months.

(3) Voided gaming vouchers and gaming vouchers redeemed at a location other than a slot machine, electronic wagering terminal or fully automated electronic gaming table shall be retained for a minimum of 30 days.

(4) Gaming vouchers redeemed at a slot machine, electronic wagering terminal or fully automated electronic gaming table shall be retained for a minimum of 7 days.

\* \* \* \* \*

**§ 465a.9. Surveillance system; surveillance department control; surveillance department restrictions.**

\* \* \* \* \*

(c) The surveillance system required in this section must include:

(1) Light sensitive cameras with lenses of sufficient magnification and 360° pan, tilt and zoom capabilities, without camera stops, to allow the operator to clandestinely monitor in detail and from various vantage points the following:

(i) The gaming conducted at the slot machines, electronic wagering terminals and fully automated electronic gaming tables in the licensed facility with sufficient



clarity to read information on a reel strip or electronic table layout and the credit meter.

(ii) The gaming conducted at each table game that is not a fully automated electronic gaming table or an electronic wagering terminal in the licensed facility with sufficient clarity to identify patrons and dealers and sufficient coverage to simultaneously view the table and determine the configuration of wagers, card, dice and tile values and game outcomes.

(iii) The operations conducted at and in the main cage and any satellite cage.

(iv) The operations conducted at automated bill breaker machines, automated gaming voucher and coupon redemption machines, automated jackpot payout machines and automated teller machines.

(v) The count processes conducted in the count room.

(vi) The movement of cash, gaming chips and plaques, tip boxes, table game drop boxes, Bad Beat or High Hand Jackpot payout boxes and slot cash storage boxes within the licensed facility.

(vii) The entrances and exits to the licensed facility, the gaming floor and the count room.

(viii) Any other activity or areas designated by the Bureau of Casino Compliance.

(2) The following number of cameras dedicated to table games that are not electronic wagering terminals or fully automated electronic gaming tables:

\* \* \* \* \*

**§ 465a.11. Slot machine licensee's organization; jobs compendium.**

\* \* \* \* \*

(b) A slot machine licensee's system of internal controls must also include, at a minimum, the following departments and supervisory positions, each of which must be categorized as mandatory and must cooperate with, yet perform independently of, other mandatory departments and supervisory positions of the slot machine licensee. Notwithstanding the foregoing, a department or supervisor that is not required or authorized by this section may operate under or in conjunction with a mandatory department or supervisor provided the organizational structure is consistent with the standards contained within the act and subsection (a). Mandatory departments and supervisory positions are:

\* \* \* \* \*

(3) An information technology department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the information technology director. The information technology director shall be licensed as a key employee and be responsible for the quality, reliability and accuracy of all slot computer systems used by the slot machine licensee regardless of whether data, software or systems are located within or outside the licensed facility. The information technology director shall further be responsible for the security and physical integrity of, and the accountability and maintenance of, the following:

(i) Access codes and other security controls used to insure limited access to computer software and the system wide reliability of data.

(ii) Computer tapes, disks or other electronic storage media containing data relevant to the slot machine licensee's operations.

(iii) Computer hardware, communications equipment and software used in the conduct of the slot machine licensee's operations.

(iv) The computerized slot monitoring system utilized by the slot machine licensee. The information technology director shall ensure that:

(A) Slot machines, electronic wagering terminals and fully automated electronic gaming tables located on the gaming floor are connected electronically to the slot machine licensee's computerized slot monitoring system and to the Commonwealth's central control computer in accordance with section 1323 of the act (relating to central control computer system).

(B) The security features of the computerized slot monitoring system prohibit, at a minimum, the deletion, creation or modification of any data unless a permanent record is created that sets forth:

(I) The original information.

(II) Modifications to the original information.

(III) The identity of the employee making the modification.

(IV) The identity of each employee authorizing the modification, if applicable.

(C) Computerized jackpot payout systems utilized by the slot machine licensee are configured to require that any modification of \$100 or more to the original amount recorded on a computerized jackpot payout or system override is authorized by two slot operations department employees, one of whom is in a position of greater authority than the individual preparing the jackpot payout.

(D) Procedures and controls are in place that define and limit interaction between both the slot operations department and finance department and the computerized slot monitoring system including access to system menus, the establishment of slot machine, electronic wagering terminal and fully automated electronic gaming table profile parameters, and the ability of each department to access, delete, create or modify information contained in the slot monitoring system.

(4) Except as provided in paragraphs (8) and (9), a slot operations department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of slot operations. The director of slot operations shall be licensed as a key employee and be responsible for the operation of, and conduct of gaming at, slot machines and fully automated electronic gaming tables within the licensed facility.

(5) A security department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of security. The director of the security department shall be licensed as a key employee and be responsible for the overall security of the licensed facility including the following:

(i) The physical safety of individuals.

(ii) The physical safeguarding of assets.

(iii) The protection of the property of both the patron and the slot machine licensee from illegal activity.

(iv) The design, implementation and enforcement of a system for the issuance of temporary access credentials.

(v) The recording of any unusual incidents within the licensed facility in which the security department is involved. Each incident shall be recorded by security



department personnel in a book with bound numbered pages that cannot be readily removed or be maintained in an electronic format which has an audit function that prevents modification of information after the information has been entered into the system. The log shall be stored and retained in accordance with § 465a.6 (relating to retention, storage and destruction of books, records and documents). The following information shall be recorded:

- (A) The assignment number of the incident.
- (B) The date and time.
- (C) The nature of the incident.
- (D) The individuals involved in the incident.
- (E) The security department employees assigned to cover the incident.
- (vi) The identification and removal of any individual who is required to be excluded or ejected from the licensed facility under section 1514 of the act, who may be excluded or ejected from the licensed facility under section 1515 of the act or is self excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act.
- (vii) The performance of the duties and responsibilities required under the system of internal controls submitted and approved under § 465a.2.
- (viii) The provision of immediate notice to the Pennsylvania State Police upon detecting the presence in the licensed facility of an individual possessing a weapon in violation of § 465a.13 (relating to possession of weapons within a licensed facility).
- (ix) The provision of immediate notice to supervisors designated in the internal controls and the casino compliance representatives and the Pennsylvania State Police at the licensed facility upon detecting any individual who is engaging in or attempting to engage in, or who is suspected of cheating, theft, embezzlement, a violation of this part or other illegal activities.
- (x) The provision of immediate notice to supervisors designated in the internal controls and the casino compliance representatives and the Pennsylvania State Police at the licensed facility upon detecting any individual who is required to be excluded or ejected from the licensed facility under section 1514 or 1515 of the act and Chapter 511a or 513a or is self-excluded from the gaming floor and gaming activities at all licensed facilities under section 1516 of the act and Chapter 503a.
- (6) A finance department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of finance. The director of finance shall be licensed as a key employee and responsible for all finance functions including the preparation and control of records and data, the control of stored data, the control of unused forms, the accounting for and comparison of operational data and forms, and the control and supervision of the inventory of gaming chips, the issuance of credit, the main cage, Poker room cage, satellite cages and the count room. The employees responsible for the issuance of credit shall be in a reporting line to the director of finance. The supervisor of the cage shall, on all shifts, be permitted as a gaming employee.
- (7) Except as provided in paragraphs (8) and (9), a certificate holder shall have a table games department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of table games. The director of table games shall be licensed

as a key employee and responsible for all table game functions including the inventory of table game equipment.

(8) In lieu of separate slot and table games departments, a slot machine licensee may elect to have a gaming department supervised by an individual located at the licensed facility who functions, for regulatory purposes, as the director of gaming. The director of gaming shall be licensed as a key employee and responsible for the overall operation and conduct of gaming at slot machines and table games within the licensed facility. A slot machine licensee may also elect to have a director of table games and a director of slot operations who report to the director of gaming.

(9) Unless otherwise specified by the certificate holder, for the conduct of gaming on electronic wagering terminals and hybrid gaming tables, the slot operations department shall supervise the electronic wagering terminals and the table games department shall supervise the conduct of gaming at hybrid gaming tables as provided in paragraphs (4) and (7).

(c) The supervisors of the surveillance and internal audit departments required under subsection (b) shall report directly to one of the following persons or entities regarding matters of policy, purpose, responsibility and authority, which persons or entities shall also control the hiring, termination and salary of each supervisor:

\* \* \* \* \*

**§ 465a.17. Bill validators, slot cash storage boxes and table game drop boxes.**

(a) Slot machines, electronic wagering terminals and fully automated electronic gaming tables must be equipped with a bill validator configured to accept any combination of currency, gaming vouchers, coupons and other instruments authorized by the Board for incrementing credits on a slot machine, electronic wagering terminal or fully automated electronic gaming table.

(b) Access to the bill validator must be controlled by at least one lock, the key to which shall be controlled by the slot operations department.

(c) The bill validator in a slot machine, electronic wagering terminal or fully automated electronic gaming table must contain a secure tamper resistant container known as a slot cash storage box or table game drop box. Currency, gaming vouchers, coupons and Board-approved instruments inserted into the bill validator shall be deposited into the slot cash storage box or table game drop box.

(d) The slot cash storage box or table game drop box on a fully automated electronic gaming table or an electronic wagering terminal must be secured to the bill validator by two separate locks, the keys to which shall be different from each other, one of which may be the lock to the belly door or main door of the slot machine, electronic wagering terminal or fully automated electronic gaming table and a second of which is the lock on the release mechanism on the slot cash storage box or table game drop box. If there is not a full door on the bill validator, the lock on the release mechanism on the slot cash storage box or table game drop box must detect and display whether it is locked or unlocked and communicate whether it is locked or unlocked to a slot monitoring system. The keys shall be maintained and controlled as follows:

(1) The key to the main door and belly door, if applicable, of the slot machine, electronic wagering terminal or fully automated electronic gaming table shall be main-

tained and controlled by the slot operations department. The slot operations department may, immediately prior to the commencement of the drop, issue its main door and belly door key, if applicable, to the finance department. A key transferred from the slot operations department to the finance department shall be returned immediately following the conclusion of the drop. The slot operations department shall establish sign in and sign out procedures in its internal controls documenting this transfer.

(2) The key to the lock securing the release mechanism on the slot cash storage box or table game drop box shall be maintained and controlled by the security department. The security department shall establish a sign out and sign in procedure with regard to this key which includes documentation of this transfer.

(e) A slot cash storage box or table game drop box from a fully automated electronic gaming table or an electronic wagering terminal must:

(1) Have at least one lock securing the contents of the slot cash storage box or table game drop box, the key to which shall be maintained and controlled by the finance department.

(2) Have a slot opening through which currency, gaming vouchers and coupons can be inserted into the slot cash storage box or table game drop box.

(3) Have a mechanical arrangement or device that prohibits removal of currency, gaming vouchers and coupons from the slot opening whenever the slot cash storage box or table game drop box is removed from the bill validator.

(4) Be fully enclosed, except for openings that may be required for the operation of the bill validator or the slot cash storage box or table game drop box. However, the location and size of the openings may not affect the security of the slot cash storage box, the table game drop box, its contents or the bill validator.

(5) Have an asset number that is permanently imprinted, affixed or impressed on the outside of the slot cash storage box or table game drop box which corresponds to the asset number of the slot machine, electronic wagering terminal or fully automated electronic gaming table to which the bill validator has been attached. In lieu of the asset number, a slot machine licensee may develop and maintain, with prior Board approval, a system for assigning a unique identification number to its slot cash storage boxes or table game drop boxes. The system must ensure that each slot cash storage box or table game drop box can readily be identified, either manually or by computer, when in use with, attached to and removed from a particular bill validator. Each unique identification number must be permanently imprinted, affixed or impressed on the outside of each slot cash storage box or table game drop box that does not otherwise bear an asset number. The asset number or unique identification number must be conspicuous and clearly visible to persons involved in removing or replacing the slot cash storage box or table game drop box in the bill validator and through the slot machine licensee's surveillance system. Notwithstanding the foregoing, emergency slot cash storage boxes and emergency table game drop boxes for fully automated electronic gaming tables or electronic wagering terminals may be maintained without an asset number or a unique identification number, provided the word "emergency" is permanently imprinted, affixed or impressed thereon, and when put into use, are temporarily marked with the asset number of the slot machine, electronic wagering terminal or fully automated electronic gaming table to which the bill validator is attached.

(6) Be designed and installed in a manner that renders the slot machine, electronic wagering terminal or fully automated electronic gaming table inoperable in the event of the removal or absence of the slot cash storage box or table game drop box.

(f) A table game in a licensed facility that is not a fully automated electronic gaming table or an electronic wagering terminal must have a secure tamper-resistant table game drop box attached to it in which the following shall be deposited:

(1) All cash exchanged at the gaming table for gaming chips and plaques.

(2) Issuance copies of Counter Checks exchanged at the gaming table for gaming chips and plaques.

(3) Copies of Fill Request Slips, Fill Slips, Credit Request Slips, Credit Slips and Table Inventory Slips.

(4) Other table game wagering instruments as approved by the Board.

(g) A table game drop box from a table game that is not a fully automated electronic gaming table or electronic wagering terminal must have:

(1) Two separate locks securing the contents placed into the table game drop box, the keys to which must be different from each other.

(2) A separate lock securing the table game drop box to the gaming table, the key to which must be different from each of the keys to the locks securing the contents of the table game drop box.

(3) A slot opening through which currency, value chips or Poker rake chips for nonbanking games, other table game wagering instruments as approved by the Board, and required forms and documents can be inserted into the table game drop box.

(4) A mechanical device that must automatically close and lock the slot opening upon removal of the table game drop box from the gaming table.

(5) Permanently imprinted or impressed thereon, and clearly visible to surveillance, either:

(i) A number corresponding to a unique permanent number on the gaming table to which the table game drop box is attached and a letter or letters which indicate the type of game.

(ii) The word "emergency."

(6) In addition to the information required under paragraph (5)(i), a table game drop box may also be identified by a bar code label that is securely affixed to the table game drop box. Each bar code label affixed to a table game drop box must be:

(i) Encoded, at a minimum, with the information required under paragraph (5)(i).

(ii) Prepared in accordance with the slot machine licensee's approved internal controls.

(h) The key utilized to release the table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals shall be maintained and controlled by the security department. The security department may, immediately prior to the commencement of the table game count process, issue its release key to the count room supervisor for the purpose of resetting the release mechanism on empty table game drop boxes. A key transferred from the security department shall be returned immediately following the conclusion of the count of the table game drop

boxes. The security department shall establish sign in and sign out procedures in its internal controls documenting this transfer and procedures governing the control of the key during any breaks taken by the count room personnel.

(i) The key to one of the locks securing the contents of a table game drop box from a table game that is not a fully automated electronic gaming table or an electronic wagering terminal shall be maintained and controlled by the finance department. The key to the second lock securing the contents of the table game drop box from a table game that is not a fully automated electronic gaming table or an electronic wagering terminal shall be maintained and controlled by the casino compliance representatives.

(j) Prior to using a table game drop box labeled "Emergency" for a table game that is not a fully automated electronic gaming table or an electronic wagering terminal, the certificate holder shall:

(1) Notify and obtain the verbal approval of the casino compliance representatives.

(2) Temporarily mark the emergency table game drop box with the number of the gaming table and a letter or letters that indicate the type of game.

**§ 465a.18. Transportation of slot cash storage boxes and table game drop boxes to and from the gaming floor; storage.**

(a) Slot machine licensees shall submit and obtain the approval of the Bureau of Casino Compliance, in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment), the plan for the distribution and collection of slot cash storage boxes and table game drop boxes. The plan must:

(1) Provide for the separate distribution and collection of all of the following:

(i) Slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables and electronic wagering terminals.

(ii) Table game drop boxes not otherwise specified in subparagraph (i).

(2) Include the time the distribution and collection of:

(i) Slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables and electronic wagering terminals will begin.

(ii) Table game drop boxes not otherwise specified in subparagraph (i) will begin.

(3) Specify which slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables and electronic wagering terminals will be picked up on each pick-up day.

(4) Specify the order in which the slot cash storage boxes and table game drop boxes will be distributed and collected.

(5) Specify the route that the drop team will utilize from the gaming floor to the count room.

(b) Slot machine licensees shall maintain and make available to the Bureau of Casino Compliance and the Pennsylvania State Police a current list, with Board credential numbers, of all employees participating in the transportation of slot cash storage boxes and table game drop boxes to and from the gaming floor. The slot machine licensee shall file notice with the Bureau of

Casino Compliance and obtain verbal approval from the casino compliance supervisor at the licensed facility prior to:

(1) Deviating from the schedule setting forth the specific times at which slot cash storage boxes or table game drop boxes are brought to or removed from the gaming floor.

(2) Changing which slot cash storage boxes or table game drop boxes from fully automated electronic gaming tables or electronic wagering terminals will be picked up on each pick-up day.

(3) Altering the route to the count room.

(c) Table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals shall be removed from all gaming tables once each gaming day regardless of whether or not the gaming table was open or closed during that gaming day. Table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals shall be collected separately from slot cash storage boxes and table game drop boxes from electronic wagering terminals and fully automated electronic gaming tables.

(d) Slot cash storage boxes and table game drop boxes removed from bill validators or gaming tables shall be transported directly to, and secured in, the count room or a trolley storage area located immediately adjacent thereto, configured and secured by a minimum of three employees, at least one of which is a member of the security department and at least one of which is a member of the finance department.

(1) Upon its removal from a bill validator or gaming table, a slot cash storage box or table game drop box shall immediately be placed in an enclosed trolley which is secured by two separately keyed locks. The key to one lock shall be maintained and controlled by the security department. The key to the other lock shall be maintained and controlled by the finance department. Access to the keys shall be controlled, at a minimum, by a sign out and sign in procedure contained in the slot machine licensee's internal controls. The security department key and the key controlled by finance shall be returned to its secure location after completion of the slot and table game count.

(2) Prior to the movement of any trolley, which contains slot cash storage boxes or table game drop boxes, from the gaming floor into the count room, the drop team supervisor shall verify that the number of slot cash storage boxes and table game drop boxes removed from the gaming floor equals the number of slot cash storage boxes and table game drop boxes scheduled to be collected that day and that the locks controlled by security and the finance department have been locked. For table game drop boxes removed from table games that are not fully automated electronic gaming tables or electronic wagering terminals, a floorperson or above may verify the number of table game drop boxes removed from the gaming floor instead of the drop team supervisor.

(3) A slot cash storage box or table game drop box being replaced by an emergency slot cash storage box or table game drop box shall be transported, using a trolley, directly to and secured in the count room by at least one member of the finance department and one member of the security department.

(e) Slot cash storage boxes and table game drop boxes that are not secured to a bill validator or a gaming table,



including emergency slot cash storage boxes and table game drop boxes that are not actively in use, shall be stored in the count room or other secure area specified in the slot machine licensee's internal controls. These slot cash storage boxes and table game drop boxes shall be stored in an enclosed cabinet or trolley and secured in the cabinet or trolley by a separately keyed, double locking system. The key to one lock shall be maintained and controlled by the security department and the key to the other lock shall be maintained and controlled by the finance department. Access to the keys shall be controlled, at a minimum, by a sign out and sign in procedure contained in the slot machine licensee's internal controls.

(f) Notwithstanding subsection (e), the security department may, immediately prior to the commencement of the count process, issue its key to the storage cabinet or trolley to a count room supervisor for the purpose of gaining access to the slot cash storage boxes and table game drop boxes in the storage cabinet or trolley. A key transferred from the custody of the security department to the count room supervisor shall be returned immediately following the conclusion of the count of the slot cash storage boxes and table game drop boxes and the return of the empty emergency drop boxes and slot cash storage boxes or table game drop boxes to their respective storage cabinet or trolley by the count room supervisor. The security department shall establish in its internal controls a sign out and sign in procedure documenting this transfer and a procedure governing the control of the key during any breaks taken by count room personnel.

(g) When a gaming table on the gaming floor is not in use, the table game drop box for that table must remain attached to the gaming table.

(h) Prior to changing the type of table game offered or removing a slot machine or table game from the gaming floor, at least one security department employee and one finance department employee shall conduct an emergency drop.

**§ 465a.19. Acceptance of tips or gratuities from patrons.**

\* \* \* \* \*

(g) Notwithstanding the requirements in subsection (c), a certificate holder that offers:

(1) Nonbanking Poker may either:

(i) Establish a separate common pool for tips and gratuities received by its Poker dealers.

(ii) Permit a Poker dealer to retain his own tips and gratuities, in which case the tips and gratuities received by a Poker dealer shall be deposited, in accordance with procedures in subsection (d), in a transparent locked box assigned to the particular dealer. The box shall be moved from table to table with the dealer.

(2) Gaming on electronic wagering terminals may allow players to tip from the electronic wagering terminal provided that the certificate holder specifies how the tips placed electronically will be recorded, pooled and distributed in accordance with this section.

(h) When a slot machine licensee elects to use the option in subsection (g)(1)(ii), at the end of the Poker dealer's shift, the dealer shall take the transparent locked box assigned to the dealer to a cage cashier. The cage cashier shall open the container and count the tips and gratuities in the presence of the Poker dealer and record the total amount of the tips and gratuities received by the dealer and either:

(1) Return the tips and gratuities to the dealer.

(2) Retain all or a portion of the tips and gratuities for inclusion in the dealer's paycheck.

(i) A certificate holder shall specify how dealer tips and gratuities will be reported to the Internal Revenue Service.

**§ 465a.25. Counting and recording of slot cash storage boxes and table game drop boxes.**

(a) Prior to commencing gaming operations, a slot machine licensee shall establish a comprehensive system of internal controls addressing the opening, counting and recording of the contents of slot cash storage boxes and table game drop boxes. The internal controls shall be submitted to and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols) and must include:

\* \* \* \* \*

(3) The procedures for conducting each required count, which must include, at a minimum, the following:

\* \* \* \* \*

(ix) A gaming voucher or coupon deposited in a slot cash storage box or table game drop box from a fully automated electronic gaming table or an electronic wagering terminal shall be counted and included in the calculation of revenue without regard to the validity of the gaming voucher or coupon.

(4) Procedures for scheduled breaks to be taken by the count team members during the count. This submission must also address the use of restroom facilities that are located in the count room.

(5) Procedures governing the proper wearing and immediate inspection of jumpsuits worn by the count team members to ensure that items are not taken from the count room without proper authority and that the jumpsuits have not been altered in any way. The count team is prohibited from removing the jumpsuits from the licensed facility.

(b) A slot machine licensee shall file with the Bureau of Casino Compliance, in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment), a schedule setting forth the times during which the contents of slot cash storage boxes, table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals and table game drop boxes from table games that are fully automated electronic gaming tables or electronic wagering terminals are to be counted and recorded. The slot machine licensee shall file notice with the Bureau of Casino Compliance and obtain verbal approval from the casino compliance supervisor at the licensed facility prior to deviating from the count schedule.

(c) Immediately prior to the commencement of the count, a count room employee shall notify the surveillance department that the count is about to begin so that surveillance can record the entire count process as required under § 465a.9(e)(8) (relating to surveillance system; surveillance department control; surveillance department restrictions).

(d) Except as otherwise provided in this section, access to the count room during the counting process shall be limited to the count team and those individuals whose presence is necessary to complete the count. The count team shall consist of at least three employees. Employees in the count room who are conducting the count may not, during the counting process, enter a storage area for slot

cash storage boxes, table game drop boxes or other items that are part of the count room to perform any function that is not directly related to the counting process.

(e) The opening, counting and recording of the contents of table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals may not commence until a casino compliance representative is present in the count room. If the casino compliance representative has to leave the count room during the table game count, the count shall be suspended and all personnel in the count room shall vacate the count room until a casino compliance representative is available to observe the resumption of the count.

\* \* \* \* \*

(m) All table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals shall be counted and recorded at least once each gaming day. The slot machine licensee shall designate which slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables and electronic wagering terminals will be counted and recorded each gaming day. The following shall be counted and recorded separately:

(1) Slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables and electronic wagering terminals.

(2) Table game drop boxes from banking games that are not fully automated electronic gaming tables or electronic wagering terminals.

(3) Table game drop boxes from nonbanking games.

(n) After the contents of slot cash storage boxes and table game drop boxes from fully automated electronic gaming tables and electronic wagering terminals have been removed and counted, a count team member shall present the currency to a main bank cashier or cage supervisor in the count room who shall recount, either manually or mechanically, the currency prior to having access to the information recorded by the count team.

(o) Table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals shall be counted and recorded as follows:

(1) As the contents of each table game drop box are counted, a count team member shall manually record the results of the count on the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or a computer system. The Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report must be a three-part form consisting of an original and two duplicates. The distribution of the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report shall be as follows:

(i) The original shall be delivered to revenue audit by the count room supervisor immediately after leaving the count room at the conclusion of the count.

(ii) The second copy shall be retained by the casino compliance representative observing the count.

(iii) The third copy shall be retained by the cage supervisor or main bank cashier.

(2) After the contents of each table game drop box from a banking table game are counted, a member of the count team shall record, manually on the Daily Banking Table

Game Count Report or electronically on a computer system, the following information for each banking table game drop box:

(i) The value of each denomination of currency counted.

(ii) The total value of all denominations of currency counted.

(iii) The gaming date of the items being recorded, the total number of banking table game drop boxes opened and counted and the date that the Daily Banking Table Game Count Report is being prepared or generated.

(3) After the contents of each table game drop box from a nonbanking table game are counted, a member of the count team shall record, manually on the Daily Nonbanking Table Game Count Report or electronically on a computer system, the following information for each nonbanking table game drop box:

(i) The value of Poker rake chips counted.

(ii) The value of value chips counted.

(iii) The total value of Poker rake chips and value chips counted.

(iv) The gaming date of the items being recorded, the total number of nonbanking table game drop boxes opened and counted and the date that the Daily Nonbanking Table Game Count Report is being prepared or generated.

(4) After preparation of the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or the electronic equivalents prepared on a computer system, the count team members and the count room supervisor shall sign the reports attesting to the accuracy of information recorded thereon. The count room supervisor shall verify that all of the table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals that were collected and opened by count team members have been recorded on the reports.

(5) Once all currency has been counted and the final count totals have been obtained, employees may not be permitted to leave the count room, except in an emergency, until the recount and presentation procedures in paragraph (6) have been completed.

(6) After the contents of all table game drop boxes from table games that are not fully automated electronic gaming tables or electronic wagering terminals have been removed and counted, all cash, value chips and Poker rake chips shall be presented in the count room by a count team member to a main bank cashier or cage supervisor who, prior to having access to the information recorded on the Daily Banking Table Game Count Report and the Daily Nonbanking Table Game Count Report or electronic equivalents and in the presence of the count team members and the casino compliance representative, shall recount, either manually or mechanically, the currency, value chips and Poker rake chips presented in accordance with the following requirements:

\* \* \* \* \*

#### § 465a.26. Jackpot and credit meter payouts.

(a) Prior to commencing gaming operations, a slot machine licensee shall establish a comprehensive system of internal controls addressing jackpot and credit meter payouts that are not paid directly from a slot machine, electronic wagering terminal or fully automated electronic gaming table. The internal controls shall be submitted to

and approved by the Board under § 465a.2 (relating to internal control systems and audit protocols).

(b) The internal control procedures must, at a minimum, include:

(1) The use of a two-part electronically generated jackpot/credit meter payout slip created by a slot attendant or slot supervisor or higher slot operations department employee, verifying the winning wager or winning combination of characters or a code corresponding to the winning combination of characters on the slot machine, electronic wagering terminal or fully automated electronic gaming table and the amount of the jackpot or credit meter payout based on the observed winning wager or winning combinations.

(2) A requirement that if the jackpot or credit meter payout on a slot machine is equal to or between \$1,200 and \$9,999.99, a security department member or a slot operations department member other than the preparer shall sign the jackpot/credit meter payout slip verifying the winning combination of characters or a code corresponding to the winning combination of characters on the slot machine, the amount of the jackpot or credit meter payout and the payment of the jackpot or credit meter payout to the patron. Notwithstanding the foregoing, if the licensee's slot or casino management system can independently verify a jackpot or credit meter payout, only the preparer is required to sign the jackpot/credit meter payout slip for payouts less than or equal to \$4,999.99 provided that the slot machine licensee's internal control reflect the following:

(i) If the slot machine licensee's slot or casino management system or the central control computer system are not fully operational, or when overrides or adjustments are required, two individuals shall verify a jackpot or credit meter payout that is equal to or between \$1,200 and \$9,999.99 as specified in this paragraph.

(ii) Jackpot payouts that are equal to or greater than \$1,200 shall be accompanied by the issuance of a W-2G Form.

(3) A requirement that if the jackpot or credit meter payout is equal to or between \$10,000 and \$24,999.99 on a slot machine, or between \$5,000 and \$24,999.99 on a fully automated electronic gaming table or electronic wagering terminal, a security department member, a slot supervisor or other employee holding the same or greater level of authority than a slot supervisor shall sign the jackpot/credit meter payout slip verifying the winning wager or winning combination of characters or a code corresponding to the winning combination of characters on the slot machine, electronic wagering terminal or fully automated electronic gaming table, the amount of the jackpot or credit meter payout, and the payment of the jackpot or credit meter payout to the patron. If the two-part electronically generated jackpot/credit meter payout slip required under paragraph (1) is created by a slot supervisor or higher slot operations department employee, the verification required by this paragraph may be completed by a slot attendant, security department member, a slot supervisor or other employee holding the same or greater level of authority as a slot supervisor.

(4) A requirement that if the jackpot or credit meter payout on a slot machine, electronic wagering terminal or fully automated electronic gaming table is \$25,000 or more, a slot supervisor or other employee holding the same or greater level of authority as a slot supervisor shall sign the jackpot/credit meter payout slip verifying the winning wager or winning combination of characters

or a code corresponding to the winning combination of characters on the slot machine, electronic wagering terminal or fully automated electronic gaming table, the amount of the jackpot or credit meter payout, and the payment of the jackpot or credit meter payout to the patron. If the two-part electronically generated jackpot/credit meter payout slip required under paragraph (1) is created by a slot supervisor or higher slot operations department employee, the verification required by this paragraph may be completed by a slot attendant, security department member, a slot supervisor or other employee holding the same or greater level of authority as a slot supervisor.

(5) A requirement that the following information be on all two-part electronically generated jackpot/credit meter payout slips:

(i) The date and time of the jackpot or credit meter payout.

(ii) The asset number of the slot machine, electronic wagering terminal or fully automated electronic gaming table on which the jackpot or credit meter payout was registered.

(iii) The winning wager or winning combination of characters constituting the jackpot or a code corresponding to the winning combination of characters constituting the jackpot.

(iv) The type of win (that is, progressive, jackpot or credit meter payout).

(v) The amount that is to be paid to the winning patron. This amount may, at the slot machine licensee's discretion, be rounded up to the nearest whole dollar.

(vi) A unique number generated by the slot monitoring system.

(vii) The signature or, if the slot accounting system has approved controls for access to the system, the electronic authorization of the preparer.

(viii) The signature or, if the slot accounting system has appropriate controls for access, the electronic authorization of the witness when the amount is equal to or greater than \$1,200, except as provided in paragraph (2).

(ix) The signature or identification code of the cashier providing the funds to the preparer, if applicable.

(6) A requirement that the two-part electronically generated jackpot/credit meter payout slip not be susceptible to any changes or deletion from the slot monitoring system by any personnel after preparation.

(7) A requirement that whenever a winning patron is paid directly by a slot attendant's imprest fund, a two-part manual jackpot/credit meter payout slip is completed that contains the following information:

(i) The date and time of the jackpot or credit meter payout.

(ii) The asset number of the slot machine, electronic wagering terminal or fully automated electronic gaming table on which the jackpot or credit meter payout was registered.

(iii) The winning wager or winning combination of characters constituting the jackpot or a code corresponding to the winning combination of characters constituting the jackpot.

(iv) The type of win (that is, progressive, jackpot or credit meter payout).



(v) The amount paid to the winning patron. This amount may, at the slot machine licensee's discretion, be rounded up to the nearest whole dollar.

(vi) The signature and Board-issued credential number of the preparer.

(vii) The signature and Board-issued credential number of the witness when the amount is equal to or greater than \$1,200, except as provided in paragraph (2).

(8) When jackpot or credit meter payouts are made from slot attendants' imprest funds, procedures for the replenishment of the imprest funds and the reconciliation process to be used by the slot attendants.

(9) A requirement that the slot machine licensee's accounting department perform, at the conclusion of each gaming day, effective audit procedures over the issuance of jackpot and credit meter payouts including adequate comparisons to the slot monitoring system.

(10) Detailed procedures on the processing of all system overrides or adjustments to jackpot or credit meter payouts. All jackpot or credit meter payouts that do not match the payout amount electronically sent from the slot machine, electronic wagering terminal or fully automated electronic gaming table to the slot monitoring system require an override.

(11) Detailed procedures for the processing of all voided jackpot/credit meter payout slips.

(12) Detailed procedures for the processing of unclaimed taxable jackpot payouts. The procedures must include notice to the casino compliance representatives at the licensed facility when an unclaimed taxable jackpot payout or credit meter payout occurs.

(13) Back-up procedures that will be used when the slot monitoring system is offline or an electronic jackpot payout slip cannot be created, including the use of a three-part manual jackpot or credit meter payout book or equivalent. The three-part manual jackpot payout book or equivalent must contain preprinted, serial numbered three-part manual jackpot/credit meter payout slips that include the following information:

- (i) Preprinted serial numbers.
- (ii) The date and time of the jackpot or credit meter payout.
- (iii) The asset number of the slot machine, electronic wagering terminal or fully automated electronic gaming table on which the jackpot or credit meter payout was registered.
- (iv) The amount of the jackpot or credit meter payout.
- (v) The method of payment requested by the patron.
- (vi) The signature and Board-issued credential number of the preparer.
- (vii) The signature and Board-issued credential number of the witness when the amount is equal to or greater than \$1,200.

(14) A requirement that the unused manual jackpot payout books or equivalent be maintained in a secured locked cabinet, that the key to the cabinet be controlled by the security department or the finance department and that the manual jackpot payout books or equivalent can only be signed out by a slot supervisor or other employee holding a greater level of authority when the slot monitoring system is offline.

(15) A requirement that the surveillance department be verbally notified of all jackpot or credit meter payouts

when the amount of the jackpot or credit meter payout is \$5,000 or more. The surveillance department shall log all calls regarding jackpot or credit meter payouts in the surveillance log.

**§ 465a.35. Personnel assigned to the operation and conduct of table games.**

(a) The following personnel shall be used to operate table games that are not fully automated electronic gaming tables or electronic wagering terminals in a licensed facility:

\* \* \* \* \*

(d) If the gaming tables being supervised by a floorperson are electronic gaming tables, other than fully automated electronic gaming tables or electronic wagering terminals, the maximum number of gaming tables that the floorperson may supervise may be increased by 50%. For example, under subsection (c)(1) the floorperson would be allowed to supervise six banking gaming tables instead of four.

\* \* \* \* \*

**§ 465a.36. Table inventories.**

(a) When a table game that is not a fully automated electronic gaming table or electronic wagering terminal is opened for gaming, operations shall commence with an amount of gaming chips, coins and plaques to be known as the table inventory.

\* \* \* \* \*

**§ 465a.37. Procedures for opening table games.**

(a) When a table game that is not a fully automated electronic gaming table or electronic wagering terminal is to be opened for gaming activity, the locked container with the table inventory and the duplicate copy of the Table Inventory Slip, if not already attached to the gaming table, shall be transported directly from the cage to the gaming table by a security department employee.

\* \* \* \* \*

**§ 465a.38. Procedures for distributing value chips, coins and plaques to gaming tables.**

(a) A request for a fill to add value chips, coins and plaques to table games that are not fully automated electronic gaming tables or electronic wagering terminals shall be prepared by a pit clerk or floorperson or above using a Fill Request Slip. Access to the blank Fill Request Slips shall be restricted to pit clerks and floorpersons or above.

\* \* \* \* \*

**§ 465a.39. Procedures for removing value chips, coins and plaques from gaming tables.**

(a) A request for a credit to remove value chips, coins and plaques from table games that are not fully automated electronic gaming tables or electronic wagering terminals shall be prepared by a pit clerk or floorperson or above using a Credit Request Slip. Access to the blank Credit Request Slips shall be restricted to pit clerks and floorpersons or above.

\* \* \* \* \*

**§ 465a.40. Procedures for accepting cash for gaming chips, plaques or electronic wagering credits at table games.**

When cash is presented by a patron at a table game that is not a fully automated electronic gaming table or



electronic wagering terminal for exchange for gaming chips, plaques or electronic wagering credits:

(1) The cash shall be spread on the top of the gaming table by the dealer or boxperson accepting it in full view of the patron who presented it, the floorperson assigned to the gaming table and the slot machine licensee's surveillance system.

(2) The amount of cash shall be verbalized by the dealer or boxperson accepting it in a tone of voice to be heard by the patron who presented it and the floorperson assigned to the gaming table.

(3) Immediately after an equivalent amount of gaming chips, plaques or electronic wagering credits have been given to the patron, the cash shall be taken from the top of the gaming table and placed by the dealer or boxperson into the drop box attached to the gaming table.

**§ 465a.41. Procedures for drops at open table games.**

(a) When a table game that is not a fully automated electronic gaming table or electronic wagering terminal is being dropped is to remain open for gaming activity, the value chips, coins and plaques remaining in the table inventory at the time of the drop shall be counted by the dealer or boxperson assigned to the gaming table and recorded on a Table Inventory Slip.

(b) The count required under subsection (a) shall be observed by the floorperson who is responsible for supervising the table game at the time of the drop.

(c) Signatures attesting to the accuracy of the information recorded on the Table Inventory Slip shall be placed on both copies of the Table Inventory Slip by the dealer or boxperson assigned to the table and the floorperson that observed the dealer or boxperson count the contents of the table inventory.

(d) After the Table Inventory Slip is signed as required under subsection (c), the original copy of the Table Inventory Slip shall be deposited in the drop box that is attached to the gaming table immediately before the drop box is removed from the gaming table as part of the drop. The duplicate copy of the Table Inventory Slip shall be deposited in the drop box that is attached to the gaming table immediately following the removal of the drop box that is removed from the gaming table as part of the drop.

**§ 465a.42. Procedures for closing table games.**

(a) When gaming activity at a table game that is not a fully automated electronic gaming table or electronic wagering terminal is concluded, the value chips, coins and plaques remaining at the gaming table shall be counted by the dealer or boxperson assigned to the gaming table in the presence of the floorperson assigned to the gaming table.

\* \* \* \* \*

**CHAPTER 467a. COMMENCEMENT OF SLOT AND TABLE GAME OPERATIONS**

**§ 467a.1. Gaming floor plan.**

(a) Prior to the commencement of gaming operations, the holder of a slot machine license shall submit to the Board an initial floor plan of its gaming floor and the restricted areas servicing slot and table game operations. A licensee shall submit with its renewal application an up to date floor plan. Initial floor plans and floor plans submitted with a licensee's renewal application shall be drawn to 1/8 inch scale, unless another scale is approved by the Board, and certified by an architect licensed to practice in this Commonwealth. Revised gaming floor

plans, which are submitted in accordance with subsection (d), may be submitted electronically, unless otherwise requested by Board staff, provided there is sufficient detail when enlarged to read the information in the electronic submission. A floor plan must depict all of the following:

(1) The gaming floor with notations as to:

(i) Proposed total square footage.

(ii) The perimeter of the gaming floor.

(iii) A clearly delineated route for underage individuals to access areas adjacent to the gaming floor.

(iv) Designated smoking and nonsmoking areas.

(2) Each slot machine area and table game pit on the gaming floor and each slot machine and table game located within each slot machine area and table game pit. Slot machine and table game locations shall be identified by number in accordance with § 463a.3 (relating to slot machine, electronic wagering terminals and fully automated electronic gaming table location on the gaming floor).

\* \* \* \* \*

**Subpart K. TABLE GAMES**

**CHAPTER 601a. GENERAL TABLE GAME PROVISIONS**

**§ 601a.9. Table game taxes and gross table game revenue.**

(a) The tax on table game revenue shall be payable to the Department on a weekly basis and must be based upon the gross table game revenue derived during the previous week reported on forms and in the manner prescribed by the Department.

(b) Gross table game revenue includes the following:

(1) The net revenue from all banking table games including electronic gaming tables which are not fully automated electronic gaming tables or electronic wagering terminals.

(2) The net revenue from nonbanking table games.

(3) The net revenue from fully automated electronic gaming tables and electronic wagering terminals.

(4) The net revenue from contests or tournaments.

(c) Net revenue from banking table games, including electronic gaming tables which are not fully automated electronic gaming tables or electronic wagering terminals, must be the sum of the net revenue determined for each banking table game, which is not a fully automated electronic gaming table or electronic wagering terminals, individually. The net revenue for an individual banking table game which is not a fully automated electronic gaming table or electronic wagering terminals must be equal to the total of paragraphs (1) through (3) minus the total of paragraphs (4) and (5):

\* \* \* \* \*

(e) Net revenue from fully automated electronic gaming tables and electronic wagering terminals shall be determined through the Department's central control computer system. Fully automated electronic gaming tables shall be taxed in accordance with section 13A62(a)(2) of the act (relating to table game taxes) and electronic wagering terminals operated by a dealer shall be taxed in accordance with section 13A62(a)(1) of the act.

\* \* \* \* \*

# CHAPTER 605a. ELECTRONIC GAMING TABLES

## § 605a.1. Definitions.

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

*Electronic wagering system*—A computer or server and any related hardware, software or other device that permits wagering to be conducted at a gaming table or an electronic wagering terminal.

*Electronic wagering terminal*—A mechanical, electrical or computerized device utilizing an electronic wagering system which, upon insertion of cash or cash equivalents or the placement of a wager, is available for operation by a player wagering at a hybrid gaming table.

*Game account*—The funds that are available to a player for use at an electronic gaming table or electronic wagering terminal.

*Hybrid gaming table*—A banked table game operable with the assistance of a dealer that is connected to one or more electronic wagering terminals.

*Local area progressive controller*—The hardware and software used to configure, maintain and operate a shared link between progressive table games within a licensed facility.

## § 605a.2. Electronic wagering systems.

(a) A certificate holder may conduct electronic wagering at a gaming table or electronic wagering terminal in accordance with this chapter. Electronic wagering at a gaming table shall be conducted through the use of an electronic wagering system. If an electronic wagering system is in use, wagers placed at that gaming table or at each player's electronic wagering terminal, or only those wagers that are specified in the rules of the game, shall be made using the electronic wagering system at the table or at each player's electronic wagering terminal.

(b) An electronic wagering system must be a dedicated computer system. The computer or server controlling the system shall be under dual key control, with one key controlled by the finance department and the other key controlled by the table games department or the slot operations department if the computer or server is controlling a fully automated electronic gaming table or an electronic wagering terminal.

(c) All aspects of an electronic wagering system or electronic wagering terminal, including the computer or server and any related hardware, software or related devices shall be tested by the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to use at any licensed facility in this Commonwealth.

(d) An electronic wagering system must:

(1) Credit funds to the game account of a player when a player buys in to a game at a particular gaming table or on an electronic wagering terminal and debit any remaining funds from the game account when a player cashes out of the game.

(2) Permit a player to wager from a game account, collect losing wagers from the game account and pay winning wagers by crediting the amount of the winnings and corresponding wager to the game account.

(3) In the game of Poker:

(i) Debit game accounts and increment pots for wagers placed, and distribute winning pots by crediting the game accounts of the winning players in the appropriate amounts.

(ii) Extract the rake from players or pots according to the rake procedures established in accordance with § 637a.17 (relating to Poker revenue) and debit the game accounts of players in the appropriate amounts.

(iii) Make each player's balance or table stakes visible to all players in the game.

(4) Depict the transactions described in paragraphs (1)—(3) through one or more electronic fund displays that are visible to each player and the dealer or boxperson.

(5) Disclose to each player at all times the current balance in the player's game account.

(6) Accurately report and audit the table game or electronic wagering terminal win or loss or Poker revenue in accordance with § 637a.17.

(7) Be capable of generating reports setting forth, by gaming day, for each gaming table or electronic wagering terminal using the electronic wagering system:

(i) The total amount deposited into game accounts by all players.

(ii) The total amount credited to the game accounts of all players in payment of winnings.

(iii) The total amount collected from all players as losing wagers.

(iv) For Poker, if applicable:

(A) The total amount collected from the accounts of all players for collection of Poker rake time charges in accordance with § 637a.17.

(B) The total amount collected from Poker pots for collection of Poker rake in accordance with § 637a.17.

(v) The total amount withdrawn from game accounts by all players.

(vi) The table game or electronic wagering terminal gross table game revenue.

(e) After installation, electronic wagering systems, hybrid gaming tables and electronic wagering terminals shall be inspected by the Bureau of Gaming Laboratory Operations in accordance with § 461a.4 prior to use at any licensed facility in this Commonwealth.

## § 605a.3. Procedures for buying in to and cashing out of a table game using an electronic wagering system.

(a) A player shall buy in to a table game using an electronic wagering system as follows:

(1) If the gaming table or electronic wagering terminal is equipped with a bill validator, a player shall buy in to the game by either:

(i) Inserting currency or, if the table game is a fully automated electronic gaming table or an electronic wagering terminal, a gaming voucher, into the bill validator. The electronic wagering system must credit an equivalent amount of funds into the game account of the player, which must be displayed on the electronic fund display.

(ii) Presenting currency or value chips to the dealer or boxperson if the table game is not a fully automated electronic gaming table or an electronic wagering system.

(2) If the gaming table is not equipped with a bill validator, a player shall buy in to the game by presenting currency or value chips to the dealer or boxperson.

(3) When a player presents currency or value chips to a dealer or boxperson, the dealer or boxperson shall credit an equivalent amount of funds to the game account of the player, which shall be registered on the electronic fund display and acknowledged by the player.

(b) A player shall cash out of a table game using an electronic wagering system as follows:

(1) If the gaming table is a fully automated electronic gaming table or an electronic wagering terminal, by receiving a gaming voucher equal in value to the balance in the game account of the player.

(2) If the gaming table is not a fully automated electronic gaming table or an electronic wagering terminal, by receiving value chips from the dealer or boxperson from the table inventory container equal in value to the balance in the game account of the player.

(3) If the gaming table is not a fully automated electronic gaming table or an electronic wagering terminal, after cashing out the player, the dealer or boxperson shall zero out the amount on the electronic fund display of the player.

#### **§ 605a.4. Electronic gaming tables.**

(a) An electronic gaming table must comply with the requirements in § 605a.2 (relating to electronic wagering systems).

(b) An electronic gaming table system must contain a dedicated computer system. The computer or server controlling the system shall be under dual key control, with one key controlled by the finance department and the other key controlled by the table games department or the slot operations department if the computer or server is controlling a fully automated electronic gaming table or electronic wagering terminal. All aspects of an electronic gaming table system, including the computer or server and related hardware, software or related devices shall be tested by the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval), for compliance with the requirements of this section, prior to use at any licensed facility in this Commonwealth.

(c) An electronic gaming table must have the capacity to allow the Bureau of Gaming Laboratory Operations to verify all relevant control software for authenticity.

(d) A certificate holder using an electronic gaming table system shall include in its internal controls, at a minimum:

(1) Procedures to ensure the physical security of the computer or server and related hardware, software and other devices.

(2) Procedures to ensure the integrity and security of all sensitive data and software.

(3) Procedures to ensure that access to sensitive data and software is limited to appropriate personnel only.

(4) Procedures to ensure the logging of the events and the availability of records to permit an effective audit of the conduct of the system and the reporting of revenue.

(e) An electronic gaming table must have the ability to authenticate the transmission of data between the various components of the electronic gaming table system.

(f) An electronic gaming table that is not a fully automated electronic gaming table or an electronic wagering terminal must be equipped with the following meters, when applicable:

(1) *Coin in.* A meter that accumulates the total value of all wagers.

(2) *Coin out.* A meter that accumulates the total value of all amounts directly paid by the electronic gaming table as a result of winning wagers. This meter may not record amounts awarded as the result of a progressive payout.

(3) *Attendant paid jackpots.* A meter that accumulates the total value of credits paid by an attendant resulting from a single winning outcome, the amount of which is not capable of being paid by the electronic gaming table. This meter may not record amounts awarded as the result of a progressive payout.

(4) *Attendant paid cancelled credits.* A meter that accumulates the total value of all amounts paid by an attendant resulting from a player initiated cash-out that exceeds the physical or configured capability of the electronic gaming table.

(5) *Bill in.* A meter that accumulates the total value of currency accepted. The electronic gaming table must also have a specific meter for each denomination.

(6) *Electronic gaming table paid progressive payout.* For electronic gaming tables offering a progressive payout, a meter that accumulates the total value of credits paid as a result of progressive awards paid directly by the electronic gaming table.

(7) *Attendant paid progressive payout.* For electronic gaming tables offering a progressive payout, a meter that accumulates the total value of credits paid by an attendant as a result of progressive awards that are not capable of being paid by the electronic gaming table.

(8) *Additional meters.* Other meters required by technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site.

#### **§ 605a.5. Fully automated electronic gaming tables and electronic wagering terminals.**

(a) Fully automated electronic gaming tables and electronic wagering terminals must comply with the comprehensive protocol specifications required under section 1324 of the act (relating to protocol information) that are necessary to enable the fully automated electronic gaming table or electronic wagering terminal to communicate with the Department's central control computer system, for the purpose of transmitting auditing program information, real time information retrieval and game activation and disabling.

(b) A fully automated electronic gaming table must have installed software or hardware that distinguishes the fully automated electronic gaming table from a slot machine as defined by the act.

(c) A fully automated electronic gaming table and an electronic wagering terminal must have the capability to accept currency or gaming vouchers and to issue a gaming voucher to a player for any winnings.

(d) A fully automated electronic gaming table and an electronic wagering terminal must be equipped with the following meters, where applicable:



(1) *Coin in.* A meter that accumulates the total value of all wagers.

(2) *Coin out.* A meter that accumulates the total value of all amounts directly paid by the fully automated electronic gaming table or electronic wagering terminal as a result of winning wagers. This meter may not record amounts awarded as the result of a progressive payout.

(3) *Attendant paid jackpots.* A meter that accumulates the total value of credits paid by an attendant resulting from a single winning outcome, the amount of which is not capable of being paid by the fully automated electronic gaming table or electronic gaming terminal. This meter may not record amounts awarded as the result of a progressive payout.

(4) *Attendant paid cancelled credits.* A meter that accumulates the total value of all amounts paid by an attendant resulting from a player initiated cash-out that exceeds the physical or configured capability of the fully automated electronic gaming table or electronic wagering terminal.

(5) *Bill in.* A meter that accumulates the total value of currency accepted. The fully automated electronic gaming table or electronic wagering terminal must also have a specific meter for each denomination.

(6) *Voucher in—cashable/value.* A meter that accumulates the total value of cashable gaming vouchers accepted by the fully automated electronic gaming table or electronic wagering terminal.

(7) *Voucher in—cashable/count.* A meter that accumulates the total number of cashable gaming vouchers accepted by the fully automated electronic gaming table or electronic wagering terminal.

(8) *Voucher out—cashable/value.* A meter that accumulates the total value of cashable gaming vouchers issued by the fully automated electronic gaming table or electronic wagering terminal.

(9) *Voucher out—cashable/count.* A meter that accumulates the total number of cashable gaming vouchers accepted by the fully automated electronic gaming table or electronic wagering terminal.

(10) *Fully automated electronic gaming table paid progressive payout or electronic wagering terminal paid progressive payout.* For fully automated electronic gaming tables or electronic wagering terminals offering a progressive payout, a meter that accumulates the total value of credits paid as a result of progressive awards paid directly by the fully automated electronic gaming table or electronic wagering terminal.

(11) *Attendant paid progressive payout.* For fully automated electronic gaming tables or electronic wagering terminal offering a progressive payout, a meter that accumulates the total value of credits paid by an attendant as a result of progressive awards that are not capable of being paid by the fully automated electronic gaming table or electronic wagering terminal.

(12) *Additional meters.* Other meters required by technical standards adopted by the Board as published in the *Pennsylvania Bulletin* and posted on the Board's web site.

#### § 605a.7. Progressive table games.

(a) The requirements in this section apply to progressives offered on a fully automated electronic gaming table, electronic gaming tables, hybrid gaming tables and live table games. Each progressive on a fully automated electronic gaming table, electronic gaming table, hybrid gaming table or live table game must have:

(1) A progressive meter visible from the front of the gaming table, which must increase in value based upon wagers, that advises the players of the amount which can be won if the player receives the corresponding outcome.

(2) A meter that accumulates the total value of credits paid as a result of progressive awards paid directly by a fully automated electronic gaming table, electronic wagering terminal or electronic gaming table.

(3) A meter that accumulates the total value of credits paid as a result of progressive awards paid directly by an attendant as a result of progressive awards that are not capable of being paid by a fully automated electronic gaming table, electronic wagering terminal or electronic gaming table.

\* \* \* \* \*

#### § 605a.9. Hybrid gaming tables.

(a) In addition to the requirement in this chapter, hybrid gaming tables and electronic wagering terminals shall comply with the requirements in Chapter 461a (relating to slot machine and table game device testing and control).

(b) Regardless of the number of hybrid gaming tables, every five electronic wagering terminals count as one gaming table for purposes of the number of gaming tables authorized under section 13A11(b) of the act (relating to authorization to conduct table games). Electronic wagering terminals in excess of multiples of five count as an additional gaming table. For example, 26 electronic wagering terminals that are connected to 1 hybrid gaming table count as 6 gaming tables for purposes of the overall table game count.

(c) Wagering on a hybrid gaming table shall be conducted on an electronic wagering terminal. Each electronic wagering terminal must display the live table game play conducted on a hybrid gaming table.

### CHAPTER 607a. POSSESSION OF TABLE GAMES AND TABLE GAME DEVICES

#### § 607a.2. Table game device master list.

(a) Prior to commencement of table game operations at a licensed facility, a table games certificate holder shall file with the Bureau of Gaming Laboratory Operations and the Bureau of Casino Compliance, in an electronic format approved by the Bureau of Gaming Laboratory Operations, a Gaming Floor Table Game Device Master List and a Restricted Area/Off Premises Table Game Device Master List for the following table game devices:

(1) Electronic gaming tables as described in § 605a.4 (relating to electronic gaming tables).

(2) Progressive table game systems as described in § 605a.7 (relating to progressive table games).

(3) Automated card shuffling devices as described in § 603a.17 (relating to dealing shoes; automated card shuffling devices).

(4) Electronic dealing shoes as described in § 603a.17.

(5) Electronic wagering systems as described in § 605a.2 (relating to electronic wagering systems). For purposes of this section, electronic wagering systems do not include those associated with fully automated electronic gaming tables or electronic wagering terminals which are otherwise included on the Slot Machine, Electronic Wagering Terminal and Fully Automated Electronic Gaming Table Master List required under § 463a.5 (relating to slot machine, electronic wagering terminal and fully automated electronic gaming table master lists).



(6) Hybrid gaming tables as described in § 605a.9 (relating to hybrid gaming tables).

(7) Any other mechanical, electrical or computerized contrivance, terminal or machine required to be submitted to the Bureau of Gaming Laboratory Operators for testing and approval in accordance with Chapter 461a (relating to slot machine and table game device testing and control) that is not otherwise on the slot machine, electronic wagering terminal and fully automated electronic gaming table master list required under § 463a.5.

(b) The Gaming Floor Table Game Device Master List and the Restricted Area/Off Premises Table Game Device Master List must contain the following information:

- (1) The date the list was prepared.
- (2) A description of each table game device listed in subsection (a) which includes:
  - (i) The pit number or location on the gaming floor, restricted area of the licensed facility or other approved storage location.
  - (ii) The asset number or table game type, or both, that the device is connected to.
  - (iii) The manufacturer.
  - (iv) The manufacturer's serial number.

(v) The software/program identification.

(vi) If the device is a progressive:

(A) The name of the progressive controller type.

(B) The name and version of the progressive software.

(3) Identify if the fully automated, electronic or live gaming table on the gaming floor utilizes a progressive table game system in accordance with § 605a.7 to offer a progressive jackpot and, if so, identify all other tables that are linked to the same progressive jackpot.

(c) In conjunction with the Gaming Floor and Restricted Area/Off Premises Slot Machine and Fully Automated Electronic Gaming Table Master List filed in accordance with § 463a.5(g), on the first Tuesday of each month, a certificate holder shall file with the Bureau of Gaming Laboratory Operations an updated Gaming Floor Table Game Device Master List and Restricted Area/Off Premises Table Game Device Master List containing the information required under subsection (b). The Gaming Floor Table Game Device Master List and the Restricted Area/Off Premises Table Game Device Master List shall be filed in an electronic format with the Bureau of Gaming Laboratory Operations.

[Pa.B. Doc. No. 17-2079. Filed for public inspection December 15, 2017, 9:00 a.m.]

# 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 December 5, 2017.

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

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-4-2017	Univest Bank and Trust Co. Souderton Montgomery County	574 Main Street Bethlehem Northampton County	Approved

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-1-2017	Wayne Bank Honesdale Wayne County	<i>To:</i> 56 Stewart Avenue Roscoe Sullivan County, NY  <i>From:</i> 43 Stewart Avenue Roscoe Sullivan County, NY	Opened

### CREDIT UNIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-30-2017	Utilities Employees Credit Union Wyomissing Berks County  Merger of ClearChoice Federal Credit Union, Wyomissing, with and into Utilities Employees Credit Union, Wyomissing.	Effective
12-1-2017	Delco Postal Credit Union Upper Darby Delaware County  Merger of Philadelphia Post Office Employees Credit Union, Yeadon, with and into Delco Postal Credit Union, Upper Darby.	Effective

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-1-2017	Diamond Credit Union Pottstown Montgomery County	4453 North 5th Street Highway Temple Berks County	Filed

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. 17-2080. Filed for public inspection December 15, 2017, 9:00 a.m.]

## Maximum Lawful Rate of Interest for Residential Mortgages for the Month of January 2018

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 January, 2018, is 5%.

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. No. 96-221). Further preemption was instituted with the signing of Pub.L. No. 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 2.58 to which was added 2.50 percentage points for a total of 5.08 that by law is rounded off to the nearest quarter at 5%.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 17-2081. Filed for public inspection December 15, 2017, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Annual Certification Under Section 7201-B(e) of the Tax Reform Code

November 29, 2017

William R. Hite, Jr., Ed.D.  
Superintendent  
School District of Philadelphia  
440 North Broad Street, Suite 301  
Philadelphia, PA 19130

I am writing pursuant to Section 7201-B(e) of the Tax Reform Code, Act 52 of 2013, 72 P.S. § 7201-B(e), which provides that a city of the first class may impose a one percent sales and use tax that may be used by a school district of the first class in an amount up to \$120,000,000. Effective July 1, 2014, the City of Philadelphia imposed this additional sales and use tax. However, the use of these funds by the School District of Philadelphia ("District") must be authorized by the Secretary of Education.

Pursuant to Section 7201-B(e)(1), as Secretary of Education, I must consider whether "the school district... began implementation of reforms that provide for [the District's] fiscal stability, educational improvement and operational control."

According to the District, it is implementing the following new programs and initiatives aimed at increasing the range and quality of educational options available to students:

- Improving literacy, which includes remodeling pre-kindergarten through second grade classrooms in eight of the schools with the lowest literacy rates; utilizing early literacy coaches who will work with all kindergarten through third grade teachers; leveling libraries in all kindergarten through third grade classrooms so students gain literacy skills for lifetime learning; and distributing free books to approximately 37,000 pre-kindergarten through second grade students across the District to encourage summer reading.

- Focusing on career and college readiness, which includes ninth grade academies focused on college and career readiness; the third annual college signing day celebration; 22,000 ninth through twelfth grade students took the PSAT/SAT for free; and 2,742 students earned career and technical credentials.

- Improving school climate, which includes increased district schools' climate scores, reduced out-of-school suspensions, and decreased suspensions in early grades, resulting in increased instruction time, increased early childhood literacy, and increased graduation rates.

- Boosting transparency/improving school communities, which includes partnering with the Penn Graduate School of Education to complete the 2015-16 District-wide survey, receiving approximately 105,000 responses.

- Investing in green buildings/classrooms, which includes being named a 2017 U.S. Department of Education Green Ribbon School District Sustainability Awardee, installing new hydration stations at each school to provide access to safe, appealing water; and investing in capital relighting projects to save energy.

The District has also reported that additional steps have been taken to improve operational controls and to maintain fiscal stability, including:

- Projecting a \$108 million positive fund balance for the end of 2017-2018, which is the third consecutive year with a year-end positive fund balance.

- Executing new labor contracts with the Philadelphia Federation of Teachers and the Commonwealth Association of School Administrators.

- Extending the Cigarette Tax so it will no longer sunset in 2019.

- Implementing a new ridesharing program, in which the District will receive a portion of the revenues.

As a result of the foregoing reforms documented by the District, I hereby certify that the requisites of Section 7201-B(e) of the Tax Reform Code have been satisfied. I authorize the Pennsylvania Department of Revenue to disburse to the District, on or before the tenth day of every month, the total amount of money contained in the Local Sales and Use Tax Fund as of the last day of the previous month up to a maximum of \$120,000,000 pursuant to section 7201-B(e)(2) of the Tax Reform Code.

PEDRO A. RIVERA,  
*Secretary*

[Pa.B. Doc. No. 17-2082. Filed for public inspection December 15, 2017, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications.

*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>
PA0030996 (Sewage)	Bangor High School Sewer 123 Five Points Richmond Road Bangor, PA 18013-5224	Northampton County Upper Mount Bethel Township	Unnamed Tributary of Jacoby Creek (1-F)	Yes



<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>
PA0070246 (Sewage)	Kernsville Elementary School 2219 N Cedar Crest Boulevard Allentown, PA 18104-2119	Lehigh County North Whitehall Township	Jordan Creek (2-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0084255—sew	Swatara Mobile Home Park 2228 Grave Avenue Lebanon, PA 17046	Lebanon County/ Swatara Township	UNT Little Swatara Creek/7-D	Y
PA0111350—sew	Petersburg Borough Sew Auth PO Box 6 316 King Street Petersburg, PA 16669	Huntingdon County/ Petersburg	Borough & Logan Township Shaver's Creek/11-B	Y
PA0051748—sew	Tulpehocken Area School District Tulpehocken Junior/ Senior High School 27 Rehersburg Road Bethel, PA 19507	Berks County/ Jefferson Twp	UNT Northkill Creek/ 13-C	Y
PA0021776—sew	Fairfield Muni Auth 108 W. Main St. Fairfield, PA 17320	Adams County/ Fairfield Boro	Spring Run Creek/13-D	Y
PA0083569—sew	Riverview Estates Homeowners Association 656 Excavating Road Roaring Spring, PA 16673	Bedford County/ West Providence Township	Raystown Branch Juniata River/11-C	Y
PA0031861—sew	Zerbe Centers Nursing Center Inc. 2499 Zerbe Road Narvon, PA 17555	Lancaster County/ Caernarvon Township	West Branch Conestoga River/7-J	Y
PA0080055—sew	Conewago Park Water & Sewer Co. PO Box 332 Lemoyne, PA 17043-0332	Lancaster County/ West Donegal Township	Conewago Creek/7-G	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>
PA0238431 (Sewage)	Charles A Betts SFTF 1800 Weiler Road Warren, PA 16365	Warren County Conewango Township	Unnamed Tributary to the Morse Run (16-B)	Yes
PA0034061 (Sewage)	Goddard Park Vacationland Campground 867 Georgetown Road Sandy Lake, PA 16145-2525	Mercer County Deer Creek Township	Unnamed Tributary to Schofield Run (16-G)	Yes

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

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

**PA0026921**, Sewage, SIC Code 4952, **Greater Hazleton Joint Sewer Authority**, P.O. Box 651, Hazleton, PA 18201-0651. Facility Name: Greater Hazleton Joint Sewer Authority WWTP. This existing facility is located in West Hazleton Borough, **Luzerne 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, Black Creek, is located in State Water Plan watershed 5-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 8.9 MGD.

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	740	1,110	XXX	10.0	15.0	20.0
Total Suspended Solids	740	1,110	XXX	10.0	15.0	20.0
Fecal Coliform (No./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
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Sulfate, Total	Report	XXX	XXX	Report	XXX	XXX
Chloride	Report	XXX	XXX	Report	XXX	XXX
Bromide	Report	XXX	XXX	Report	XXX	XXX
Influent Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	Report	Report	XXX	XXX	XXX	XXX
	Total Monthly	Total Annual				
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Monthly					
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Monthly					
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	Report	XXX	XXX	XXX	XXX
	Total Monthly	Total Annual				
Net Total Nitrogen (Total Load, lbs)	Report	216,739	XXX	XXX	XXX	XXX
	Total Monthly	Total Annual				
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report	Report	XXX	XXX	XXX	XXX
	Total Monthly	Total Annual				
Net Total Phosphorus (Total Load, lbs)	Report	27,092	XXX	XXX	XXX	XXX
	Total Monthly	Total Annual				
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
Iron, Total	Report	XXX	XXX	Report	XXX	XXX
Manganese, Total	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 8.9 MGD.

(From Permit Effective Date to 3 Years After Permit Effective Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Cobalt, Total (µg/L)	Report	XXX	XXX	Report	XXX	XXX
Cyanide, Free (µg/L)	Report	XXX	XXX	Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of 8.9 MGD.

(From 3 Years After Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
May 1 - Oct 31	170	XXX	XXX	2.3	XXX	4.6
Nov 1 - Apr 30	510	XXX	XXX	6.9	XXX	13.8
Cobalt, Total (µg/L)	1.62	XXX	XXX	21.9	XXX	43.8
Cyanide, Free (µg/L)	0.44	XXX	XXX	6.0	XXX	12.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.1

The proposed effluent limits for Outfall 101 are based on a design flow of 0 MGD (stormwater).

(From Permit Effective Date to Permit Expiration Date)

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

The proposed effluent limits for Outfall 102 are based on a design flow of 0 MGD (stormwater).

(From Permit Effective Date to Permit Expiration Date)

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

The proposed effluent limits for Outfall 103 are based on a design flow of 0 MGD (stormwater).

(From Permit Effective Date to Permit Expiration Date)

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

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

- Chesapeake Bay Nutrient Requirements
- Combined Sewer Overflows
- POTW Pretreatment Program Implementation
- Solids Management
- Toxics Reduction Evaluation (TRE)
- Whole Effluent Toxicity (WET)
- Requirements for Total Residual Chlorine (TRC)
- 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 570-826-5472.

The EPA Waiver is not in effect.

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

**PA0086266**, Sewage, SIC Code 4952, **Northern Lancaster County Authority**, 983 Beam Road, Denver, PA 17517-8946. Facility Name: Northern Lancaster County Authority Kramer Mill Rd STP. This existing facility is located in Brecknock Township, **Lancaster County**.

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

The receiving stream(s), Little Muddy Creek, is located in State Water Plan watershed 7-J and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.007 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	1.5	2.3	XXX	25	40	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1.8	2.6	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

**PA0081141**, Sewage, SIC Code 4952, **Eberly Merle**, PO Box 251, Morgantown, PA 19543-0251. Facility Name: Locustwood MHP. This existing facility is located in East Cocalico Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Little Cocalico Creek, is located in State Water Plan watershed 7-J 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 0.01 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	XXX	XXX	XXX	20	XXX	40
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

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

The EPA Waiver is in effect.

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

**PA0232815**, Industrial, SIC Code 4941, **Sunbury City Municipal Authority Northumberland County**, 462 S 4th Street, Sunbury, PA 17801-3134. Facility Name: Sunbury Municipal Authority Water System. This proposed facility is located in Sunbury City, **Northumberland County**.



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

The receiving stream(s), Little Shamokin Creek, is located in State Water Plan watershed 6-B 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 not based on a specific design flow (See proposed Part C Condition).

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

The proposed effluent limits for Outfall 101 are based on a design flow of 0.032 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Quarterly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)						
Internal Monitoring Point	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)						
Internal Monitoring Point	XXX	XXX	6.0	XXX	9.0 Max	XXX
Total Residual Chlorine (TRC)						
Internal Monitoring Point	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids						
Internal Monitoring Point	XXX	XXX	XXX	30.0	XXX	60.0
Aluminum, Total						
Internal Monitoring Point	XXX	XXX	XXX	4.0	XXX	8.0
Iron, Total						
Internal Monitoring Point	XXX	XXX	XXX	2.0	XXX	4.0
Manganese, Total						
Internal Monitoring Point	XXX	XXX	XXX	1.0	XXX	2.0

A proposed Part C Condition shall require the permittee to develop a site-wide water balance for water withdrawals and introductions.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3636.

The EPA Waiver is in effect.

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

**PA0265527**, Sewage, SIC Code 4952, 8800, **William Crispin**, 233 Hall Road, Slippery Rock, PA 16057. Facility Name: William Crispin SRSTP. This proposed facility is located in Clay Township, **Butler County**.

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

The receiving stream is an unnamed tributary to Big Run, located in State Water Plan watershed 20-C and classified for Cold Water 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.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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.

**PA0026379**, Sewage, SIC Code 4952, **Bradford Sanitary Authority**, 28 Kennedy Street, Bradford, PA 16701-2006. Facility Name: Bradford STP. This existing facility is located in Foster Township, **McKean 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), Tunungwant Creek, is located in State Water Plan watershed 16-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 8.8 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Report	XXX	Max	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.65
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	1,835	2,935	XXX	25.0	40.0	50
May 1 - Oct 31	1,100	1,650	XXX	15.0	22.5	30
Total Suspended Solids	2,200	3,300	XXX	30.0	45.0	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
Nov 1 - Apr 30	770	XXX	XXX	10.5	XXX	21
May 1 - Oct 31	255	XXX	XXX	3.5	XXX	7
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Copper, Total	1.17	XXX	XXX	0.016	XXX	0.032

The proposed effluent limits for Outfall 001 are based on a design flow of 8.8 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	Max	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.65
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	730	1,100	XXX	10.0	15.0	20
Total Suspended Solids	730	1,100	XXX	10.0	15.0	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
Nov 1 - Apr 30	550	XXX	XXX	7.5	XXX	13
May 1 - Oct 31	180	XXX	XXX	2.5	XXX	5
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Total Phosphorus	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Copper, Total	1.17	XXX	XXX	0.016	XXX	0.032

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

- POTW Pretreatment Implementation
- Toxics Reduction Evaluation

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

The EPA Waiver is not in effect.

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### III. WQM Industrial Waste and Sewerage Applications 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. WQG02151714**, Sewage, **Kennett Township**, 801 Burrows Run Road, Chadds Ford, PA 19317-9219.

This proposed facility is located in Kennett Township, **Chester County**.

Description of Action/Activity: Construction and operation of a low pressure sewer system.

**WQM Permit No. WQG02231715**, Sewage, **Delaware Regional Water Quality Control Authority**, P.O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in City of Chester, **Delaware County**.

Description of Action/Activity: Installation of an 8" PVC sanitary sewer.

**WQM Permit No. 4617410**, Sewage, **Horsham Water and Sewer Authority**, 617B Horsham Road, Horsham, PA 19044.

This proposed facility is located in Horsham Township, **Montgomery County**.

Description of Action/Activity: Installation of approximately 8,300 linear feet of 12" sanitary sewer & approximately 3,400 linear feet of 6" force main. Construction of a new pump station, and the decommissioning of an existing pump station.

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

**WQM Permit No. 6317404**, Sewage, **Chartiers Township**, 2 Buccaneer Drive, Houston, PA 15342.

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

Description of Proposed Action/Activity: Proposed construction of McClane Farm Road Sanitary Sewer Extension Project to serve existing residences with on-lot septic systems.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

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

**WQM Permit No. 1617407**, Sewage, **Patricia Bogovich**, 1702 N Woodland Boulevard # 116167, Deland, FL 32720-1837.

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

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

**WQM Permit No. 6217417**, Sewage, **Patricia A Kelly**, 470 Smutz Road, Warren, PA 16365.

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

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

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### IV. NPDES Individual Permit Applications for Stormwater Discharges from MS4s.

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

**PAI136121**, MS4, **Westmont Borough Cambria County**, 1000 Luzerne Street, Johnstown, PA 15905. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Westmont Borough, **Cambria County**. The receiving stream(s), Elk Run, Unnamed Tributary to Saint Clair Run, Unnamed Tributary to Mill Creek, and Stonycreek River, is located in State Water Plan watershed 18-E and 18-D and is classified for Cold Water Fishes, Warm Water Fishes, and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has not submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

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

**PAI136121, MS4, Westmont Borough Cambria County**, 1000 Luzerne Street, Johnstown, PA 15905. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Westmont Borough, **Cambria County**. The receiving stream(s), Elk Run, Unnamed Tributary to Saint Clair Run, Unnamed Tributary to Mill Creek, and Stonycreek River, is located in State Water Plan watershed 18-E and 18-D and is classified for Cold Water Fishes, Warm Water Fishes, and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has not submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

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

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

*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>
PAD150044	Aldi, Inc. (Pennsylvania) 2700 Saucon Valley Rd. Center Valley, PA 18034	Chester	East Whiteland Township	Little Valley Creek EV
PAD150046	Estate of Harry Simon 311 Exton Commons Exton, PA 19341	Chester	West Whiteland Township	Unnamed Tributary to Broad Run of East Branch Brandywine Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390052	Nestle Purina Petcare 2050 Pope Road Allentown, PA 18104	Lehigh	South Whitehall Township	Jordan Creek (TSF, MF) UNT to Jordan Creek (TSF, MF)

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD400014	Earth Conservancy Michael Dziak 101 South Main St Ashley, PA 18706	Luzerne	City of Nanticoke	UNT to Nanticoke Creek (CWF, MF)

*Northampton County Conservation District, 14 Gracedale Ave.— Greystone Building, 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>
PAD480044	Stone Creek Development Corp 4511 Falmer Dr. Bethlehem, PA 18020	Northampton	Upper Nazareth Township	Monocacy Creek (HQ-CWF, MF)



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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAD360019	Chris Hoover 366 Blackburn Road Quarryville, PA 17566	Lancaster	East Drumore Township	UNT Stewart Run, Stewart Run (HQ-CWF, MF)
PAD670010	New View Corporation PO Box 6218 Harrisburg, PA 17110	York	Fairview and Newberry Townships	UNT Fishing Creek (TSF, MF)
PAD310005	Helena Chemical 2413 Pennington Road Warriors Mark, PA 16877	Huntingdon	Warriors Mark Township	UNT Logan Spring Run (WWF, MF) UNT Warriors Mark Run (HQ-CWF, MF)
PAD360020	Solanco School District 121 South Hess Street Quarryville, PA 17566	Lancaster	Fulton Township	UNT Conowingo Creek (HQ-CWF, MF)

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

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD560002	Confluence Borough Municipal Authority 711 Logan Place P.O. Box 6 Confluence, PA 15424	Somerset County	Confluence Borough	Laurel Hill Creek (HQ-CWF); Casselman River (WWF); Youghiogheny River (HQ-CWF)

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

PAG-12      CAFOs

#### **MS4 Notices of Intent Received.**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133596	City of York 101 South George Street York, PA 17401	City of York/York County	N	Y
PAG133758	Perry Township 680 Moselem Springs Road Shoemakersville, PA 19555	Perry Township Berks County	Y	N
PAG133509	Sinking Spring Borough 3940 Penn Avenue Sinking Spring, PA 19608	Sinking Spring Borough Berks County	N	Y
PAG133553	Mechanicsburg Borough 36 West Allen St Mechanicsburg, PA 17055	Mechanicsburg Borough Cumberland County	N	Y
PAG133503	County of Berks 633 Court Street Reading, PA 19601	County of Berks Berks County	Y	N
PAG133627	Borough of Ephrata 124 South State Street Ephrata, PA 17522	Ephrata Borough Lancaster County	N	Y
PAG133529	Boyertown Borough 100 South Washington Street Boyertown, PA 19512	Boyertown Borough Berks County	N	Y
PAG133616	Wormleysburg Borough 20 Market Street Wormleysburg, PA 17043	Wormleysburg Borough Cumberland County	N	Y

## NOTICES

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<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133607	PA State University 77 W. Harrisburg Pike Middletown, PA 17057	PA State University Dauphin County	Y	N
PAG133735	Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022	Mount Joy Township Lancaster County	N	Y
PAG133531	Bern Township 1069 Old Bernville Road Reading, PA 19605	Bern Township Berks County	N	Y
PAG133627	Borough of Ephrata 124 South State Street Ephrata, PA 17522	Ephrata Borough Lancaster County	N	Y
PAG133529	Boyertown Borough 100 South Washington Street Boyertown, PA 19512	Boyertown Borough Berks County	N	Y
PAG133616	Wormleysburg Borough 20 Market Street Wormleysburg, PA 17043	Wormleysburg Borough Cumberland County	N	Y
PAG133607	PA State University 77 W. Harrisburg Pike Middletown, PA 17057	PA State University Dauphin County	Y	N
PAG133735	Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022	Mount Joy Township Lancaster County	N	Y
PAG133531	Bern Township 1069 Old Bernville Road Reading, PA 19605	Bern Township Berks County	N	Y
PAG133628	Hollidaysburg Borough 401 Blair Street Hollidaysburg, PA 16648	Hollidaysburg Borough Blair County	N	Y
PAG133734	Shoemakersville Borough 115 East Ninth St Shoemakersville, PA 19555	Shoemakersville Borough Berks County	N	Y
PAG133516	Exeter Twp 4975 Demoss Road Reading, PA 19606	Exeter Twp Berks County	N	Y
PAG133708	Upper Allen Twp 100 Gettysburg Pike Mechanicsburg, PA 17055	Upper Allen Twp Cumberland County	N	Y
PAG133623	South Annville Township 1042 Horseshoe Pike Lebanon, PA 17042	South Annville Township Lebanon County	N	Y
PAG133541	East Lampeter Township 2250 Old Philadelphia Pike Lancaster, PA 17602	East Lampeter Township Lancaster County	N	Y
PAG133544	Highspire Borough 640 Eshelman Street Highspire, PA 17034	Highspire Borough Dauphin County	N	Y
PAG133617	Columbia Borough 308 Locust Street Columbia, PA 17512	Columbia Borough Lancaster County	N	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136107	Stonycreek Township Cambria County 1610 Bedford Street Johnstown, PA 15902	Stonycreek Township, Cambria County	Y	N

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136221	Ross Township Allegheny County 1000 Ross Municipal Road Pittsburgh, PA 15237-3102	Ross Township, Allegheny County	N	Y
PAG136203	Bridgeville Borough Allegheny County 425 Bower Hill Road Bridgeville, PA 15017	Bridgeville Borough, Allegheny County	N	Y
PAG136202	Cecil Township Washington County 3599 Millers Run Road Suite 101 Cecil, PA 15321-1409	Cecil Township, Washington County	N	Y
PAG136281	Hampton Township Allegheny County 3101 McCully Road Allison Park, PA 15101-1331	Hampton Township, Allegheny County	N	Y
PAG136244	Lorain Borough Cambria County 354 Goucher Street Johnstown, PA 15905-3423	Lorain Borough, Cambria County	No	No
PAG136358	Fairchance Borough Fayette County 125 W Church Street Fairchance, PA 15436-1136	Fairchance Borough, Fayette County	No	No
PAG136375	McKees Rocks Borough 340 Bell Avenue McKees Rocks, PA 15136	McKees Rocks Borough, Allegheny County	N	N
PAG136267	North Fayette Township 400 N Branch Road Oakdale, PA 15071-3646	North Fayette Township, Allegheny County	N	Y

## 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.

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 0217549**, Public Water Supply.

Applicant	<b>Pittsburgh Water &amp; Sewer Authority</b> Penn Liberty Plaza I 1200 Penn Avenue Pittsburgh, PA 15222
[Township or Borough]	City of Pittsburgh
Responsible Official	Robert Weimar, Interim Executive Director Pittsburgh Water & Sewer Authority Penn Liberty Plaza I 1200 Penn Avenue Pittsburgh, PA 15222

Type of Facility Highland Microfiltration Plant  
 Consulting Engineer  
 Arcadis  
 6041 Wallace Road Extension  
 # 300  
 Wexford, PA 15090

Application Received Date November 30, 2017

Description of Action Installation of an ultraviolet disinfection system and other improvements at the Highland Microfiltration Plant.

**Permit No. 0217550**, Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**  
 Penn Liberty Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Weimar, Interim  
 Executive Director  
 Pittsburgh Water & Sewer Authority  
 Penn Liberty Plaza I  
 1200 Penn Avenue  
 Pittsburgh, PA 15222

Type of Facility Highland Microfiltration Plant

Consulting Engineer Hatch/Chester  
 Penn Liberty Plaza I  
 1250 Penn Avenue  
 Pittsburgh, PA 15222

Application Received Date November 30, 2017

Description of Action Installation of an interim back-up pumping system and improvements to the Bruecken Pump Station.

**Permit No. 0217553**, Public Water Supply.

Applicant **Municipal Authority of the Township of Robinson**  
 4200 Campbells Run Road  
 Robinson Township, PA 15205

[Township or Borough] Robinson Township

Responsible Official Anthony T. Lenze, Executive  
 Director  
 Municipal Authority of the Township of Robinson  
 4200 Campbells Run Road  
 Robinson Township, PA 15205

Type of Facility Water system

Consulting Engineer NIRA Consulting Engineers, Inc.  
 950 Fifth Avenue  
 Coraopolis, PA 15108

Application Received Date December 5, 2017

Description of Action Equipment replacement, upgrades of the five filters and replacement of the gas chlorination system with a sodium hypochlorite disinfection system.

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

**Permit No. 2517507**, Public Water Supply.

Applicant **Erie City Water Authority**

Township or Borough City of Erie

County **Erie**

Responsible Official Chad Ellsworth

Type of Facility WTP

Consulting Engineer Chad Ellsworth, P.E.  
 240 West 12th Street  
 Erie, PA 16501

Application Received Date November 27, 2017

Description of Action Add sodium hypochlorite feed system to Echo Hills Booster Station.

**MINOR AMENDMENT**

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

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

**Application No. 3017524MA**, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**  
 1442 Jefferson Road  
 PO Box 187  
 Jefferson, PA 15344

[Township or Borough] Amwell Township

Responsible Official Timothy C. Faddis, Manager  
 Southwestern Pennsylvania Water Authority  
 1442 Jefferson Road  
 PO Box 187  
 Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Suite 200  
 Cheswick, PA 15024

Application Received Date November 17, 2017

Description of Action Installation of the Crete meter vault.

**Application No. 3013501WMP15**, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**  
 1442 Jefferson Road  
 PO Box 187  
 Jefferson, PA 15344

[Township or Borough] Amwell Township

Responsible Official Timothy C. Faddis, Manager  
 Southwestern Pennsylvania Water Authority  
 1442 Jefferson Road  
 PO Box 187  
 Jefferson, PA 15344

Type of Facility Water system



Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Suite 200  
Cheswick, PA 15024

Application Received Date November 17, 2017

Description of Action Installation of the Crete meter vault bulk load-out facility.

**Application No. 1192501-T1, Minor Amendment.**

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

[Township or Borough] Lilly Borough

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

Type of Facility Water system

Consulting Engineer

Application Received Date November 17, 2017

Description of Action Transfer of the water supply permit formerly held by Lilly Borough.

**Application No. 0217551-MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Weimar, Interim  
Executive Director  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Lanpher Reservoir

Consulting Engineer Arcadis  
6041 Wallace Road Extension  
# 300  
Wexford, PA 15090

Application Received Date November 30, 2017

Description of Action Installation of a new liner and floating cover; and other improvements to the West Cell of the Lanpher Reservoir.

**Application No. 0217552-MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Weimar, Interim  
Executive Director  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Lanpher Reservoir

Consulting Engineer Arcadis  
6041 Wallace Road Extension  
# 300  
Wexford, PA 15090

Application Received Date November 30, 2017

Description of Action Installation of a new liner and floating cover; and other improvements to the East Cell of the Lanpher Reservoir.

**Application No. 0217554-MA, Minor Amendment.**

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Township or Borough] Union Township

Responsible Official David Kaufman, Vice  
President-Engineering  
Pennsylvania American Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033

Type of Facility Water system

Consulting Engineer Pennsylvania American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055

Application Received Date December 4, 2017

Description of Action Painting and rehabilitation of Purification Unit # 1.

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

**Application No. 1615501-MA1, Minor Amendment.**

Applicant **Corner Water Supply Corporation**

Township or Borough Paint and Elk Townships

County **Clarion**

Responsible Official Thomas Weaver

Type of Facility Public Water Supply

Consulting Engineer Gregory Rademacher  
Groundwater Resources Inc.  
23074 State Highway 198  
Saegertown, PA 16433

Application Received Date November 20, 2017

Description of Action Replace two water softeners with Clack Water softener unit.

**Application No. 2517508**, Minor Amendment.

Applicant	<b>Lakelands Restaurant &amp; Pub, Inc.</b>
Township or Borough	Girard Township
County	<b>Erie</b>
Responsible Official	John Faulkner 9690 West Lake Road Lake City, PA 16423
Type of Facility	Public Water Supply
Consulting Engineer	Steven Halmi Deiss & Halmi Engineering, Inc. 105 Meadville Street Edinboro, PA 16412
Application Received Date	November 29, 2017
Description of Action	Add treatment for nitrate and disinfection.

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

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

**WA 25-727A**, Water Allocations. **Fairview Township Water Authority**, 7485 McCray Road, Fairview Township, **Erie County**. Water Allocation Permit application requesting the right to purchase 750,000 gpd as a peak monthly flow rate from an Erie Water Works.

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

**BIOSOLIDS INDIVIDUAL PERMITS****(PABIG and PABIS)**

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

Persons wishing to comment on the proposed permit are invited to submit a statement to the responsible DEP Regional Office, noted below, within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

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

The application and related documents, comments received, and other information are on file and may be inspected and arrangements made for copying at the responsible DEP Regional Office indicated above 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 Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Department of Environmental Protection, Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**PABIS 3503. Newville Borough Water and Sewer Authority**, 99 Cove Avenue, Newville, PA 17241, Newville Borough, **Cumberland County**. Application to beneficially use their biosolids on the David Hockenberry Farm at 240 Oak Flat Rd, Newville, PA 17241 in West Pennsboro Township, Cumberland County.

SPECIAL CONDITIONS: None

**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:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Sunoco Twin Oaks Terminal**, 4041 Market Street, Upper Chichester Township, **Delaware County**. Timothy Pilcher, P.E., B&B Diversified Enterprises, Inc., P.O. Box 70, Blue Barto, PA 19504 on behalf Robert Penza, Samuel Coraluzzo Company, Inc., 1713 North Main Road, Vineland, NJ 08360 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with volatile organic compounds associated with unleaded gasoline, which have contaminated soil and groundwater at the site. The proposed future use of the property will be non-residential for commercial purposes. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on August 31, 2017.

**Wawa Store # 8013, 2535 Aramingo Avenue**, City of Philadelphia, **Philadelphia County**. Geoff Kristof, P.G., Aquaterra Technologies, Inc, P.O. Box 744, West Chester, PA 19381 on behalf of Joseph Standen, Jr., P.G., Wawa, Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a Notice of Intent to Remediate. Historic fill impacted with lead is present due to former Industrial use of the property. The proposed remediation measures will include removal and disposal of the impacted soil. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on November 9, 2017.

**Crichton Residence**, 203 Franklin Court, Montgomery Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Valerie Griffin, State Farm Insurance, P.O. Box 10169, Atlanta, GA 30348-6169 submitted a Notice of Intent to Remediate. A release of petroleum occurred at the site with impacts to shallow soil. The current use and proposed future use of the property is residential. The Notice of Intent to Remediate was published in the *Ambler Gazette* on October 25, 2017.

**Johnson and Lemon Residence**, 5806 and 5808 Cedar Avenue, City of Philadelphia, **Philadelphia County**. Jeremy Bolyn, Environmental Maintenance Company Inc., 120 East Mermaid Lane, Glenside, PA 19038 on behalf of Oil Patch Inc., 7421 Glenmore Avenue, Philadelphia, PA 19153 submitted a Notice of Intent to Remediate. This NIR states that the sites are used for residential uses, where soil was impacted by petroleum because of a release of heating oil during a delivery to the wrong address. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on November 3, 2017.

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

**Brookside Mobile Home Park**, 51 Manny Drive, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. BL Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Brookside Mobile Home Park, Inc., 1201 Eisenhower Boulevard, Middletown, PA 17057, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil from an above-ground storage tank. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is for residential purposes. The Notice of Intent to Remediate was published in the *The Patriot News* on November 16, 2017.

#### MUNICIPAL WASTE GENERAL PERMITS

**Application(s) received for Registration under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.*

**General Permit No. WMGM038SW001. United States Gypsum Company**, 1 Woodlawn Road, Aliquippa, PA 15001. USG Aliquippa, 1 Woodlawn Road, Aliquippa, PA 15001. An application for registration under municipal waste general permit WMGM038 for the processing and beneficial use of ground gypsum wallboard in Aliquippa City, **Beaver County**, was deemed administratively complete in the Regional Office on November 28, 2017.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### RESIDUAL WASTE GENERAL PERMITS

**Permit Modification Proposed Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; 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.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit No. WMGR025.** The Department of Environmental Protection is proposing modifications to Residual Waste General Permit WMGR025. This permit authorizes the composting and beneficial use of the following categories of source-separated wastes: agricultural waste other than mortalities, butcher waste other than whole carcass, food processing waste, pre-consumer and post-consumer food residuals, yard waste, land clearing and grubbing material, untreated wood waste, gypsum wallboard, paper, cardboard, waxed cardboard, virgin paper mill sludge and spent mushroom substrate. The



beneficial uses of the finished compost approved in this permit are for use, marketing or distribution as a soil conditioner, soil amendment, fertilizer, mulch or for erosion control. The proposed amendments include the reorganization and re-formatting of the general permit for overall clarity and ease of use.

Written comments concerning the proposed modifications should be directed to Chris Solloway, Group Manager, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at [ra-epbenuseall@pa.gov](mailto:ra-epbenuseall@pa.gov). When submitting comment via e-mail, place "Comments on WMGR025" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

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**Application(s) Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; 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.**

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*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**General Permit Application No. WMGR123NE003. Carrizo (Marcellus) LLC**, 1400 Fair Hill Road, Montrose, PA 18801. An application for permit modification to expand the permit boundary and add tanks to provide for additional storage at this existing oil and gas liquid waste processing facility located in Jessup Township, **Susquehanna County**. The application was received by the Regional Office on December 4, 2017 and deemed administratively complete on December 5, 2017.

Persons interested in obtaining more information about the application may contact Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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**Renewal Application(s) Received under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

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*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit Application No. WMGR028SC004A. York Materials Group, LLC**, has submitted a general permit renewal application for the Roosevelt Blacktop Plant, 1070 Roosevelt Avenue, York, PA 17404 in West Manchester Township, **York County**. This general permit authorizes the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construc-

tion, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. The application for renewal was determined to be complete on December 6, 2017.

**General Permit Application No. WMGR028SC004B. York Materials Group, LLC**, has submitted a general permit renewal application for the Route 94/Hanover Blacktop Plant, 100 Greensprings Road, Hanover, PA 17231 in Berwick Township, **Adams County**. This general permit authorizes the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. The application for renewal was determined to be complete on December 6, 2017.

**General Permit Application No. WMGR028SC004C. York Materials Group, LLC** has submitted a general permit renewal application for the Baker Quarry Asphalt Plant, 321 North Baker Road, York, PA 17364 in West Manchester Township, **York County**. This general permit authorizes the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. The application for renewal was determined to be complete on December 6, 2017.

Persons interested in obtaining more information about the general permit renewal applications may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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**Application Withdrawn under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

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*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit Application No. WMGR019D002.** On June 22, 2017, the Department received a general permit renewal application from **R.H. Sheppard Company, Inc.** for its facility, located at 447 East Middle Street, Hanover, PA 17331 in Hanover Borough, **York County**. General Permit No. WMGR019 authorizes the beneficial use of waste foundry sand and ferrous metal foundry system dust, slag and refractory for use as roadway construction material, a component or ingredient in the manufacturing of concrete or asphalt products, a soil additive or soil substitute, and non-roadway construction. The renewal application was withdrawn on November 29, 2017 by request of R.H. Sheppard Company, Inc.

Persons with questions may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.



**Application(s) received for the Renewal of Registration under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste other than Coal Ash.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.*

**General Permit No. WMGR025SW002. Inter-municipal Relations Committee COG,** 1301 12th Street, Suite 8, Altoona, PA 16601. IRC COG Yard Waste Compost and Recycling Facility, 1860 Blacksnake Road, Dysart, PA 16636. A permit renewal application for continued coverage under residual waste general permit WMGR025 for the processing and beneficial use of the following source separated wastes: agricultural waste other than mortalities, butcher waste other than whole carcasses, food processing waste, pre-consumer and post-consumer food residuals, yard waste, land clearing and grubbing material, untreated wood waste, gypsum wall-board, paper, cardboard, waxed cardboard, virgin paper mill sludge and spent mushroom substrate in Dean and Gallitzen Townships, **Cambria County**, was deemed administratively complete by the Southwest Regional Office on November 28, 2017.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS**

**Application for Determination of Applicability Received for General Permit Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**General Permit Application No. WMGM043SE002. Doylestown Waste Recycling, LLC,** 1510 Swamp Road, New Britain, PA 18901. This permit application is for the determination of applicability (DOA) under General Permit No. WMGM043 for the processing and beneficial use of construction and demolition (C&D) waste at the Doylestown Waste Recycling, LLC Facility located at 1510 Swamp Road, Doylestown, PA 18901 in New Britain Township, **Bucks County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on December 4, 2017.

Comments concerning the application should be directed to the Department of Environmental Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the general permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the DEP through

the Pennsylvania AT&T Relay Service, (800) 654.5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

**Application(s) for Determination of Applicability received under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit Application No. WMGR038SC009A. Edge Rubber Recycling, LLC,** 811 Progress Road, Chambersburg, PA 17201 in Chambersburg Borough, **Franklin County**. This general permit authorizes the processing, reuse and beneficial use of waste tires, which include whole tires, tire chips, baled tires, tire shreds, and crumb rubber. The permitted beneficial use of whole waste tires, tire chips, baled tires, tire shreds, and crumb rubber is limited to use in recapping, as fuel in boilers or other combustion units, in civil engineering practices, and as an ingredient in or as a commercial product. The application for Determination of Applicability was determined to be complete on December 6, 2017.

Persons interested in obtaining more information about the general permit application may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**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 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. 400691. Upper Moreland—Hathoro Joint Sewer Authority,** P.O. Box 535, 2875 Terwood Road, Willow Grove, PA 19090-0535. This application is for the 10-year permit renewal to continue to operate under Solid Waste Permit No. 400691 at the Upper Moreland-Hathoro Joint Sewer Authority (UMHJSA) Sewage Sludge Incinerator located at 147 Terwood Road, Upper Moreland Township, **Montgomery County**. The application was received by the Southeast Regional Office on November 7, 2017.

Comments concerning the application should be directed to the Department of Environmental Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the general permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the DEP through

the Pennsylvania AT&T Relay Service, (800) 654.5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

ters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

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

**23-0014I: Kimberly-Clark of PA, LLC.** (1 Avenue of the States, Chester, PA 19013) for the installation of a cogeneration system to provide steam to the manufacturing process and electricity to the facility and potentially to the grid; the project consists of two (2) identical 185 MMBtu/hr natural gas-fired combustion turbines and 83 MMBtu/hr supplemental burners (i.e., heat recovery steam generating units (HRSG)) at the facility. Each turbine and supplemental burner set will be equipped with dry low NO<sub>x</sub> burners and a selective catalytic reduction (SCR) system for nitrogen oxide (NO<sub>x</sub>) control. In addition, an oxidation catalyst (OC) will be installed for carbon monoxide (CO) and volatile organic compound (VOC) control. During periods of low steam usage one of the turbines will divert from the HRSG, OC and SCR and vent directly to the atmosphere. The plan approval will include emission limits, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility is located in City of Chester, **Delaware County**.

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

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

**16-149D: Clarion Laminates, LLC** (301 Fiberboard Road, Shippensburg, PA 16254) for the installation of two (2) replacement baghouse(s) at their facility in Paint Township, **Clarion County**. This is a Title V facility.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue Plan Approval 16-149D to Clarion Laminates, LLC for the for the installation of two (2) replacement baghouse(s) at their facility in Paint Township, Clarion County. The Plan Approval will subsequently be incorporated into the facility's Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 16-149D is for the installation of two (2) replacement baghouse(s) for control of particulate emissions from the existing # 3 Profiling & Bonding Line(s) (Source IDs 106 & 109). Based on the information provided by the applicant and DEP's own analysis, the subject source(s) will have the potential to emit 12.02 tons of particulate matter per year, which does not represent an increase over previously permitted emission levels.

The subject source(s) will continue to be subject to their existing emission limits of 0.005 grains per dry standard cubic foot for particulate matter. The facility will be required to conduct stack testing of the subject source(s) within 180 days of startup, with retesting to occur once per 5-year permit cycle. The Plan Approval will contain additional monitoring, recordkeeping and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6078.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 16-149D and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

**62-017Y: United Refining Company** (15 Bradley St., Warren, PA 16365) for installation of a Sour Tips Stripper Unit and modifications to the existing Naphtha Hydrotreater Unit at their facility in the City of Warren, **Warren County**. The facility currently holds Title V permit No. 62-00017.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue Plan Approval 62-017Y to United Refining Company for installation of a Sour Tips Stripper unit and modifications to the existing Naphtha Hydrotreater Unit at their facility located at 15 Bradley Street, City of Warren, Warren County. The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 62-017Y is for the installation of a 3 kbpd Sour Tips Stripper Unit and modifications to the existing Naphtha Hydrotreater (NHT) Unit, in order to produce reduced sulfur gasoline in compliance with US EPA's Tier 3 Fuel Standards Program. The proposed process changes will also result in increased throughput demand for existing sources at the facility, including the Prefractionator 2 Unit, Reformer Unit, Hydrogen Plant, Sulfur Recovery Unit # 2 (SRU 2), Sour Water Stripper, and wastewater processing. Based on the information provided by the applicant and DEP's own analysis, the project will result in potential emissions increases in the amount(s) of: 50.6 tons of carbon monoxide, 36.3 tons of sulfur oxides (SO<sub>x</sub>), 27.2 tons of nitrogen oxides (NO<sub>x</sub>),

21.9 tons of volatile organic compounds (VOC), 6.8 tons of particulate matter, all of which will be particulate matter less than 10 microns (PM<sub>10</sub>) and less than 2.5 microns (PM<sub>2.5</sub>), 0.002 ton of lead, and 33,182.8 tons (CO<sub>2</sub> equivalent) of greenhouse gases per year.

The proposed Sour Tips Stripper will be subject to the applicable provisions of 40 CFR 60, Subpart(s) Ja [Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007] and VVa [Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006], and 40 CFR 63, Subpart CC [National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries]. Proposed best available technology (BAT) for the proposed source will be the use of quarterly leak detection and repair (LDAR) monitoring, and good operational and maintenance practices. The Plan Approval will contain additional monitoring, recordkeeping and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6078.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 62-017Y and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

#### **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.*

**09-00105: Naceville Materials/Coopersburg** (483 Springfield Street, Coopersburg, PA 18036), for the renewal of a State Only, Synthetic Minor Operating Permit in Springfield Township, **Bucks County**. The facility operates a Hot Mix Asphalt Plant at this site. The proposed renewal of the Operating Permit does not authorize any increase in air emissions of regulated



pollutants above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 22.5 tons per year. The renewed permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, State, and Federal air quality requirements.

**46-00181: Technetics Group Hatfield** (1600 Industry Rd, Hatfield, PA 19440) for a poly-tetra-flouro-ethylene (PTFE) etching facility in Hatfield Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. No changes in sources or applicable regulations have taken place since the permit was last issued in March 2013. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**06-03042: Fairmount Foundry, Inc.** (P.O. Box 466, Hamburg, PA 19526) for the gray iron foundry located in Hamburg Borough, **Berks County**. This is for the renewal of the existing State-only permit. The facility potential emissions are estimated at 20.5 tpy particulate matter, 4.7 tpy carbon monoxide, and less than 1 tpy of all other criteria pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63 Subpart ZZZZZ (National Emissions Standards for Hazardous Air Pollutants for Iron and Steel Foundries).

**67-03079: Hercon Pharmaceutical, LLC/Emigsville** (101 Sinking Spring Lane, Emigsville, PA 17318) to issue a State Only Operating Permit for operation of a transdermal medication patch coating line with VOC control at the facility in Manchester Township, **York County**. This is for the renewal of the existing State-only permit. The facility potential-to-emit is approximately 17 tons of VOC and less than 1 ton of combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 60, Subpart RR—Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations Standard for Volatile Organic Compounds, and Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

**38-05004: Kounty Kraft Kitchens, Inc.** (291 South Sheridan Road, Newmanstown, PA 17073) to issue a State Only Operating Permit for the wood kitchen cabinet manufacturing facility in Millcreek Township, **Lebanon County**. This is for the renewal of the existing state-only permit. The facility 2016 emissions were 0.161 ton of CO, 0.192 ton of NO<sub>x</sub>, 0.01 ton of PM, 0.001 ton of SO<sub>2</sub>, 12.15 tons of VOC, and 4.84 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. Among other items,

the conditions include 40 CFR Part 63 Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

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

**49-00008: Milton Steel Company** (6 Canal Street, Milton, PA 17847) to issue a renewal State Only (Synthetic Minor) Operating Permit for their Milton Steel Plant located in Milton Borough, **Northumberland County**. The facility is currently operating under State Only (Synthetic Minor) Operating Permit 49-00008. The facility's main sources include a spray painting operation, a welding operation, a robotic welding operation and two dip tanks.

The facility has potential emissions of 2.92 TPY of CO; 4.20 TPY of NO<sub>x</sub>; 0.03 TPY of SO<sub>x</sub>; 4.71 TPY of PM/PM<sub>10</sub>; 32.05 TPY of VOCs; <10 TPY any single HAP; <25 TPY combined HAPs. The robotic welding operation is subject to 40 CFR Part 63, Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. The dip tanks and surface coating operation are subject to Title 25 Pa. Code § 129.52—Surface Coating Processes. The dip tanks are subject to 40 CFR Part 60, Subpart EE—Standards of Performance for Surface Coating of Metal Furniture. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98.

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

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

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

**26-00451: Murray American River Towing, Inc.** (46226 National Road W, Saint Clairsville, OH 43950) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Murray American River Towing, Inc. to authorize the operation of their coal transfer facility at Alicia Dock, located in Luzerne Township, **Fayette County**.

The pertinent emission sources at this facility are barge unloading, coal conveying, conveyor transfer building, loading-to-storage piles, storage pile wind erosion, and storage pile activity utilizing bulldozers. The total facility throughput at peak production is 12,500,000 tons per year. Annual potential emissions from the facility are estimated to be 20.28 tons of PM<sub>10</sub>. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145.



A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (26-00451) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Murray American River Towing, Inc., Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Murray American River Towing, Inc., State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

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

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

*Contact: Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6131.*

**43-00259: Grove City Medical Center** (631 N Broad St. Ext., Grove City, PA 16127-4603), the Department intends to issue the renewal of the State-Only Operating Permit of a healthcare institution located in Pine Township, **Mercer County** that operates boilers, water heaters, and a diesel-fired emergency generator. With PTEs of 13.287, 6.975, 0.973, 0.493, and 0.363 TPY for NO<sub>x</sub>, CO, PM, SO<sub>x</sub>, and VOC, respectively, the facility is Natural Minor for permitting purposes. In this renewal, revised and new provisions of 25 Pa. Code § 123.22 on sulfur emissions from use of fuel oils in combustion units are incorporated into the permit. This subjects the boilers to a more stringent sulfur content limit (500 ppm, 0.05%) for fuel oils and associated recordkeeping and reporting requirements. New requirements are also added for purposes of having clear and defined restrictions and recordkeeping requirements to demonstrate exemption of the boilers from 40 CFR 63 Subpart JJJJJJ, which pertains to NESHAP for Industrial, Commercial, and Institutional Boilers Area Source, and compliance of the emergency generator with the operating hours restrictions pursuant to § 40 CFR 63 Subpart ZZZZ, which pertains to NESHAP for Stationary Reciprocating Internal Combustion Engines.

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

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

**OP17-000063: CRAMCO** (2200 East Ann Street, Philadelphia, PA 19134) for the manufacturing of furniture in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) wood fired Weiss steam boiler rated at 6.1 MMBtu/hr boiler with multicyclone, one (1) # 2 oil/natural gas fired York-Shipley steam boiler rated at 9.926 MMBtu/hr, one (1) natural gas fired laminating press thermal oil boiler rated at

1.183 MMBtu/hr boiler, one (1) natural gas fired paint strip Bayco oven rated at 350,000 Btu/hr oven with afterburner, one (1) natural gas fired curing oven rated at 2.5 MMBtu/hr, two (2) Nordson spray booths, one (1) Diemco spray booth, and one (1) Nordfab baghouse to control emissions from the Wood Department.

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

**OP17-000014: SEPTA—Comly Bus Facility** (Penn and Comly Streets, Philadelphia, PA 19149) for the operation of the following: two (2) 7.216 MMBtu/hr boiler, each firing natural gas or # 2 fuel oil; one (1) 0.48 MMBtu/hr natural gas pressure washer; and one (1) stage 2 vapor recovery unit in the City of Philadelphia, **Philadelphia County**.

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district

mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121–77.123 and 86.31–86.34.

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

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

#### *Coal Applications Received*

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

**11051301 and NPDES No. PA0235652. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Cresson Mine in Cresson and Washington Townships, **Cambria County** and related NPDES Permit. Underground Acres Proposed 576.5, Subsidence Control Plan Acres Proposed 576.5. No

additional discharges. The application was considered administratively complete on December 1, 2017. Application received October 3, 2017.

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

**GP12-65150101. Coal Loaders, Inc.** (210 East Main Street, P.O. Box 556, Ligonier, PA 15655-0556). Application for authorization under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-65150101 to operate a portable coal crusher for an existing bituminous surface mine, located in Ligonier Township, **Westmoreland County**, affecting 339.9 acres. Receiving streams: unnamed tributaries to Mill Creek and unnamed tributaries to Coalpit Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: November 27, 2017.

**65110101 and NPDES Permit No. PA0252140. Gary Gioia Coal Company** (319 Karen Drive, Elizabeth, PA 15037). Renewal application for continued mining to an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 188.2 acres. Receiving streams: unnamed tributary to Youghiogheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 27, 2017.

**63120102 and NPDES Permit No. PA0252239. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Renewal application for reclamation only to an existing bituminous surface mine, located in Fallowfield and Somerset Townships, **Washington County**, affecting 99.2 acres. Receiving streams: unnamed tributaries to Pigeon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 28, 2017.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 7874SM2A1C10 and NPDES No. PA0612880. Eastern Industries, Inc.**, (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in North Whitehall Township, **Lehigh County** affecting 272.0 acres, receiving stream: Coplay Creek, classified for the following use: cold water fishes. Application received: November 13, 2017.

**Permit No. 64172501 and NPDES Permit No. PA0225797. Rock Lake, Inc.,** (3230 Creamton Drive, Lake Como, PA 18437), commencement, operation and restoration of a bluestone quarry operation and NPDES permit for discharge of treated mine drainage in Lebanon Township, **Wayne County** affecting 5.0 acres, receiving stream: unnamed tributary to West Branch Dyberry Creek, classified for the following uses: high quality—cold water fishes and migratory fishes. Application received: November 15, 2017.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

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

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<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*

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

**NPDES No. PA0279595 (Mining Permit No. 56170105), Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, new NPDES permit for discharge of water resulting from surface coal mining activities in Brothersvalley Township, **Somerset County**, affecting 36.1 acres. Receiving streams: unnamed tributaries to Blue Lick Creek, classified for the following use: cold water fishes. This receiving stream is included in the Casselman River TMDL. Application received: October 30, 2017.

The outfalls listed below discharge to unnamed tributaries to Blue Lick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond 1)	Y
002 (Treatment Pond 2)	Y
003 (Sediment Pond 1)	Y
004 (Sediment Pond 2)	Y

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

<i>Outfalls: 001 &amp; 002 (All Weather Conditions)</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)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			
<i>Outfalls: 003 &amp; 004 (Dry Weather)</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)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
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.			
<i>Outfalls: 003 &amp; 004 (&lt;10-yr 24-hr Precip. Event)</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)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
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. PA0268984 (Mining Permit No. 56120106), PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for a bituminous surface mine in Quemahoning Township, **Somerset County**, affecting 150.4 acres. Receiving streams: unnamed tributaries to/and Stonycreek River, classified for the following uses: cold water fishes and trout stocked fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: November 9, 2017.

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 following treated wastewater outfalls discharge to unnamed tributaries to Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N



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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following stormwater outfalls discharge to unnamed tributaries to Stonycreek River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003	N
004	N

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

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

**NPDES No. PA0278157 (Mining permit no. 03140101), Amerikohl Mining, Inc.,** 202 Sunset Drive, Butler, PA 16001.

New NPDES permit for a bituminous surface mine in Madison Township, **Armstrong County**, affecting 144.2 acres. Receiving stream(s): Unnamed Tributaries to Redbank Creek classified for the following use(s): CWF. This receiving stream is included in the Redbank Creek Watershed TMDL. Application received: August 4, 2015.

The following treated wastewater outfall(s) discharge to Unnamed Tributaries to Redbank Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
004	Y	MDT
005	Y	MDT

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	50	50	50
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following stormwater outfall(s) discharge to Unnamed Tributaries to Redbank Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	Y	SW
002	Y	SW

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	50	50	50
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

### Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E15-889. Atwater Owners Association**, 300 Conshohocken State Rd., Suite 250, Tredyffrin Township, **Chester County**, ACOE Philadelphia District.

Atwater Owners Association is proposing to obtain authorization to operate and maintain an existing 18-inch diameter coldwater outlet and 14-foot diameter, 300-foot long overflow culvert pipe located within Atwater lake which discharge to an unnamed tributary to Valley Creek (Cedar Hollow Run) (EV). No waterway and wetland impacts proposed with this permit and was previously authorized under the Bureau of Mines (BOM) non-coal surface mining permit 8175SM3. Site is located between PA Route 29 and Cedar Hollow Road, just south of the Pennsylvania Turnpike within Atwater Corporate Park in Tredyffrin Township, Chester County; (USGS PA Malvern Quadrangle—Latitude 40.070274 N, Longitude 75.523616 W).

**E23-539. City of Philadelphia, Philadelphia International Airport**, Terminal D-E, 800 Essington Ave,

Philadelphia, PA 19153-3755, Tinicum Twp., **Delaware County**, ACOE Philadelphia District.

To Expand, construct and maintain the Storage Capacity of an existing Fuel Farm Complex and Load Rack Facility at the Philadelphia International Airport which is located in the 100-year floodplain of the Delaware River associated with the replacement of 10-inch fuel supply line crossing the UNT to the Delaware River at 4-different locations.

The site is located at Philadelphia International Airport, (USGS map; Woodbury, NJ-PA), Latitude; 39.865181; Longitude -75.237643.

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E48-448 (Catasaqua**, PA Quadrangle, Latitude: 40° 41' 51"; Longitude: -75° 23' 23"), East Allen Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stormwater outfall structure consisting of an 18-inch RCP pipe with a headwall and approximately 146 linear feet of stone retaining walls varying from 4 feet to 6 feet in height, with excavation, and grading in various areas of the floodway of Monocacy Creek (HQ-CWF, MF). (PA Quadrangle, Latitude: 40° 41' 51"; Longitude: -75° 23' 23").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E05-390: Mid-Atlantic Interstate Transmission (MAIT)**, 341 White Pond Drive, Akron, OH 44320; and the Pennsylvania Electric Company (Penelec) 341 White Pond Drive, Akron, OH 44320; in Bedford, East St. Clair, and Napier Townships, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

The proposed project starts the MAIT/Penelec owned Bedford North Substation (Bedford, PA Quadrangle N: 40°, 4', 17.25"; W: 78°, 30', 59.05") and ends at Bedford County/Somerset County Line, (Schellsburg, PA Quadrangle N: 40°, 04', 43.11"; W: 78°, 44', 6.98"). The project impacts in this permit application are for a portion of a transmission project that will extend approximately 17.6 miles, across multiple counties in Pennsylvania, between Central City, Somerset County, PA and Bedford Township, Bedford County, PA.

The portion of this project consists of the installation and maintenance of approximately 12 miles long of 115 kV electric transmission line in Bedford County, of which 4.8 miles is on new Right-of-way and 7.2 is on existing Right-of-way. The temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. The proposed project impacts in only Bedford County include a total of ten temporary stream impacts to UNT to Shawnee Branch (WWF, MF), Shawnee Branch (WWF, MF), UNT to Dunning Creek (WWF, MF), and Raystown Branch Juniata River (WWF, MF), a total of two permanent impacts on Raystown Branch Juniata River (WWF, MF), and permanent floodway impacts, temporary wetland impacts to one EV PFO wetland and three PEM wetlands and permanent wetland impacts to three EV PFO wetlands and eleven PEM wetlands with a total of 2.38 acres of permanent wetland impacts to wetlands and a total conversion of

1.68 acre of EV PFO to EV PEM conversion proposed in Bedford County. To compensate for the cumulative conversion wetland impacts, along the entire multi-county project, the applicant will create 4.0 acres of wetland mitigation in Jenner Township, Somerset County. The proposed project impacts in this permit application are associated with a proposed electric transmission line project extending approximately 17.6 miles in Pennsylvania between Bedford Township, **Bedford County**, PA and Central City Borough, Somerset County, PA.

For more detailed information regarding the Bedford County Chapter 105 permit application related to this proposed project, which is available in the DEP South Central Region Office, please contact Ed Muzic at (717) 705.4765 to request a file review.

**E06-725: Plenary Walsh Keystone Partners**, Cumru Township, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

To remove the existing structure and to (1) construct and maintain a 74 feet 2 inch long, 26.0 foot wide concrete box culvert depressed 1.0 foot with baffles and place R-6 riprap scour protection choked with native stream bed material in Wyomissing Creek (HQ-CWF, MF) and its associated floodway and floodplain for construction activities (Latitude 40°16'55.6", Longitude -75°59'31.2") for the purpose of replacing a structurally deficient bridge as part of the Public Private Partnership (P3) Rapid Bridge Replacement Program. The project is located along S.R. 3009 (Wyomissing Road) in Cumru Township, Berks County.

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

**E56-386, Pennsylvania Turnpike Commission**; P.O. Box 67676, Harrisburg, PA 17057; Jefferson Township, Lincoln Township & Somerset Township; **Somerset County**; ACOE Pittsburgh District.

The applicant proposes to:

1. Relocate and maintain 767 LF of a UNT to E. Branch of Coxes Creek (aka UNT-1) (WWF);
2. Construct and maintain a 16' × 5'-6" box culvert in a UNT to E. Branch of Coxes Creek (aka UNT-1) (WWF);
3. Construct and maintain a 25 LF rip-rap channel of a UNT to Quemahoning Creek (aka UNT-9) (CWF);
4. Place and maintain fill in 57 LF of a UNT to E. Branch of Coxes Creek (aka UNT-10) (WWF);
5. Relocate and maintain 137 LF of a UNT to Quemahoning Creek (aka UNT-12) (CWF);
6. Construct and maintain an 18" and 30" culvert extension in a UNT to Crab Run (aka UNT-13) (HQ-CWF);
7. Construct and maintain a 10' × 8' box culvert in a UNT to Crab Run (aka UNT-14) (HQ-CWF);
8. Relocate and maintain 707 LF of a UNT to Crab Run (aka UNT-15) (HQ-CWF);
9. Construct and maintain 24' × 13'-10" box culvert extensions in Crab Run (HQ-CWF);
10. Construct and maintain 30" culvert extensions in a UNT to Crab Run (aka UNT-17) (HQ-CWF);
11. Relocate and maintain 318 LF of a UNT to Crab Run (aka UNT-18) (HQ-CWF);

12. Construct and maintain 10' × 7'-6" culvert extensions in Keller Run (HQ-CWF);

13. Construct and maintain 6' × 4' culverts extensions in a UNT to Clear Run (aka UNT-20) (HQ-CWF);

14. Place and maintain fill in 62 LF of a UNT to Clear Run (aka UNT-21) (HQ-CWF);

15. Construct and maintain 6' × 5'-2" culvert extensions in a UNT to Clear Run (aka UNT-22) (HQ-CWF);

16. Construct and maintain an 18" culvert extension in a UNT to Clear Run (aka UNT-28) (HQ-CWF);

17. Construct and maintain a 24" culvert extension in a UNT to Clear Run (aka UNT-29) (HQ-CWF);

18. Relocate and maintain 175 LF of a UNT to Quemahoning Creek (aka UNT-30) (CWF);

19. Place and maintain fill in 147 LF of a UNT to E. Branch of Coxes Creek (aka UNT-31) (WWF);

20. Relocate and maintain 638 LF of a UNT to E. Branch of Coxes Creek (aka UNT-31) (WWF);

21. Relocate and maintain 372 LF of a UNT to Quemahoning Creek (aka UNT-34) (CWF);

22. Relocate and maintain 352 LF of a UNT to Quemahoning Creek (aka UNT-A) (CWF);

23. Relocate and maintain 78 LF of a UNT to Quemahoning Creek (aka UNT-B) (CWF);

24. Construct and maintain a 3'-2" × 2'-6" twin culvert extension in a UNT to Quemahoning Creek (aka UNT-D) (CWF);

25. Relocate and maintain 211 LF of a UNT to Quemahoning Creek (aka UNT-F) (CWF);

26. Relocate and maintain 197 LF of a UNT to Quemahoning Creek (aka UNT-G) (CWF);

27. Place and maintain a 10 LF rip-rap channel of a UNT to Quemahoning Creek (aka UNT-H) (CWF);

28. Construct and maintain an 18" culvert extension in a UNT to Crab Run (aka UNT-J) (HQ-CWF);

29. Construct and maintain 48" culvert extensions in a UNT to Crab Run (aka UNT-K) (HQ-CWF);

30. Install and maintain road associated stormwater facilities and outfalls in the E. Branch of Coxes Creek (WWF), Quemahoning Creek (CWF), Crab Run (HQ-CWF), Clear Run (HQ-CWF) and Keller Run (HQ-CWF) watersheds;

31. Place and maintain fill in 10.16 acres of floodplain in the E. Branch of Coxes Creek (WWF), Quemahoning Creek (CWF), Crab Run (HQ-CWF), Clear Run (HQ-CWF) and Keller Run (HQ-CWF) watersheds.

In association with the reconstruction and widening of approximately seven miles of the Pennsylvania Turnpike Mainline (Interstate 76) between mileposts (MP) 101.8 and (MP) 109, between Exit 91 (Donegal) and Exit 110 (Somerset), in Jefferson, Lincoln and Somerset Townships, Somerset County. The total widening of the proposed project will permanently impact a total of approximately 5,977 (LF) of perennial and intermittent watercourses and 1.58 acre of wetland, and to temporarily impact a total of approximately 2,659 LF of perennial and intermittent watercourses and 2.22 acres of wetland. The temporary impacted resources will be restored upon completion to existing conditions. Several mitigation projects will compensate for the cumulative total impacts to perennial and intermittent watercourses. As compensation for the cumulative total stream impacts, the stream



mitigation plan includes the reconstruction of approximately 4,626 LF of various reaches of watercourses onsite and 1,292 LF of various reaches of watercourses on the Klejka Stream Mitigation Site. To compensate for the 1.58 acre of wetland impact, the applicant will purchase wetland credits from a DEP approved wetland bank site, approximately 1.65 acres of wetlands in the Louie-Beach Advanced Wetland Compensation Site.

This project will increase the Turnpike width from 82 feet to 122 feet. The structures and activities requiring authorization (Bakersville and Somerset, PA Quadrangle; starting at Latitude: 40°05'50.93" N; Longitude: -79°12'07.72" W; and ending at Latitude: 40°01'20.92" N; Longitude: -79°05'10.83" W).

**E56-389, Pennsylvania Electric Company (Penelec) and Mid-Atlantic Interstate Transmission (MAIT);** 341 White Pond Drive, Akron, OH 44320; Shade Township and Central City Borough; **Somerset County;** ACOE Pittsburgh District.

The applicant proposes to:

The project starts at 1,600 feet down Monument Road from School Road in Central City Borough, Somerset County (Central City Quadrangle, PA Quadrangle N: 40°, 60', 32"; W: -78°, 49', 18") and exits the county approximately 1,300 feet east of Fleegle Road, at the Somerset County border (Schellsburg Quadrangle, PA Quadrangle N:40°,04',42"; W:-78°,44',02"). The project impacts in this permit application are for a portion of a transmission project that will extend approximately 17.6 miles, across multiple counties in Pennsylvania, between Central City, Somerset County, PA and Bedford Township, Bedford County, PA.

The portion of this project, within Somerset County, consists of the installation and maintenance of approximately 5.6 miles of high voltage transmission line, along with appurtenant structures and temporary mat crossings. The high voltage transmission line will be constructed as aerial transmission line crossings over 3.7 acres of wetland and 500 linear feet of multiple watercourses, within the Dark Shades Creek (CWF) and the Beaverdam Run (HQ-CWF) watersheds. The aforementioned temporary and permanent impacts include both disturbances and direct and indirect impacts to watercourse, wetland, floodplain, and floodway resources, of which direct and indirect impacts will be compensated through site restoration or additional compensation as identified. These impacts include a total of 1.9 acre of conversion impacts to PEM, PSS, and PFO wetlands. To compensate for the cumulative conversion wetland impacts, along the entire multi-county project, the applicant will create 4.0 acres of wetland mitigation in Jenner Township, Somerset County. The project impacts in this permit application are for a portion of a larger project that is associated with a transmission pipeline project extending approximately 17.6 miles in Pennsylvania between Central City, Somerset County, PA and Bedford Township, Bedford County, PA.

For more detailed information about the Chapter 105 permit application, regarding the portion of this project that is located in Somerset County, which is available within the Department's Southwest Regional Office, please contact Dana Drake at (412) 442-4149, to request a file review.

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**E5829-126: Bridgewater, Brooklyn, and New Milford Townships, Williams Field Services Company, LLC;** Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Bridgewater, Brooklyn, and New Milford Townships, **Susquehanna County,** ACOE Baltimore District.

To construct, operate, and maintain:

1) a floodway only impact impacting 5,671 square feet (0.13 acre) of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 36", Longitude: -75° 47' 05"),

2) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,650 square feet (0.15 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 35", Longitude: -75° 47' 05"),

3) a floodway only impact impacting 264 square feet (0.01 acre) of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 34", Longitude: -75° 47' 04"),

4) a 16-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 174 lineal feet of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 34", Longitude: -75° 47' 02"),

5) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 13,759 square feet (0.32 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 28", Longitude: -75° 47' 02"),

6) a 16-inch diameter steel natural gas gathering pipeline and two temporary timber bridges impacting 113 lineal feet of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 27", Longitude: -75° 47' 05"),

7) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,303 square feet (0.12 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 27", Longitude: -75° 47' 06"),

8) a floodway only impact impacting 264 square feet (0.01 acre) of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 27", Longitude: -75° 47' 07"),

9) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,522 square feet (0.17 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 10", Longitude: -75° 47' 30"),

10) a temporary timber mat crossing impacting 1,120 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 08", Longitude: -75° 47' 32"),

11) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 103 lineal feet of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 47' 37"),

12) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,937 square feet (0.07 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 47' 37"),



13) a right-of-way impact impacting 78 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 17", Longitude: -75° 47' 06"),

14) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 85 lineal feet of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 17", Longitude: -75° 47' 06"),

15) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 668 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 17", Longitude: -75° 47' 05"),

16) a floodway only impact impacting 3,773 square feet (0.09 acre) of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 16"),

17) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 40 lineal feet of unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 16"),

18) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,470 square feet (0.08 acre) of a palustrine emergent wetlands (PEM) and 378 square feet (0.01 acre) of a palustrine scrub shrub wetlands (PSS) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 17"),

19) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 32 lineal feet of Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 18"),

20) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,356 square feet (0.17 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 08"),

21) a floodway only impact impacting 67 square feet (0.01 acre) of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 18"),

22) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 85 lineal feet of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 16", Longitude: -75° 47' 22"),

23) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,837 square feet (0.13 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 48' 24"),

24) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 87 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 49' 25"),

25) a floodway only impact impacting 180 square feet (0.01 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 49' 25"),

26) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting

18,542 square feet (0.43 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 08", Longitude: -75° 49' 31"),

27) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 729 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 08", Longitude: -75° 49' 31").

The natural gas gathering pipeline project consists of constructing approximately 6,268 lineal feet of 16-inch and 11,418 lineal feet of 24-inch steel natural gas gathering pipelines located Bridgewater, Brooklyn, and New Milford Townships, Susquehanna County. The project will result in 12,524 square feet of floodway only impacts, 719 lineal feet of temporary stream impacts, 73,971 square feet (1.70 acre) of temporary emergent wetland impacts, and 378 square feet (0.01 acre) of permanent scrub shrub impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

**E5829-127: Harford Township, Bluestone Pipeline Company of Pennsylvania, LLC**, 333 Technology Drive, Suite 255, Canonsburg, PA 15317; Harford Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 20-inch diameter steel natural gas pipeline and a temporary timber mat crossing temporarily impacting 1,041 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 47' 52" N, Longitude: 75° 44' 37" W),

2) a 20-inch diameter steel natural gas pipeline and a temporary timber bridge crossing temporarily impacting 53 lineal feet of East Branch Martins Creek (CWF-MF) (Harford, PA Quadrangle; Latitude: 41° 47' 54" N, Longitude: 75° 44' 38" W),

3) a 20-inch diameter steel natural gas pipeline and a temporary timber mat crossing temporarily impacting 24,326 square feet (0.54 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 47' 52" N, Longitude: 75° 44' 37" W),

4) a 20-inch diameter steel natural gas pipeline and a temporary timber bridge crossing temporarily impacting 62 lineal feet of East Branch Martins Creek (CWF-MF) (Harford, PA Quadrangle; Latitude: 41° 48' 02" N, Longitude: 75° 44' 36" W),

5) a 20-inch diameter steel natural gas pipeline and a temporary timber mat crossing temporarily impacting 1,416 square feet (0.03 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 48' 05" N, Longitude: 75° 44' 35" W),

6) a 20-inch diameter steel natural gas pipeline and a temporary timber bridge crossing temporarily impacting 6 lineal feet of East Branch Martins Creek (CWF-MF) (Harford, PA Quadrangle; Latitude: 41° 48' 05" N, Longitude: 75° 44' 35" W),

7) a 20-inch diameter steel natural gas pipeline and a temporary timber mat crossing temporarily impacting 2,796 square feet (0.06 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 48' 06" N, Longitude: 75° 44' 35" W),

8) a 20-inch diameter steel natural gas pipeline and a temporary timber mat crossing temporarily impacting 707 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 48' 20" N, Longitude: 75° 44' 26" W).

The natural gas pipeline project consists of constructing a 20-inch diameter steel natural gas pipeline approximately 0.65 miles long in Harford Township, Susquehanna County. The project will result in 121 lineal feet of temporary stream impacts, and 30,286 square feet (0.70 acre) of temporary wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

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

**E19-321. Pennsylvania Department of Transportation, Engineering District 3-0**, 715 Jordan Ave, Montoursville, PA 17754. SR 0339 Section 06M Roadway Improvement Project in Mifflin Township, **Columbia County**, ACOE Baltimore District (Berwick, PA Quadrangle; Latitude: 41°02'13"; Longitude -76°16'10").

PA DOT Engineering District 3-0 proposes a 1.9 Mi. Roadway Safety Improvement Project along SR 0339 between Mifflinville and the Luzerne County line. The project will include shoulder improvements, roadway widening, milling and overlaying pavement, four outfalls and two culvert structure rehabilitations.

The first culvert structure rehabilitation will include slip lining with a corrugated metal plate arch and downstream extension to accommodate the roadway widening. The existing single span concrete arch has a span of 15.0 Ft., a skew of 82 degrees, an underclearance of 11.6 Ft., a low chord of 496.69 Ft., a hydraulic opening of 141 Ft<sup>2</sup>, and an out to out width of 43.8 Ft. The proposed slip lined corrugated metal plate arch culvert on reinforced concrete abutments will have a span of 13.7 Ft., a skew of 82 degrees, an underclearance of 11.4 Ft., a low chord of 496.27 Ft., a hydraulic opening of 130 Ft<sup>2</sup> and an out to out width of 77.0 Ft. The proposed structure will be extended 33.2 Ft. downstream and include streambed paving with concrete baffles through the entire structure. Grouted R-8 Rip Rap will be placed at the outlet to backfill an existing scour hole.

The second culvert structure rehabilitation will be extended upstream to accommodate the roadway widening. The existing corrugated metal pipe culvert has a

span of 10.0 Ft., a skew of 85 degrees, an underclearance of 8.5 Ft., a low chord of 485.44 Ft., a hydraulic opening of 71 Ft<sup>2</sup>, and an out to out width of 150.9 Ft. The proposed culvert structure will have a span of 10.0 Ft., a skew of 85 degrees, an underclearance of 9.0 Ft., a low chord of 485.44 Ft., a hydraulic opening of 74 Ft<sup>2</sup> and an out to out width of 178.9 Ft. The proposed structure will be extended 28 Ft. upstream and include streambed paving with concrete baffles through the entire structure. Grouted R-8 Rip Rap will be placed at the outlet to backfill an existing scour hole.

Traffic will be maintained during construction. A sandbag diversion and clean water pump will be utilized to convey the stream during construction. The project will not impact any jurisdictional wetlands. The Unnamed Tributaries to the North Branch of the Susquehanna River are classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**D09-269EA. Bensalem Township School District**, 300 Donallen Drive, Bensalem, PA 19020, Bensalem Township, **Bucks County**, USACOE Philadelphia District.

Project proposes to remove an existing dam and approximately 8,500 cubic yards of legacy sediment from the floodway area of an unnamed tributary to the Neshaminy Creek for the purpose of restoring natural aquatic ecosystems, including approximately 1.37 acre of wetland; to realign the stream for the purpose of restoring approximately 1,500 lineal feet of stream channel; to place rock and wood grade control and streambank stabilization structures and other large woody debris in restored channels and floodway areas. The project is located on Bensalem School District property between Galloway Road and Hollandale Drive in Bensalem Township, Bucks County (USGS Quadrangle: Beverly, PA; Latitude: 40°06'41.4"; Longitude: -74°55'42.9").

## 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**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0053783 (Sewage)	Aqua Pennsylvania Wastewater Inc. 762 W. Lancaster Avenue Bryn Mawr, PA 19010-3486	Chester County New London Township	Unnamed Tributary to West Branch White Clay Creek 3-I	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114898 (Sewage)	Madison Township M A Jerseytown Sewer System PO Box 620 Millville, PA 17846-0620	Columbia County Madison Township	Mud Creek (10-D)	Yes
PAS204802 (Storm Water)	Titan Energy Park 1965 Waddle Road State College, PA 16803-1639	Centre County Spring Township	Logan Branch (9-C)	Yes
PA0003549 (Storm Water)	Dominion Transmission, Inc. Oakford Compressor Station 466 E Pittsburgh Street Greensburg, PA 15601-8815	Westmoreland County Salem Township	Beaver Run (18-B)	No

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

<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>
PA0093718 (Sewage)	Sugarcreek Elementary School 1446 Kittanning Pike Karns City, PA 16041-1818	Armstrong County Sugarcreek Township	Unnamed Tributary to Huling Run (17-C)	Yes
PA0026425 (Sewage)	Lincoln Road STP 12245 Frankstown Road Pittsburgh, PA 15235-3405	Allegheny County Penn Hills Township	Shades Run (18-A)	Yes
PA0205737 (Sewage)	Dominion Trans Inc. South Oakford Compressor Station 466 E Pittsburgh Street Greensburg, PA 15601-8815	Westmoreland County Hempfield Township	Unnamed Tributary to Brush Creek (19-A)	Yes
PA0028401 (Sewage)	Dravosburg Borough STP 320 Washington Avenue Dravosburg, PA 15034	Allegheny County Dravosburg Borough	Monongahela River (19-C)	Yes



<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>
PA0203777 (Sewage)	Ductmate Industries 1502 Industrial Drive Monongahela, PA 15063-9753	Allegheny County Forward Township	Monongahela River (19-C)	Yes

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136102	Charleroi Borough 4th & Fallowfield Avenue Charleroi, PA 15022	Charleroi Borough Washington County	N	Y
PAG136269	Etna Borough 437 Butler Street Etna, PA 15223-2126	Etna Borough Allegheny County	N	Y
PAG136227	New Stanton Borough PO Box 237 New Stanton, PA 15672-0237	New Stanton Borough Westmoreland County	N	Y
PAG136339	Washington Township 1390 Fayette Avenue Belle Vernon, PA 15012-2535	Washington Township Fayette County	N	Y
PAG136232	Geistown Borough 721 E Oakmont Boulevard Johnstown, PA 15904-1709	Geistown Borough Cambria County	N	Y
PAG136251	Youngstown Borough PO Box 56 Youngstown, PA 15696-0056	Youngstown Borough Westmoreland County	Y	N

*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>
PA0003026 (Sewage)	US Bronze Foundry & Mach 18649 Brake Shoe Road PO Box 458 Meadville, PA 16335-9603	Crawford County Woodcock Township	French Creek, Unnamed Tributary of French Creek, and Unnamed Tributary to French Creek (16-D)	Yes
PA0222879 (Sewage)	Hickory Creek Wilderness Ranch 158 Main Street PO Box 93 Tidioute, PA 16351-1020	Warren County Limestone Township	Camp Run (16-F)	Yes
PA0220817 (Industrial)	Travel Centers Of America Barkeyville 24601 Center Ridge Road Westlake, OH 44145-5639	Venango County Barkeyville Borough	Unnamed Tributary to East Branch Wolf Creek (20-C)	Yes
PA0101273 (Industrial)	BHB Plastic Molding 133 Railroad Street Cambridge Springs, PA 16403-1060	Crawford County Cambridge Springs Borough	French Creek (16-A)	Yes
PA0221317 (Sewage)	Allegheny Clarion Valley Ind Park PO Box 311 Foxburg, PA 16036-0311	Butler County Allegheny Township	Unnamed Tributary to Little Scrubgrass Creek (16-G)	Yes

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

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

**NPDES Permit No. PA0088846**, CAFO, **Hershey Ag**, 138 Airport Road Marietta, PA 17547-9105.

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

Description of Proposed Action/Activity:

Permittee is hereby authorized to operate a Concentrated Animal Feeding Operation (CAFO) located in Oliver Township, Perry County in Watershed 12-B.

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



**NPDES Permit No. PA0265373**, Sewage, SIC Code 8800, **David Lewis & Suzanne Glosner**, 130 East Avenue, Greenville, PA 16125-2638.

This proposed facility is located in West Salem Township, **Mercer County**.

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

**NPDES Permit No. PA0265365**, Sewage, SIC Code 8800, **Francis Simendinger**, 1182 E Lake Road, Transfer, PA 16154-2724.

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

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

**NPDES Permit No. PA0265390**, Sewage, SIC Code 4952, 8800, **Nicholas Schneider**, 683 Highmeyer Road, Harborecreek, PA 16421.

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

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

**NPDES Permit No. PA0265314**, Sewage, SIC Code 8800, **Michael Roofner**, 6017 Firman Road, Erie, PA 16510.

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

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

**NPDES Permit No. PA0264563**, Industrial, SIC Code 1611, **Jefferson Paving Corp**, 1288 Turner Road, Brookville, PA 15825-4836.

This proposed facility is located in Rose Township, **Jefferson County**.

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

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### III. WQM 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. 1512404**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3486.

This proposed facility is located in New London Township, **Chester County**.

Description of Action/Activity: Transfer ownership from Avon Grove School District to Aqua WW Inc.

**WQM Permit No. 1507405**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3486.

This proposed facility is located in New London Township, **Chester County**.

Description of Action/Activity: Transfer ownership from Avon Grove School District to Aqua WW Inc.

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

**WQM Permit No. 4817403**, Sewage, **Williams Township Northampton County**, 655 Cider Press Road, Easton, PA 18042.

This proposed facility is located in Williams Township, **Northampton County**.

Description of Proposed Action/Activity: To refurbish the Cedar Park Pump Station (formerly Lehigh Valley Stadium) to service the Morgan Hill Development.

**WQM Permit No. 4017406**, Sewage, **PA DCNR**, P.O. Box 8551, Harrisburg, PA 17105.

This proposed facility is located in Fairmount Township, **Luzerne County**.

Description of Proposed Action/Activity: The project is for the replacement of existing pump station # 3 with a duplex-submersible packaged pump station.

**WQM Permit No. 4005402 A-1**, Sewage, **Salem Township Luzerne County**, 38 Bomboy Lane, Berwick, PA 18603-6513.

This existing facility is located in Salem Township, **Luzerne County**.

Description of Proposed Action/Activity: Modifications to an existing sewage conveyance system to install a low-pressure force main along Route 11 and a gravity extension to serve 2 properties off Stone Church Road.

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

**WQM Permit No. 2212403**, Sewerage, **Capital Region Water**, 212 Locust Street, Suite 500, Harrisburg, PA 17101-1510.

This proposed facility is located in Harrisburg City, **Dauphin County**.

Description of Proposed Action/Activity:

This amendment approves the modification and operation of sewage facilities consisting of:

- Replacement of the existing gas mixing system with a mechanical linear motion mixers in the digesters.
- Replacement sludge circulation and transfer pumps with new pumps.

- Replacement of the fixed covers with new ones.
- Sludge feed piping and gas feed and draw-off piping, as well as the HVAC and electrical system of the digesters will be upgraded.
- A new Motor Control Center located in a new electrical building will be provided to replace the existing boiler building Motor Control Center.
- Replacement of the gas flow meters, gas detection systems and waste gas burner.

**WQM Permit No. WQG0211702**, Sewerage, **RAK-BLK Limited Partnership**, Links Development Group, 601 Mason Dixon Road, Gettysburg, PA 17325.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of sewage pump station to serve Cumberland Crossing Subdivision at the Links of Gettysburg.

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

**WQM Permit No. 1701401 A-2**, Sewerage, **Aqua Pennsylvania—Treasure Lake Division**, 665 South Dock Street, Sharon, PA 16146.

This existing facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Permit issued authorizing the conversion of disinfection from chlorine gas to liquid sodium hypochlorite at Treasure Lake East WWTP.

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

**WQM Permit No. 4317409**, Sewerage, **David Lewis & Suzanne Glosner**, 130 East Avenue, Greenville, PA 16125-2638.

This proposed facility is located in West Salem Township, **Mercer County**.

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

**WQM Permit No. 3774402 A-3**, Sewerage, **Neshannock Township Lawrence County**, 3131 Mercer Road, New Castle, PA 16105.

This existing facility is located in Neshannock Township, **Lawrence County**.

Description of Proposed Action/Activity: Amendment to install low pressure sewer systems in Highland Park and Blews Acres residential areas.

**WQM Permit No. 4317408**, Sewerage, **Francis Simendinger**, 1182 East Lake Road, Transfer, PA 16154-2724.

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

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

**WQM Permit No. 2517411**, Sewerage, SIC Code 4952, 8800, **Nicholas Schneider**, 683 Highmeyer Road, Harborcreek, PA 16421.

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

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

**WQM Permit No. 2517409**, Sewerage, **Michael Roofner**, 6017 Firman Road, Erie, PA 16510.

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

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

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

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

### NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD150028	T. Richard Moser Land Developers, LP 1171 Lancaster Avenue Suite 201 Berwyn, PA 19312	Chester	Upper Uwchlan Township and Wallace Township	Marsh Creek Lake/ East Branch of Brandywine HQ-TSF
PAD150022	Edwin P. Henderson, Sr. 1764 Horseshoe Pike Honey Brook, PA 19344	Chester	West Brandywine Township	Indian Run HQ-CWF

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*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>
City of Philadelphia Philadelphia County	PAC510026	Philadelphia Parks and Recreation—Planning & Capital Projects 1515 Arch Street 11th Floor Philadelphia, PA 1 9102	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510046	Philadelphia University 4201 Henry Avenue Philadelphia, PA 19144	Wissahickon Creek TSF-MF Lower Schuylkill River WF-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>
Jermyn Borough Lackawanna County	PAC350029	Carrier Coal Enterprises 400 Mill Street Dunmore, PA 18510	UNT to Lackawanna River (CWF-MF)	Lackawanna County Conservation District 570-382-3086
North Whitehall Township Lehigh County	PAC390032	Craig Hoffman 2117 Juniper Dr Coplay, PA 18037	UNT to Rockdale Creek (CWF-MF)	Lehigh County Conservation District 610-391-9583
Whitehall Township Lehigh County	PAC390022	Eberhart Properties, LLC 770 State Road Parryville, PA 18244	Coplay Creek (CWF-MF)	Lehigh County Conservation District 610-391-9583
Plains Township Luzerne County	PAC400012	Geisinger Wyoming Valley Medical Center Alan Neuner 1000 East Mountain Blvd. Wilkes-Barre, PA 18711	Mill Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Lower Saucon Township Northampton County	PAC480028	Mo El Banna 1897 Meadows Rd. Bethlehem, PA 18015	Saucon Creek (CWF, MF)	Northampton County Conservation District 610-829-6276

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name & Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Allen Township  
Northampton County

PAC480017

Allen Township  
Ilene Eckhart  
4714 Indian Trail Road  
Northampton, PA 18067

Dry Run  
(CWF, MF)

Northampton County  
Conservation District  
610-829-6276

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

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name & Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Latimore Township  
Adams County  
Issued

PAC010040

Lebo and Reed Real Estate  
Partnership  
250 Union Church Road  
Dillsburg, PA 17019

UNT Latimore Creek  
(CWF, MF)

Adams County  
Conservation District  
670 Old Harrisburg  
Road  
Suite 201  
Gettysburg, PA  
17325-3404  
717.334.0636

Conewago Township  
Adams County  
Issued

PAC010030

Conewago Resources  
660 Edgegrove Road  
PO Box 407  
Hanover, PA 17331

South Branch  
Conewago Creek  
(WWF)

Adams County  
Conservation District  
670 Old Harrisburg  
Road  
Suite 201  
Gettysburg, PA  
17325-3404  
717.334.0636

Tilden Township  
Berks County  
Issued

PAC060077

30 Hamburg Associates, L.P.  
1518 East Chocolate Avenue  
Hershey, PA 17033

Schuylkill River  
(WWF)

Berks County  
Conservation District  
1238 County Welfare  
Road  
Suite 200  
Leesport, PA  
19533-9710  
610.372.4657

Swatara Township  
Dauphin County  
Issued

PAC220040

CJE Properties, LLC  
4 Oakbrook Lane  
Elizabethtown, PA 17022

UNT Laurel Run  
(WWF, MF)

Dauphin County  
Conservation District  
1451 Peters  
Mountain Road  
Dauphin, PA 17018  
717.921.8100

West Hanover  
Township  
Dauphin County  
Issued

PAC220059

Nason Benner  
199 Landis Road  
McAlisterville, PA 17049

UNT Manada Creek  
(CWF)

Dauphin County  
Conservation District  
1451 Peters  
Mountain Road  
Dauphin, PA 17018  
717.921.8100

Guilford Township  
Franklin County  
Issued

PAC280036

Chambersburg Health Service  
112 North 7th Street  
Chambersburg, PA 17201

UNT Conococheague  
Creek  
(CWF, MF)

Franklin County  
Conservation District  
185 Franklin Farm  
Lane  
Chambersburg, PA  
17202  
717.264.5499

Antrim Township  
Franklin County  
Issued

PAC280054

Northpoint Development  
4825 NW 41st Street  
Suite 500  
Riverside, MO 64150

UNT Conococheague  
Creek  
(WWF)

Franklin County  
Conservation District  
185 Franklin Farm  
Lane  
Chambersburg, PA  
17202  
717.264.5499



*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name & Address**Receiving  
Water/Use**Contact Office &  
Phone No.*

Washington Township Franklin County Issued	PAC280047	Emmanuel Full Gospel Church 9522 McKean Road Waynesboro, PA 17268	(UNT East Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County Issued	PAC280035	Chambersburg Borough 100 South 2nd Street Chambersburg, PA 17201	UNT Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Hamilton Township Franklin County Issued	PAC280049	Jeff Rockwell 3745 Lincoln Way West Chambersburg, PA 17202	UNT Back Creek (TSF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280043	Jeff Crampton 261 Frederick Street Hagerstown, MD 21740	UNT Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Walker Township Juniata County Issued	PAC340017	Reinford Farms, Inc. 505 Cedar Grove Road Mifflintown, PA 17059	Cedar Spring Run (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
West Lampeter Township Lancaster County Issued	PAC360140	Creative Construction Solutions, LLC 100 Willow Valley Lake Drive Willow Street, PA 17584	UNT Mill Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Adamstown Borough Lancaster County Issued	PAC360171	Douglas Compher PO Box 201 Lewisville, PA 19351	Stoney Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
West Earl Township Lancaster County Issued	PAC360172	West Eral Township 157 Metzler Road PO Box 787 Brownstown, PA 17508	UNT Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361

<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>
East Cocalico Township Lancaster County Issued	PAC360105	Heatherwoods, LLC 3335 Morgantown Road PO Box 7 Mohnton, PA 16540	Stony Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Drumore Township Lancaster County Issued	PAC360014	Hiep Phan 2119 Marietta Avenue Lancaster, PA 17603	Fishing Creek (EV, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
East Earl Township Lancaster County Issued	PAC360121	East Earl LLC 1213 Orchard Road Lititz, PA 17543	Cedar Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Lancaster City Lancaster County Issued	PAC360136	Long Community Inc. 1 Trinity Drive East Suite 201 Dillsburg, PA 17019	Little Conestoga Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
West Lampeter Township Lancaster County Issued	PAC360140	David Haines 3020 Columbia Avenue Lancaster, PA 17603	UNT Mill Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Cornwall Borough Lebanon County Issued	PAC380037	Thomas A Zentz 39 Horst Avenue Lebanon, PA 17042	Hazel Dyke (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Annville Township Lebanon County Issued	PAC380042	Derek Storm 400 North Weaver Street Annville, PA 17003	UNT Quittapahilla Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Derry Township Mifflin County Issued	PAC440005	Jason Goss 1050 Ridens Road Lewistown, PA 17044	UNT Hungry Run (TSF)	Mifflin County Conservation District 20 Windmill Hill Suite 4 Burnham, PA 17009-1837 717.248.4695
Manchester Township York County	PAC670060	Heritage Business Park, LP Adam Meinstein 1777 Sentry Parkway Blue Bell, PA 19422	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

*Facility Location:  
Municipality &  
County*

Carroll Township York County Issued	PAC670057	Gary D. Reihart 150 Ore Bank Rd Dillsburg, PA 17019	Fishers Run/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County Issued	PAC670069	Burkentine & Sons Builders, Inc. Paul Burkentine 1500 Baltimore St Hanover, PA 17331	UNT to Furnace Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Newberry Township York County Issued	PAC670088	Thomas A. Craft 2700 York Haven Road P O Box 515 Manchester, PA 17345-0515	Conewago Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County Issued	PAC670073	Reich Acquisition One, LP James O'Polka 1885 Whiteford Rd York, PA 17402	UNT to Mill Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County Issued	PAC670082	HARI OHM Hospitality Sanjay H. Patel 148 Sheraton Drive Harrisburg, PA 17070	Yellow Breeches Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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

*Facility Location:  
Municipality &  
County*

Young Township Jefferson County	PAC330009	Pennsylvania American Water 425 Waterworks Road Clarion, PA 16214	Mahoning Creek WWF; UNT 47763 to Mahoning Creek CWF; UNT 47769 to Mahoning Creek CWF	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
Punxsutawney Borough & Young Township Jefferson County	PAC330010	H&B Development LLC 142 Universal Drive Punxsutawney, PA 15767	Tributary 47780 & 47782 to Mahoning Creek CWF	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
Lafayette Township McKean County	PAC420009	Miller Group Holdings LP James Miller P.O. Box 472 950 East Main Street Schuylkill Haven, PA 17372	UNT Threemile Run CWF	McKean County Conservation District 17137 Route 6 Smethport, PA 16749 814-887-4001
Hamlin Township McKean County	PAC420008	PVT 1007, LLC Austin Weinman 1563 Woodward Drive Extension Greensburg, PA 15601	Clarion River CWF	McKean County Conservation District 17137 Route 6 Smethport, PA 16749 814-887-4001
Punxsutawney Borough Jefferson County	PAC330004	Punxsutawney Area School District 475 Beyer Avenue Punxsutawney, PA 15767	Unnamed tributary to Sawmill Run CWF; Unnamed Tributary to Mahoning Creek CWF	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463

*Facility Location:  
Municipality &  
County*

<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>
Center Township Butler County	PAC100060	Giles Holding Future, LLC Mr. John Giles 101 Timothy Lane Cranberry Township, PA 16001	Crooked Run CWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Summit Township Erie County	PAC250035	Maleno Developers, Inc. 2340 Grandview Boulevard Suite 1 Erie, PA 16506	UNT Mill Creek WWF-MF; UNT Walnut Creek CWF-MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Summit Township Erie County	PAC250013	Askins Enterprises, LLC 2749 Zimmerly Road Erie, PA 16506	UNT LeBoeuf Creek TSF & UNT French Creek WWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Summit Township Erie County	PAC250014	Hawthorne Drive Real Estate, LLC 8165 Hawthorne Drive Erie, PA 16509	UNT Walnut Creek CWF-MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Cranberry Township Butler County	PAC100068	Cannon USA, Inc. Mr. Joseph A. Petrocelli 1235 Freedom Road Cranberry Township, PA 16066	Brush Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270

*General Permit Type—PAG-3*

*Facility Location:  
Municipality &  
County*

<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>
Collegeville Borough Montgomery County	PAR210038	Trans-Fleet Concrete, Inc. 168 E. First Avenue P.O. Box 26483 Collegeville, PA 19426	Perkiomen Creek 3-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Springfield Township Bradford County	PAG034846	Midosa USA Ltd 3238 Springfield Road Columbia Crossroads, PA 16914	Unnamed Tributary to Leonard Creek—4-C	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Charleston Township Tioga County	PAG034847	Keane Frac LP 1050 17th Street Denver, CO 80265-1050	North Elk Run/CWF	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

## STATE CONSERVATION COMMISSION

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

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.



Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Joe Jurgielewicz (Bethel) 1301 Airport Rd Bethel, PA 19507	Berks	1	63.90	Poultry (Ducks)	NA	Approved
Laverne Rohrer 118 Bentz Mill Road East Berlin, PA 17316	York	54.4	443.17	Turkey	NA	Approved

#### CAFO NMP PUBLIC NOTICE SPREADSHEET—ACTIONS (Approval/Disapproval)

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproval</i>
James Bagley 266 Piatt Road Shunk, PA 17768	Sullivan	72.6	660.7	Swine	EV, HQ	Approved

### PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, 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

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

**Operations Permit** issued to: **Borough of Tarentum**, 318 East 2nd Avenue, Tarentum, PA 15084, (PWSID # 5020055) Tarentum Borough, **Allegheny County** on November 20, 2017 for the operation of facilities approved under Construction Permit # 0217501.

**Operations Permit** issued to: **Fox Chapel Authority**, 255 Alpha Drive, Pittsburgh, PA 15238, (PWSID # 5020040) Fox Chapel Borough, **Allegheny County** on November 20, 2017 for the operation of facilities approved under Construction Permit # 0216526.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # 5260036) Dunbar Town-

ship, **Fayette County** on November 21, 2017 for the operation of facilities approved under Construction Permit # 2613516-A1.

**Operations Permit** issued to: **Municipal Authority of the Borough of Portage**, 606 Cambria Street, Portage, PA 15946, (**PWSID # 4110027**) Portage Township, **Cambria County** on November 21, 2017 for the operation of facilities approved under Construction Permit # 1117513WMP.

**Operations Permit** issued to: **Southwestern Pennsylvania Water Authority**, 1442 Jefferson Road, PO Box 187, Jefferson, PA 15344, (**PWSID # 5300017**) Morgan Township, **Greene County** on November 29, 2017 for the operation of facilities approved under Construction Permit # 3017523MA.

**Operations Permit** issued to: **Southwestern Pennsylvania Water Authority**, 1442 Jefferson Road, PO Box 187, Jefferson, PA 15344, (**PWSID # 5300017**) Richhill Township, **Greene County** on November 29, 2017 for the operation of facilities approved under Construction Permit # 3013501WMP13.

**Operations Permit** issued to: **Southwestern Pennsylvania Water Authority**, 1442 Jefferson Road, PO Box 187, Jefferson, PA 15344, (**PWSID # 5300017**) Richhill Township, **Greene County** on November 29, 2017 for the operation of facilities approved under Construction Permit # 3017507MA.

**Operations Permit** issued to: **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108, (**PWSID # 5020011**) Moon Township, **Allegheny County** on November 30, 2017 for the operation of facilities approved under Construction Permit # 0217548.

**Permit No. 6517524MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Highridge Water Authority</b> 17 Maple Avenue Blairsville, PA 15717
[Borough or Township]	St. Clair and East Wheatfield Townships
County	<b>Westmoreland and Indiana</b>
Type of Facility	Meter vaults
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	November 27, 2017

**Permit No. 6516501MA-1, Minor Amendment.** Public Water Supply.

Applicant	<b>Highridge Water Authority</b> 17 Maple Avenue Blairsville, PA 15717
[Borough or Township]	Burrell Township
County	<b>Indiana</b>
Type of Facility	Palmerton Road waterline
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650

Permit to Construct Issued November 27, 2017

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

**Operation Permit** issued to **Aqua Pennsylvania, PWSID No. 6420018**, Borough of Mt. Jewett, **McKean County**. Permit Number 4216501 issued November 20, 2017 for the operation of the Crest Hill Booster Pump Station and tank mixers in Crest Hill Tank No. 1 and Crest Hill Tank No. 2. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on November 21, 2017.

**Operation Permit** issued to **Aqua Pennsylvania, PWSID No. 6430054**, Shenango Township, **Mercer County**. Permit Number 4300503-T1-MA12 issued December 5, 2017 for the operation of the finished water storage tank known as Mitchell Tank. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on November 20, 2017.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. 1414504MA—Operation—Public Water Supply.**

Applicant	<b>Pennsylvania State University</b>
Township/Borough	College Township
County	<b>Centre County</b>
Responsible Official	Mr. James K. Hosgood Engineering Services Manager Pennsylvania State University 139J Physical Plant Building University Park, PA 16802
Type of Facility	Public Water Supply
Consulting Engineer	Mr. James K. Baird Pennsylvania State University 152N Physical Plant Building University Park, PA 16802
Permit Issued	December 1, 2017
Description of Action	Authorizes operation of the entire new 16-inch diameter raw water transmission line to the new water treatment plant.

**Permit No. 4907502-T1-A1—Construction & Operation—Public Water Supply.**

Applicant	<b>Cherokee Pharmaceuticals, LLC</b>
Township/Borough	Riverside Borough
County	<b>Northumberland County</b>
Responsible Official	Mr. Thomas P. Forrestal Cherokee Pharmaceuticals, LLC 100 Avenue C Riverside, PA 17868
Type of Facility	Public Water Supply
Consulting Engineer	Ms. Maureen Hoke, P.E. Obrien & Gere Engineers, Inc. 300 Drayton Street—3rd Floor Savannah, GA 31401-4448

Permit Issued	December 4, 2017
Description of Action	Authorizes demolition of Accelerator No. 1 (also known as Clarifier No. 1) and operation of the Filter Plant without Accelerator No. 1.

### WATER ALLOCATIONS

**Actions taken on applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631–641) relating to the acquisition of rights to divert waters of the Commonwealth.**

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**WA 60-88C**, Water Allocations. **Borough of Mifflinburg**, 120 N 3rd St., Mifflinburg, PA 17844, Mifflinburg Borough, **Union County**. This Water Allocation Permit is a renewal of the existing Water Allocation Permit granting 800,000 gallons per day (gpd) from the N Branch Buffalo Creek and Chambers Spring.

**WA 17-106B**, Water Allocations. **Houtzdale Municipal Authority (HMA)**, 561 Kirk Street, Houtzdale, PA 16651, Woodward Township, **Clearfield County**. This Water Allocation Permit grants Houtzdale Municipal Authority the right to withdraw a maximum of 1,500,000 gallons per day (gpd) from the Upper and Lower Mountain Branch and Moshannon Creek in Woodward Township, **Clearfield County**. The renewal is being requested to account for projected future water demands.

### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)**

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

*Plan Location:* College Township and Harris Township, Centre County

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
College Township	1481 East College Ave.	Centre
Harris Township	State College, PA 16801	
	P.O. Box 20	Centre
	Boalsburg, PA 16827	

*Plan Description:* The plan provides for the installation of approximately 27,600 linear feet of 12-inch reuse waterline and appurtenances. The proposed users include Mountain View Country Club, Tussey Mountain Ski Area, and Boalsburg Technology Park. The users are expected to utilize the reuse water primarily for irrigation at the Country Club and snow making at Tussey Mountain. Other potential uses in the area consistent with the existing reuse water quality include laundry, swimming pool filling, firefighting tanker truck filling, and other potential industrial uses at the Technology Park. The total installation cost is expected to be \$2.61 million, which will be funded by a UAJA-issued bond. The submission is consistent with the planning requirements in Chapter 71 of DEP's regulations. No significant environmental or historical impacts were identified in the review of the plan.

### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Fairview Township	599 Lewisberry Road	York
	New Cumberland, PA 17070	

*Plan Description:* The planning module for Penny Pennachi, DEP Code No. A3-67919-459-3s, APS Id. 949700, consisting of a proposed Small Flow Treatment Facility on 0.57 acre to replace a malfunctioning on-lot disposal system serving an existing single-family residential dwelling is disapproved. Total estimated sewage flows are 400 gpd, and there is a proposed dry stream discharge tributary to Marsh Run. The proposed development is located at 440 Marsh Run Road in Fairview Township, York County. This plan is disapproved because the Department has not received a response to the Department's September 21, 2017 technical deficiency letter regarding the above referenced application, and the application continues to be technically deficient.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995  
PREAMBLE 2**

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101–6026.907).**

Provisions of Sections 301–308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301–6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of



receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Central Penn Capital Management**, 1247 Ward Avenue, West Chester, West Chester Township, **Chester County**. Paul Nachlas, P.G., Independence Environmental Consulting, Inc., 1750 Kaylor Road, Hummelstown, PA 17036 on behalf of Gregory K. Millen, Central Penn Capital Management, 1817 Olde Homestead Lane, Lancaster, PA 17610 submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with aviation fuel. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Crichton Residence**, 203 Franklin Court, Montgomery Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Valeria Griffin, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169 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.

**Johnson and Lemon Residence**, 5806 & 5808 Cedar Avenue, City of Philadelphia, **Philadelphia County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Oil Patch Inc., 7421 Glenmore Avenue, Philadelphia, PA 19153 submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Acme Store 7721**, Starr Street and Nutt Road, Borough of Phoenixville, **Chester County**. Michael S. Welsh, P. E., Welsh Environmental Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Adam Loew, P-Ville Associates, LP, 55 County Club Drive, Downingtown, PA 19335 submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with tetrachloroethylene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717-705-4705.*

**VF Outlet Complex—Parcel 9**, 801 Hill Avenue, Wyomissing, PA 19610, Wyomissing Borough, **Berks County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Equus Capital Partners Ltd, 3200 Center Square West, 1500 Market Street, Philadelphia, PA 19102, and VF Corporation, VF Outlet, Inc., 801 Hill Avenue, Wyomissing, PA 19610 submitted a Final Report concerning remediation of site soil contaminated with metals and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

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

**National Fuel Gas Midstream Wharton Compressor Station**, Wharton Township, **Potter County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of National Fuel Gas Supply Corporation, P.O. Box 2081, 1100 State Street, Erie, PA 16512, has submitted a Remedial Investigation report and Risk Assessment Report concerning remediation of site soil and groundwater contaminated with organics. The reports are intended to document remediation of the site to meet the Site-Specific Standard requirements.

**I-80 Eastbound Median @ MM 224**—Valley Township, **Montour County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Rev Hoopes Trucking, LLC, 1004 Empson Road, Ulysses, PA 16948, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard requirements.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.



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

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.*

**FBF Incorporated**, 1145 Industrial Boulevard, Upper Southampton Township, **Bucks County**. Phillip Getty, Boucher & James, Inc., 1456 Ferry Road, Building 500, Doylestown, PA 18901 submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on November 27, 2017.

**312-320 Walnut Street & 319 Willings Alley**, 312-320 Walnut Street & 319 Willings Alley, City of Philadelphia, **Philadelphia County**. Thomas A. Petrecz, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Arrus I. Farmer, PMC Property Group, 1608 Walnut Street, Suite 1400, Philadelphia, PA 19103 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 4, 5, and No. 6 fuel oil. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on November 8, 2017.

**Manor Park Landfill**, 35 East Cleveland Avenue, Morrisville Borough, **Bucks County**. Phil Gray Jr., Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of Robert White, The Redevelopment Authority of the County of Bucks, 216 Pond Street, Bristol, PA 19007 submitted a Cleanup Plan/Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with other organics. The Report was approved by the Department on November 20, 2017.

**Brown Partnership Property**, 125 Limestone Road, Lower Oxford Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18973 on behalf of Brown Partnership, 125 Limestone Road, Oxford, PA submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded and leaded gasoline. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on November 20, 2017.

**Schramm Inc**, 800 East Virginia Avenue, Goshen Township, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Eli Kahn, 920 South Bolmar Associates, LP, 55 Country Club Drive, Downingtown, PA 19335 submitted a Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with petroleum. The Report was approved by the Department on November 16, 2017.

**Grocery Store Site**, 420 McDade Boulevard, Ridley Township, **Delaware County**. Jeffrey T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of David Kane, Lidl US, LLC, 2005 Market Street, Suite 1010, Philadelphia, PA 19103 submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline,

gasoline and arsenic. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on November 13, 2017.

**Kimberton Wawa**, 501 Kimberton Road, East Pike-land Township, **Chester County**. Stephen D. Brower, Environmental Standards, Inc., 114 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Gregory Vallino, Kimberton Leasing, 706 Village at Eland, Phoenixville, PA 19460 submitted a Final Report concerning the remediation of site groundwater contaminated with benzene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on November 8, 2017.

**Entenmanns Bakery**, 690 East Lincoln Highway, West Whiteland Township, **Chester County**. Michael S. Welsh, Welsh Associates Inc., 131 Clearview Drive, Downingtown, PA 19355 on behalf of Eli Kahn, 690 East Lincoln Associates, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The Report was approved by the Department on November 7, 2017.

**Welsh Residence**, 123 Clearfield Avenue, Lower Providence Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Jeff Welsh, JMW Real Estate Management LP, 100 West Indian Lane, Norristown, PA 19403 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 November 20, 2017.

**Rohm & Haas Former Burning Area**, 200 Route 413, Bristol Township, **Bucks County**. David J. Kistner, PG, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Robert Casselberry, Rohm and Haas Company, 310 George Patterson Boulevard, Suite 100, Bristol, PA 19428 submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs and SVOCs. The Report was approved by the Department on November 6, 2017.

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

**Former Carbondale MGP**, 8th Avenue & Mill Street, City of Carbondale, **Lackawanna County**. Stantec Consulting Services Inc., 400 David Drive, Suite 400, Plymouth Meeting, PA 19462, on behalf of UGI Penn Natural Gas, 2525 North 12th Street, Reading, PA 19612, submitted a Final Report concerning remediation of site soil and groundwater contaminated with PAH, and VOCs. The Final Report demonstrated attainment of a combination of Statewide Health and Site-Specific Standards, and was approved by the Department on November 29, 2017.

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

**Topton Volunteer Fire Company Diesel Fuel Release**, 600 & 595 State Street, Mertztown, PA 19539, Longswamp Township, **Berks County**. Liberty Environmental, 505 Penn Street, Reading, PA 19601, on behalf of Topton Volunteer Fire Company, 600 State Street, Mertztown, PA 19539, and Brandywine Transportation, 595 State Street, Mertztown, PA 19539 submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report did not demonstrate

attainment of the Residential Statewide Health Standard, and was disapproved by the Department on November 21, 2017.

**Richard Beers Residence**, 1242 Perry Valley Road, Liverpool, PA 17045, Liverpool Township, **Perry County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Richard Beers, 1242 Perry Valley Road, Liverpool, PA 17045, submitted a Final Report concerning remediation of site soil and groundwater contaminated with # 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on November 21, 2017.

**Allegheny Veterinary Hospital**, 110 North Jefferson Street, Mount Union, PA 17066, Mount Union Borough, **Huntingdon County**. McKee Environmental, Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of Allegheny Veterinary Hospital, 110 North Jefferson Street, Mount Union, PA 17066, submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. The Final Report was administratively incomplete and was disapproved by the Department on November 21, 2017.

**Fruitville Business Park**, 1570 Fruitville Pike, Lancaster, PA 17602, Lancaster City, **Lancaster County**. Liberty Environmental, 50 N. 5th Street, 5th Floor, Reading, PA 19601, on behalf of 1570 Fruitville Pike, LP, 2450 Marietta Avenue, Lancaster, PA 17601, and Robert Lepore, c/o John Reed, Esquire, Barley Snyder, LLC, 126 East King Street, Lancaster, PA 17602-2893, submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganics and SVOCs. The Plan was approved by the Department on December 1, 2017.

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**FedEx**, 2600 Hirtzel Road, North East Township, **Erie County**. GZA GeoEnvironmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of YRC Freight, 10990 Roe Avenue, Overland Park, KS 66211, submitted a Final Report concerning the remediation of site soil and site groundwater contaminated with trichloroethene, vinyl chloride, trans 1,2 dichloroethene, 1,1 dichloroethane, cis 1,2 dichloroethene, and 1,2 dichloroethane. The Final Report demonstrated attainment of the Background Standard and was approved by the Department on November 30, 2017.

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

**Colonial Manor Road LLC**, 381 Colonial Manor Road, Irwin, **Westmoreland County**. GES, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of Colonial Manor Road, LLC, PO Box 1046, Wooster, Ohio, 44691 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with chlorinated volatile organic compounds (CVOCs) and certain metals and groundwater contaminated with CVOCs. Public notice was printed in the *Tribune-Review* on August 26, 2017. The reports were approved by the Department on November 22, 2017.

## HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.*

*Hazardous Waste Transporter License Expired*

**SWS Environmental Services**, 901 McClosky Boulevard, Tampa, FL 36605. License No. PA-AH 0831. Effective Nov 30, 2017.

## REGULATED MEDICAL WASTE GENERAL PERMITS

**Permit(s) Renewed Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904); and Municipal Waste Regulations for a General Permit to Operate Regulated Medical and Chemotherapeutic Waste Processing Facilities.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGI007 Base.** This permit authorizes the processing of regulated medical waste in a modular disinfection unit. The processing involves thermal and chemical inactivation using sodium hypochlorite and low pressure steam. As part of the renewal, the Department re-organized and re-formatted General Permit No. WMGI007 for overall clarity and use. Additionally, the Department made changes to WMGI007 to ensure that the permit complies with the November, 2014 amendments to 25 Pa. Code, Chapter 284. The general permit was renewed by Central Office and became effective on November 27, 2017.

Persons interested in obtaining a copy of the renewed general permit can download a copy at <http://www.dep.pa.gov/Business/Land/Waste/SolidWaste/MunicipalWaste/Regulated-Medical-Chemotherapeutic-Waste/Pages/General-Permits-for-Regulated-Medical-and-Chemotherapeutic-Waste.aspx> or may request a copy by contacting the Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit Application No. WMGI007R01. Penn State Milton S. Hershey Medical Center**, 90 Hope Drive, Hershey, PA 17033-0855. This permit authorizes processing of regulated medical waste in a modular disinfection unit. The processing involves thermal and chemical inactivation using sodium hypochlorite and low pressure steam. As part of the renewal, the Department re-organized and re-formatted General Permit No. WMGI007 for overall clarity and use. Additionally, the Department made changes to WMGI007 to ensure that the permit complies with the November 2014 amendments to 25 Pa. Code, Chapter 284. The general permit was renewed by Central Office and became effective on November 27, 2017.

Persons interested in obtaining a copy of the renewed general permit can download a copy at <http://www.dep.pa.gov/Business/Land/Waste/SolidWaste/MunicipalWaste/>



Regulated-Medical-Chemotherapeutic-Waste/Pages/General-Permits-for-Regulated-Medical-and-Chemotherapeutic-Waste.aspx or may request a copy by contacting the Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### **DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

**Determination of Applicability for General Permit issued under the Solid Waste Management Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 (relating to authorization for general permit)).**

*South Central Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR029SC001A. Heritage-Crystal Clean, LLC**, Elizabethtown Facility, 2388 North Market Street, Elizabethtown, PA 17022, located in West Donegal Township, **Lancaster County**. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR029 to Heritage-Crystal Clean, LLC for the operation of a transfer facility for the processing of waste oil, spent anti-freeze, used oil filters, waste oil/water mixtures and commercial fuel products (with a flashpoint equal to or greater than 100°F) prior to beneficial use. The approved processing is limited to collection, bulking, storage, and passive oil/water separation. Based on their permit application, Heritage-Crystal Clean's permit is currently limited to acceptance of waste oil and oily water mixtures for bulking and storage in railcar. This Determination of Applicability was issued on November 29, 2017.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**Chester County Solid Waste Authority Permit No. 100944**, 7224 Division Highway, Narvon, PA 17555-9505. This major permit modification approves the ability to truck leachate offsite generated by the Lanchester Landfill for treatment. Lanchester Landfill is located in Caernarvon Township, **Lancaster County** and Honey Brook Township, **Chester County**. This major permit modification was issued on December 5, 2017 for Solid Waste Permit No. 100944 for the operation of the Lanchester Landfill, in accordance with Article V of the Solid Waste Management Act, 35 P.S. §§ 6018.101, et seq.

## **AIR QUALITY**

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

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

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

**GP5-08-357B: Appalachia Midstream Services, LLC** (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on November 21, 2017, for the construction of four 1,875 bhp Caterpillar model G3606LE, natural gas-fired, 4-stroke, lean burn compressor engines, each equipped with 2-way oxidation catalysts, two 140 MMscfd TEG dehydration units, each equipped with a 2 MMBtu/hr natural gas-fired reboiler, five 400 bbl produced water storage tanks, two fuel line heaters, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the existing Wilmot Compressor Station located in Wilmot Township, **Bradford County**.

**GP5-57-059B: Appalachia Midstream Services, LLC** (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) on November 21, 2017, for the construction of five 1,875 bhp Caterpillar model G3606LE, natural gas-fired, 4-stroke, lean burn compressor engines, each equipped with 2-way oxidation catalysts, one 770 bhp Cummins model GTA28, natural gas-fired, rich burn, generator engine, equipped with a 3-way catalyst; one fuel gas heater, associated pigging operations, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Red Fox Compressor Station (formerly the Red Fox CDP) located in Fox Township, **Sullivan County**.

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

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

**GP1-36-03193: Lancaster Leaf Tobacco Co. of PA, Inc.** (207 Pitney Road, Lancaster, PA 17601) on November 21, 2017, for two existing natural gas-fired boilers, 10.461 MMBtu each, under GP1, at their facility located in the City of Lancaster, **Lancaster County**. The general permit authorization was renewed.

**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.*

**46-0037AD: Global Advanced Metals USA, Inc.** (650 County Line Road, Boyertown, PA 19512) On November 20, 2017 for the modification of an existing tantalum acid

leaching and drying process (Source ID 109) at its Boyertown facility in Douglass and Colebrookdale Townships, **Montgomery** and **Berks Counties**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**36-05136E: Granger Energy of Honeybrook, LLC** (PO Box 27185, 16980 Wood Road, Lansing, MI 48909-7185) on November 22, 2017, to replace a landfill gas-fired engine generator set at the Granger landfill gas treatment plant at the Lanchester Landfill in Caernarvon Township, **Lancaster County**.

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

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

**30-00233B: Hill Top Energy Center, LLC** (747 3rd Avenue, 2nd Floor, New York, NY 10017) on December 1, 2017, to construct a 620 MW natural gas-fired combined cycle power plant in Cumberland Township, **Greene County**.

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

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

**24-131S: SGL Carbon LLC** (900 Theresia St., P.O. Box 1030, Saint Mary's, PA 15857), on November 30, 2017 issued a Plan Approval for the construction and operation of a replacement scrubber control device in the City of Saint Mary's, **Elk County**. This is a State Only facility.

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

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

**AMS IP17-000009: Southeastern Pennsylvania Transportation Authority (SEPTA) Roberts Complex** (4301 Wissahickon Ave, Philadelphia, PA 19140) for installation of two natural gas-fired Combined Heat and Power (CHP) Generator Units rated at 6,113 horsepower (hp) each. The generators will produce steam and electricity for use within the Midvale bus facility (located at 4301 Wissahickon Ave, Philadelphia, PA 19140) and provide electricity for regional railcars. Each Generator Unit will be equipped with a Selective Catalytic Reduction (SCR) and Oxidation Catalyst (OC) System. The SCR is used to reduce NO<sub>x</sub> emissions and the OC to reduce Carbon Monoxide (CO), Volatile Organic compound (VOC) and Formaldehyde (CH<sub>2</sub>O).

**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.**

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**06-05023A: Bimbo Bakeries USA, Inc.** (640 Park Avenue, Reading, PA 19611-1926) on October 30, 2017, for the installation of a refurbished catalytic oxidizer to replace the current Bread Line catalytic oxidizer at the bakery located in Reading City, **Berks County**. The plan approval was extended.

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

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

**10-368D: Markwest Liberty Bluestone, Bluestone Plant** (1515 Arapahoe St., Tower 1, Suite 1600, Denver, CO 80202) on November 29, 2017, effective November 30, 2017, will issue a plan approval extension for the construction of two (2) 200 MMCF/day capacity cryogenic natural gas processing plants, a deethanizer, fractionator, associated process heaters and storage tanks, and three (3) additional emergency generators along with removing one existing process heater, modify an additional existing process heater, replace the existing flare, remove ten (10) existing natural gas-fired compressor engines, and replace them with electrically driven compression at their facility in **Butler County**. This will expire on May 31, 2018. This is a State Only facility.

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

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

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

**09-00187: Sims Metal East, LLC** (300 S Steel Rd, Morrisville, PA 19067-3614) On November 27, 2017 for the renewal of a State Only Operating Permit for the operation of their metal recycling facility in Falls Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**36-05140: Valley Proteins Inc.** (693 Wide Hollow Road, East Earl, PA 17519) on November 27, 2017, for the rendering and boiler operations at the Terre Hill facility located in East Earl Township, **Lancaster County**. The Title V operating permit underwent a significant modification to 1.) incorporate changes to the facility's current monitoring approach in assuring minimum temperature requirements for the boilers being used for thermal treatment of non-condensable vapors, 2.) base the packed tower scrubber monthly calculation of air emissions on raw material throughput, and 3.) base emission calculations on approved emission factors, post-condenser.

**22-05012: ArcelorMittal Steelton LLC** (215 South Front Street, Steelton, PA 17113-2538) on November 20, 2017, for the steel foundry located in Steelton Borough, **Dauphin County**. The Title V permit was renewed.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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



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

**54-00007: PA Department of Corrections** (1920 Technology Parkway, Mechanicsburg, PA 17050-8507) issued on 12/4/17, a State-Only (Natural Minor) Operating Permit renewal for operation of their correctional facility located in Ryan Township, **Schuylkill County**. The sources include a fire-tube boiler and emergency generators. The proposed permit will contain applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**38-03007: Evans Eagle Burial Vaults, Inc.** (15 Graybill Road, Leola, PA 17540-1910) on November 29, 2017, for the three human crematory units at the facility in Heidelberg Township, **Lebanon County**. The State-only permit was renewed.

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

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

**41-00077: Kellogg USA, Inc.** (572 Industrial Park Rd., Muncy, PA 17756) on November 29, 2017, was issued a renewal State Only (Synthetic Minor) operating permit for their Muncy Creek Twp. Plant located in Muncy Creek Township, **Lycoming County**. The State Only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**12-00008: GKN Sinter Metals, Inc.** (1 Airport Road, PO Box 493, Emporium, PA 15834), on November 22, 2017, was issued a renewal State Only operating permit for their Airport road plant located in Emporium Borough, **Cameron County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 12-00008.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

**10-00152: Triangle Gasoline Company** (1100 North Main Street Extension, Butler, PA 16001-1958), the Department on November 29, 2017 issued a renewal of the State Only Operating Permit for the bulk gasoline plant (three gasoline storage tanks) with vapor recovery system. The facility also has a small parts washer. The facility is subject to the NESHAPs for Area Sources for Gasoline Bulk Plants in 40 CFR 63 Subpart BBBB. The gasoline throughput from the facility is less than 20,000 gallons per day. The potential VOC emissions from the facility are approximately 3 TPY. The facility is located in Butler Township, **Butler County**. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**20-00268: Hatheway Tedesco Funeral Home & Crematory** (614 Baldwin Street, Meadville, PA 16335). On November 29, 2017, the Department issued a State Only Natural Minor Operating Permit for the crematory located in the City of Meadville, **Crawford County**. The main points of emission at the facility consist of a human cremator and an animal cremator. Potential emissions are as follows: 0.105 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, 1.584 TPY NO<sub>x</sub>, 1.330 TPY CO, 0.087 TPY VOC, 0.010 TPY SO<sub>x</sub>, and 0.001 TPY Pb. Thus, the facility is a Natural Minor. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00269: American Tinning & Galvanizing Co.** (552 West 12th St., Erie, PA 16501), on November 29, 2017, the Department issued the new Natural Minor Operating Permit to a plating and galvanizing facility located in the City of Erie, **Erie County**. Sources at the facility are the anodizing, barrel plating, rack plating, and galvanizing departments, two small natural gas-fueled boilers, and a primer tank. The four departments, each consisting of several tanks, are subject to requirements established through Plan Approval 25-269A. A number of tanks in the anodizing, barrel plating, and rack plating departments must comply with § 40 CFR 63 Subpart WWWWW pertaining to National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations. The tank performing chromium anodizing in the anodizing department must comply with 40 CFR 63 Subpart N, which pertains to National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. To be exempt from plan approval requirements, the primer tank is subject to a 2.7 TPY VOC restriction. The primer tank will comply with 25 Pa. Code § 129.52d (Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings) as opted by the facility pursuant to (a)(3) of this section.

**42-00178: Glenn O Hawbaker Turtlepoint Plant 7** (711 E. College Ave., Bellefonte, PA 16823-6854), the Department on November 29, 2017 issued the renewal of the State Only Operating Permit for the asphalt paving facility located in Anning Township, **McKean County**. The facility is a Synthetic Minor. The primary sources at the facility include drum mix asphalt plant (400 TPH), rail car unloading, portable crushers, conveyors, screening, material stockpiles, and three engines to power the equipment. The facility is subject to 40 CFR 63, Subpart ZZZZ pertaining to the RICE engines, 40 CFR 63, Subpart I—pertaining to the hot mix asphalt plant, and 40 CFR 60, Subpart OOO—pertaining to nonmetallic mineral processing. The asphalt plant is controlled by a primary and secondary baghouse. Water spray is used to minimize fugitive emissions from the mineral processing. The potential emissions based on the restriction of 460,000 tons of asphalt, 500 hours of operation per year for the portable mineral processing plants, and 1,200 tons per hour for rail unloading is as follows: 29.3 TPY NO<sub>x</sub>; 20.7 TPY SO<sub>x</sub>; 76.0 TPY PM<sub>10</sub>; and, 92.5 TPY CO. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**62-00172: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) The Department on November 29, 2017 issued a renewal of the State Only

Operating Permit for their Brokenstraw Mine in Pittsfield Township, **Warren County**. The facility is a Natural Minor. The primary sources at the facility are sand and gravel processing plants and diesel engines. The facility is subject to 40 CFR Part 60, Subpart OOO—pertaining to nonmetallic mineral processing. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

### *Coal Permits Issued*

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

**32831602 and NPDES No. PA0214515. General Trade Corporation**, (745 Power Plant Road, New Florence, PA 15944-7000). To renew the NPDES permit for the Central Preparation Plant in West Wheatfield Township, **Indiana County**. No additional discharges. The application was considered administratively complete on May 1, 2013. Application received March 12, 2013. Permit issued November 17, 2017.

**32901602 and NPDES No. PA0214442. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the I-22 Tipple in Burrell Township, **Indiana County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on October 21, 2014. Application received December 13, 2013. Permit issued November 30, 2017.

**NPDES No. PA0037109. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the NPDES permit for the Lucerne No. 9 Mine in Young and Conemaugh Townships, **Indiana County**. No additional discharges. The application was considered administratively complete on December 28, 2016. Application received May 25, 2016. NPDES Permit issued November 16, 2017.

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

**17970110. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201). Permit renewal for reclamation only of a bituminous surface coal and auger mine located in Penn Township, **Clearfield County** affecting

256.0 acres. Receiving Stream(s): Bell Run and three (3) 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: August 7, 2017. Permit issued: November 14, 2017.

**17970102 and NPDES PA0220558. Enercorp, Inc.** (1310 Allport Cutoff, Morrisdale, PA 16858). Permit renewal for reclamation only of a passive treatment system located in Graham Township, **Clearfield County** affecting 11.4 acres. Receiving stream(s): Alder Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 6, 2017. Permit issued: November 30, 2017.

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

**26050110 and NPDES Permit No. PA.0250783 Albert F. Stiffler** (141 Locust Road, Box 42C, Normalville, PA 15469). Permit renewal issued for continued mining to an existing bituminous surface mine, located in Saltlick Township, **Fayette County**, affecting 156.9 acres. Receiving streams: unnamed tributary to Little Champion Creek. Application received: July 21, 2016. Renewal permit issued: November 28, 2017.

**26000201 and NPDES Permit No. PA0202801. Carbon Fuel Resources, Inc.** (2927 Pittsburgh Street, Perryopolis, PA 15473). Permit renewal issued for continued mining to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 73.7 acres. Receiving streams: unnamed tributary to Monongahela River and unnamed tributary to Browns Run to Monongahela River. Application received: January 19, 2016. Renewal permit issued: November 29, 2017.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 54011301R3. Alfred Brown Coal**, (71 Hill Road, Hegins, PA 17938), renewal of an existing anthracite underground mine operation in Blythe Township, **Schuylkill County** affecting 36.5 acres, receiving stream: Schuylkill River. Application received: March 16, 2017. Renewal issued: December 4, 2017.

**Permit No. PAM113029R. Alfred Brown Coal**, (71 Hill Road, Hegins, PA 17938), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Underground Mining Permit No. 54011301 in Blythe Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: March 15, 2017. Renewed issued: December 4, 2017.

### *Noncoal Permits Issued*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 67870301C12. York Building Products Co., Inc.**, (950 Smile Way, Suite A, York, PA 17404), correction to revise the mining limit to remove the pre-act highwall in West Manchester Township and City of York, **York County** affecting 269.8 acres, receiving stream: Willis Run. Application received: February 6, 2017. Correction issued: November 30, 2017.



## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

### *Blasting Permits Issued*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 35174111. John H. Brainard**, (PO Box 66, Clifford, PA 18413), construction blasting for Glenmaura Senior Center in Moosic Borough, **Lackawanna County** with an expiration date of December 31, 2018. Permit issued: November 28, 2017.

**Permit No. 46171423. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Cheltenham Sewer Replacement Project in Cheltenham Township, **Montgomery County** with an expiration date of June 30, 2018. Permit issued: November 28, 2017.

**Permit No. 46174124. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Firefox Phase 2 in Montgomery and Hatfield Townships, **Montgomery County** with an expiration date of November 22, 2018. Permit issued: November 28, 2017.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E51-278. Independence Seaport Museum**, 211 S. Columbus Boulevard, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To operate and maintain the existing floating dock facility and to construct and maintain a 5,030 SF of floating dock in and along the 100-year floodway of the Delaware River associated with seven (12 inch) steel piles for anchoring of the proposed dock facility.

The site is located at 211 South Columbus Boulevard. (Philadelphia, PA NJ, USGS map Latitude: 39.945243 N; Longitude: -75.140569 W).

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)).

**E15-884. West Marlborough Township**, 1300 Doe Run Road, Coatesville, PA 19320, West Marlborough Township, **Chester County**, ACOE Philadelphia District.

To restore, construct, and maintain approximately 1,000 linear feet in and along the 100-year floodplain of Buck Run (TSF, MF), also known as, Rokeby Road Stream Bank Restoration Project.

The proposed work will include the installation of fish habitat structures, stream bank stabilization, and floodplain restoration. The site is located near the intersection of Rokeby and Springdell Roads (Coatesville, PA, USGS Map, Latitude: 39.92666; Longitude: -75.83673).

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.*

**E02-1739. Independence Excavating Inc.**, 3826 Saxonburg Boulevard, Cheswick, PA 15024. Indiana Township, **Allegheny County**, Army Corps of Engineers Pittsburgh District.

To maintain fill in 0.09 acre of (PEM) wetlands within the Deer Creek Watershed (CWF) for the purpose of constructing a new office building and associated parking area. The permittee is required to construct 0.22 acre of replacement wetlands. The project is located approximately 1,775 feet east of the Pennsylvania Turnpike (76)

along Saxonburg Road (Glenshaw & New Kensington, PA Quadrangles Latitude: 40° 35' 15"; Longitude: -79° 52' 22").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E36-968: PA Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1625 in Elizabethtown Borough, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To remove existing structure and to install and maintain a 60-linear foot 19-foot wide precast concrete frame culvert in Conoy Creek (TSF, MF) for the purpose of improving roadway safety. The project is located in Elizabethtown Borough, Lancaster County. (40° 09' 08.9", -76° 36' 24.2").

### ENVIRONMENTAL ASSESSMENTS

*Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**EA07-005: U.S. Fish and Wildlife Service**, 110 Radnor Road, State College, PA 16801 in Blair Township, **Blair County**, U.S. Army Corps of Engineers Baltimore District.

To 1) construct and maintain stream restoration activities on a 1,400 linear foot reach of Halter Creek (HQ-CWF, MF) consisting of log vane structures, mudsill structures, brush mattress structures, installation and removal and restoration of temporary access ramps into the creek, and a channel re-alignment and stabilization on a meander bend all permanently impacting 657 linear feet and temporarily impacting 125 linear feet of Halter Creek (HQ-CWF, MF), and its associated floodway; and 2) construct and maintain stream restoration activities on a 2,600 foot reach of the Frankstown Branch of the Juniata River (WWF, MF) consisting of log vane structures, mudsill structures, channel block structures, 600 feet of relocated channel, installation and removal and restoration of temporary access ramps into the river, and removal of an existing footbridge and abutments all permanently impacting 902 linear feet and temporarily impacting 371 linear feet of the Frankstown Branch of the Juniata River (WWF, MF) and its associated floodway and permanently impacting 0.03 acre of Exceptional Value Palustrine Emergent Wetland; all for the purpose of restoring the stream reaches, reducing sedimentation, and improving stream stabilization.

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**Pag-02—1447-17-02. Borough of Danville**, 239 Mill Street, Danville, PA 17821, **Montour County**, USACOE Baltimore District.

Revisions to Upper Susquehanna Levee to meet freeboard requirements. NPDES plans include a base option and an alternative option of varying width. NPDES application submitted to concur with the larger alternative. Disturbed Acreage = 4.53 (Latitude: 40° 57' 5"; Longitude: -76° 36' 36").

**E4614-002, Township of Abington**, 1176 Old York Road, Abington, PA 19001, in Abington and Upper Dublin Townships, **Montgomery County**, U.S. Army Corps of Engineers, Philadelphia District.

To install a stormwater culvert and headwall that outlets into a box culvert located at the existing Commonwealth-constructed Upper Dublin Flood Protection Project. The flood protection project is located along an unnamed tributary to Sandy Run (TSF, MF), also known as the Ardsley Drainage Channel. The location of the project is at the upstream end of the flood protection project (Latitude 40° 7' 23"; Longitude: -75° 9' 21").

### 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.

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

ESCGP-2 # ESX17-007-0006

Applicant Name ETP Northeast Field Services, LLC

Contact Person Tom Glisson

Address 6051 Wallace Road Ext, 3rd Floor

City, State, Zip Wexford, PA 15090

County Beaver County

Township(s) New Sewickley Township

Receiving Stream(s) and Classification(s) UNTs to Crows Run (WWF), UNTs to Pine Run (WWF), & Pine Run (WWF)

ESCGP-2 # ESX16-005-0012

Applicant Name Snyder Bros, Inc

Contact Person Carl Rose

Address P.O. Box 1022

City, State, Zip Kittanning, PA 16201

County Armstrong County

Township(s) Boggs and Wayne Townships

Receiving Stream(s) and Classification(s) Scrubgrass Creek (CWF)



## ESCGP-2 # ESX16-003-0008

Applicant Name EQT Production Company

Contact Person Todd Klaner

Address 2400 Ansys Drive, Suite 200

City, State, Zip Canonsburg, PA 15317

County Allegheny County

Township(s) Forward Township

Receiving Stream(s) and Classification(s) UNTs to Bunola Run (WWF) and Bunola Run (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.*

## ESCGP-2 # ESG17-019-0016—W22 to W32 Pipeline Project

Applicant Pine Run Midstream, LLC

Contact Mr. Scott Sweder

Address 1000 Commerce Drive; Park Plase One; Suite 400

City Pittsburgh State PA Zip Code 15275

County Butler Township(s) Winfield

Receiving Stream(s) and Classification(s) UNTs to North Branch Rough Run/Buffalo Creek Watershed

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

## ESCGP-2 # ESG29-105-17-0021

Applicant Name JKLM Energy LLC

Contact Person Scott Blauvelt

Address 2200 Georgetowne Dr, Suite 500

City, State, Zip Sewickley, PA 15143

County Potter

Township(s) Sweden

Receiving Stream(s) and Classification(s) UNTs to Nelson Run (HQ-CWF)

Secondary—Nelson Run (HQ-CWF)

## ESCGP-2 # ESX29-115-17-0030

Applicant Name Chief Oil &amp; Gas LLC

Contact Person Jeffrey Deegan

Address 1720 Sycamore Rd

City, State, Zip Montoursville, PA 17754

County Susquehanna

Township(s) Springville &amp; Lathrop

Receiving Stream(s) and Classification(s) UNTs to Field Brook (CWF-MF)

**SPECIAL NOTICES****Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of November 2017 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>
Justin Ake	2309 13th Street Altoona, PA 16601	Testing
Chad Albright	4101 Beale Avenue Altoona, PA 16601	Mitigation
Robert Anderson Radon Protection Services of Gettysburg	282 Longstreet Drive Gettysburg, PA 17325	Mitigation
Thomas Angelucci	424 East Church Street Stevens, PA 17578	Testing
Keith Carpenter	124 Old Colony Drive Johnstown, PA 15904	Testing
Dino Chieffallo Absolute Safeguard Home Inspection Services	1063 Norsis Drive Pittsburgh, PA 15220	Testing
Zach DeAugustine	724 New Bridge Road Rising Sun, MD 21911	Testing
Mark Droege	238 Pheasant Drive Columbia, PA 17512	Testing
Thomas Giambrone	6233 Frankford Avenue 2nd Floor Philadelphia, PA 19135	Testing
Gregory Gibson	PO Box 733 Tannersville, PA 18372	Mitigation
Steven Gorman Mason Dixon Home Inspections, Inc.	282 Longstreet Drive Gettysburg, PA 17325	Testing
Ammon Hontz	PO Box 4064 Jim Thorpe, PA 18229	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Kyle Keck	1105 Nicholas Street Bethlehem, PA 18017	Testing
Michal Kluza	8020 Mine Street Fogelsville, PA 18051	Mitigation
Michal Kluza S.W.A.T. of PA	8020 Mine Street Fogelsville, PA 18051	Testing & Mitigation
Gregory Kopenhaver	PO Box 902 Blue Bell, PA 19422	Testing
Judith Kriegler	14501 George Carter Way Suite 110 Chantilly, VA 20151	Testing
Juan Lluna-Garces	1324 Crestmont Drive Downingtown, PA 19335	Testing & Mitigation
Winfield Lyons	16 West Hanover Street Gettysburg, PA 17325	Testing
Justin McCurry	722 Main Street Pennsburg, PA 18073	Testing
Michael Morrow	PO Box 18 Strasburg, PA 17579	Testing
Stephen Notwick	27 Jasmine Road Levittown, PA 19056	Testing
George Radeschi	311 Oakview Road Bedford, PA 15522	Testing
Jooik Ro	30 Sunset Drive Carlisle, PA 17013	Mitigation
Brian Simmons	12653 Van Horne Road Meadville, PA 16335	Testing
Tayzak Incorporated	523 Burnside Road McDonald, PA 15057	Testing

**Final State Water Quality Certification  
Required by Section 401 of the Clean Water Act  
for the Equitrans, L.P. H-156 Bare Pipe  
Replacement Project**

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

**WQ05-016 Equitrans, L.P.** (Applicant), 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222-3114. H-156 Bare Pipe Replacement Project (Project), in Independence and Findlay Townships, **Beaver and Allegheny Counties** (respectively), in the ACOE Pittsburgh District. The Project includes the replacement of three sections of existing pipeline. The First Segment starts approximately 0.9 mile west of the intersection of Bocktown Road with Independence Road, Independence Township, Beaver County (Aliquippa, PA Quadrangle Latitude: 40°32'51.23" Longitude: -80°19'6.07") and ends in a field approximately 0.5 mile east of Bocktown Cork Road, Independence Township, Beaver County (Aliquippa, PA Quadrangle Latitude: 40°32'1.20"; Longitude: -80°18'9.99").

The Second Segment starts just to the south of the Pittsburgh International Airport, Findlay Township, Allegheny County (Clinton, PA Quadrangle Latitude: 40°29'7.41" Longitude: -80°14'49.07") and ends along an existing access road approximately 0.25 mile to the east of Enlow Road, Findlay Township, Allegheny County (Clinton, PA Quadrangle Latitude: 40°28'30.17"; Longitude: -80°14'9.96").

The Third Segment starts along McClaren Road approximately 0.08 mile north of the intersection with Garden Lane, Findlay Township, Allegheny County (Clinton, PA Quadrangle Latitude: 40°27'53.79" Longitude: -80°13'11.33") and ends in a wooded area approximately 0.1 mile northwest of Hemlock Road, Findlay Township, Allegheny County (Clinton, PA Quadrangle Latitude: 40°27'40.61"; Longitude: -80°12'47.23").

On January 30, 1988, Equitrans, L.P. received an Order Issuing Certificate from the Federal Energy Regulatory Commission (FERC) authorizing Equitrans to abandon, construct and operate certain facilities as part of the H-156 Pipeline Project in Beaver and Allegheny County, Pennsylvania (FERC Docket No. CP89-676). The activities described in this request are covered under the automatic blanket certificate and reported to the FERC on a yearly basis. A year-end submission to the FERC of all projects completed in the previous calendar year is due May 1 of every year.

On July 28, 2017, Applicant requested a state water quality certification from the Department of Environmental Protection (DEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

To allow for the modernization of the H-156 pipeline for integrity assessment through the use of in-line inspection,

Equitrans proposes to replace approximately 13,800 linear feet of 8-inch diameter bare natural gas pipe with coated, 8-inch diameter natural gas pipe within the existing right-of-way. The Project is part of Equitrans' compliance program and is required to maintain the integrity of the operating system. The use of lift and lay construction for this project means that the replacement pipeline will be located in the same trench as the existing line. The existing 8-inch pipeline will be taken out of service, purged, and removed. The new pipeline will utilize the same permanent right-of-way as the existing line during construction; there are no deviations anticipated. The project will utilize traditional open cut or conventional bore construction techniques for all nine stream and one wetland crossing locations. The nine stream and one wetland crossings occur within the following receiving waters: Raccoon Creek, Raredon Run, and Montour Run.

The Project, as proposed, includes replacement of approximately 13,800 LF of one 8" diameter gas line across 3 pipeline segments. The Project, as proposed, will require approximately 37.68 acres of earth disturbance, and impacts to 492 linear feet of an Unnamed Tributary (UNT) to Raccoon Creek, a UNT to Raredon Run, and UNT's to Montour Run, 1.66 acre of floodway, 0.03 acre of temporary PEM wetland impacts, and 0.04 acre of PEM permanent impacts.

There are seven temporary access roads planned for the Project utilizing both existing unpaved roads/driveways as well as the development of proposed temporary access roads to support this project that will be returned to preexisting conditions upon completion. The pipeline will be installed using a typical 75-foot wide limit of disturbance (LOD) for pipeline construction with areas of temporary work space adjacent to the LOD, and a typical 40-foot LOD for the access roads to allow access to the pipeline corridor. The construction ROW will be reduced to a 50-foot-width at streams and wetlands. The permanent ROW width will be 50 feet centered on the pipeline. There is no anticipated permanent increase in impervious area or in stormwater runoff due to the construction of the pipeline.

DEP published notice of its proposed state water quality certification at 47 Pa.B. 5232 (September 2, 2017) and received no comments from the public.

DEP certifies to Applicant that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Applicant complies with the permitting programs, criteria and conditions established pursuant to State law:

1. *Discharge Permit*—Applicant shall obtain and comply with a DEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with DEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a DEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—DEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of DEP to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the DEP during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the DEP Regional Office of such intent. Notice to DEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to DEP concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Dana Drake, P.E., Program Manager, Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—DEP may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. DEP may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provi-



sion of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.

[Pa.B. Doc. No. 17-2083. Filed for public inspection December 15, 2017, 9:00 a.m.]

### **Availability of Final National Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction Activities (PAG-02)**

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department), by this notice is publishing as final the National Pollution Discharge Elimination System (NPDES) PAG-02 General Permit for Stormwater Discharges Association with Construction Activities (PAG-02 General Permit), for renewal for 2 years.

The PAG-02 General Permit is intended to provide NPDES permit coverage to persons proposing earth disturbance activities involving 1 acre or more of earth disturbance to satisfy Commonwealth (25 Pa. Code § 102.5 (relating to permit requirements)) and Federal (40 CFR 122.26(b)(14)(x) and (b)(15) (relating to storm water discharges (applicable to State NPDES programs, see § 123.25)) regulations, who are eligible to use the PAG-02 General Permit.

The PAG-02 General Permit will become effective at 12 a.m. on December 8, 2017, and will expire at 11:59 p.m. on December 7, 2019. All permittees with existing coverage under the PAG-02 General Permit will be automatically covered under the reissued General Permit on December 8, 2017, and will be subject to the terms and conditions of the reissued General Permit unless notified in writing by the Department that a new Notice of Intent (NOI) must be submitted. Applicants for new coverage under the PAG-02 General Permit must submit an NOI.

Notice of the availability of a draft PAG-02 General Permit was published at 47 Pa.B. 6884 (November 4, 2017). A 30-day comment period was provided and interested parties were directed to submit comments to the Department's eComment system. The Department received comments during the comment period and a comment and response document has been developed to address all comments submitted.

No significant changes were made to the final PAG-02 General Permit (3800-PM-BCW0405c) and associated documents.

The PAG-02 General Permit package can be accessed through the Department's eLibrary web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (select "Permit and Authorization Packages," then "Clean Water," then "PAG-02 General Permit").

In accordance with 25 Pa. Code § 92a.84(c)(3) (relating to public notice of general permits), the Department will publish notice in the *Pennsylvania Bulletin* every approval of coverage under the PAG-02 General Permit.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2084. Filed for public inspection December 15, 2017, 9:00 a.m.]

### **Availability of Reclamation Fee Report for Fiscal Year 2016-2017 and Coal Mining Reclamation Fee Amount for 2018**

The Department of Environmental Protection announces the amount of the per acre Reclamation Fee for 2018. This notice is required by 25 Pa. Code § 86.17 (relating to permit and reclamation fees). Effective January 1, 2018, the per acre Reclamation Fee will be \$0. The fee amount is recalculated each year in accordance with 25 Pa. Code § 86.17(e)(4). Refer to 25 Pa. Code § 86.17 for further information about the process.

Annual adjustments to the per acre Reclamation Fee are based on a fiscal year report that contains a financial analysis of the revenue and expenditures from the Reclamation Fee O & M Trust Account for Fiscal Year (FY) 2016-2017. The report also provides projections for FY 2017-2018. The report was reviewed with the Department's Mining and Reclamation Advisory Board on October 19, 2017.

The final fiscal year report is available at [www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Reports](http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Reports).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2085. Filed for public inspection December 15, 2017, 9:00 a.m.]

### **Availability of Technical Guidance**

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

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

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 787-8727.

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



*Changes to Technical Guidance Documents*

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

*Final Technical Guidance Document: New Guidance*

**DEP ID:** 310-2137-006. **Title:** Chapter 105 Water Obstruction & Encroachment Permit Comprehensive Environmental Assessment of Proposed Project Impacts. **Description:** This final technical guidance is intended to clarify the process for completing the information requirements for a Water Obstruction and Encroachment Permit application, Environmental Assessment Form No. 3150-PM-BWEW0017. Currently, the permit application requirements generally address proposed project impacts to waters of the Commonwealth associated with small scale projects located in a single county and covered by a single permit application. Large scale projects, however, often cross more than one county and are covered by multiple permit applications necessitating the need for a comprehensive environmental review of all proposed impacts to waters of the Commonwealth for the entire project. This final guidance provides the permit applicant with an outline of the information that the applicant should submit to the Department as part of a comprehensive environmental assessment to meet the regulatory standards in 25 Pa. Code Chapter 105 (relating to dam safety and waterway management).

**Contact:** Questions regarding this technical guidance document should be directed to Sidney Freyermuth at (717) 772-5977 or sfreyermuth@pa.gov.

**Effective Date:** December 16, 2017

*Draft Technical Guidance Document: Substantive Revision*

**DEP ID:** 261-0300-101. **Title:** Land Recycling Program Technical Guidance Manual. **Description:** A substantive revision of the Land Recycling Program Technical Guidance Manual (TGM) is necessary because the current TGM was developed in 2002 and is outdated. Many of the procedures and processes used by the Land Recycling Program have been updated and multiple clarifications have been made. Revising the TGM will help avoid confusion for remediators and regional office staff when assessing and remediating sites to satisfy the requirements of the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

**Written Comments:** Interested persons may submit written comments on this draft TGM by Friday, March 16, 2018. Comments submitted by facsimile will not be accepted. All comments must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to the Technical Guidance Coordinator, Policy Office, Department of Environmental Protection, 400 Market Street, Harrisburg, PA 17101.

**Contact:** Questions regarding this TGM should be directed to Troy Conrad at (717) 783-9480 or [tconrad@pa.gov](mailto:tconrad@pa.gov).

**Effective Date:** Upon publication as final in the *Pennsylvania Bulletin*.

*Interim Final Technical Guidance: New Guidance*

**DEP ID:** 800-0810-004. **Title:** Guidelines for Chain Pillar Development and Longwall Mining Adjacent to

Unconventional Wells. **Description:** This guidance was developed to facilitate appropriate unconventional well inactivation and re-entry procedures in advance of, and subsequent to, longwall panel removal, respectively; that will allow for continuous isolation of gas from workable coal seams, protection of mining personnel and prevention of pollution of the waters of the Commonwealth, consistent with applicable law.

**Written Comments:** Interested persons may submit written comments on this interim final technical guidance document by Wednesday, January 31, 2018. Comments submitted by facsimile will not be accepted. All comments must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to the Technical Guidance Coordinator, Policy Office, Department of Environmental Protection, 400 Market Street, Harrisburg, PA 17101.

**Contact:** Questions regarding this technical guidance should be directed to Seth Pelepko at (717) 772-2199 or [mipelepko@pa.gov](mailto:mipelepko@pa.gov).

**Effective Date:** December 16, 2017

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 17-2086. Filed for public inspection December 15, 2017, 9:00 a.m.]

**Board and Committee Meeting Schedules for 2018**

The following is a list of 2018 meetings of advisory boards and committees associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available on the Department's web site at <http://www.dep.pa.gov> through the Public Participation tab. Prior to each meeting, the Department encourages individuals to visit the web site to confirm meeting date, time and location.

Persons in need of accommodations, as provided for in the Americans with Disabilities Act of 1990 should contact the individual listed for each board or committee, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

*Aggregate Advisory Board*

The Aggregate Advisory Board meetings for 2018 have not yet been scheduled.

Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

**Contact:** Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA at [dsnowden@pa.gov](mailto:dsnowden@pa.gov) or (717) 787-5103.

*Agricultural Advisory Board*

The Agricultural Advisory Board will meet at 9 a.m. in Susquehanna Room B, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA (unless noted otherwise). The meeting dates are as follows:

February 22, 2018  
 April 26, 2018  
 June 28, 2018  
 August 16, 2018—Ag Progress Days, 2710 West Pine Grove Road, Pennsylvania Furnace, PA 16865  
 October 25, 2018  
 December 20, 2018

*Contact:* Jay Braund, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at jbraund@pa.gov or (717) 772-5636.

#### *Air Quality Technical Advisory Committee*

The Air Quality Technical Advisory Committee will meet at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 8, 2018  
 April 5, 2018  
 June 14, 2018  
 August 2, 2018  
 October 11, 2018  
 December 13, 2018

*Contact:* Kirit Dalal, Bureau of Air Quality, 400 Market Street, Harrisburg, PA at kdalal@pa.gov or (717) 772-3436.

#### *Board of Coal Mine Safety*

The Board of Coal Mine Safety will be held at 10 a.m. in Conference Rooms A/B, Cambria Office, 286 Industrial Park Road, Ebensburg, PA. The meeting dates are as follows:

March 6, 2018  
 June 5, 2018  
 September 4, 2018  
 December 4, 2018

*Contact:* Peggy Scheloske, Bureau of Mine Safety, New Stanton Office, 131 Broadview Road, New Stanton, PA at mscheloske@pa.gov or (724) 404-3143.

#### *Citizens Advisory Council*

The Citizens Advisory Council (CAC) will meet at 10 a.m. (or immediately following the Environmental Quality Board meeting) in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. (*Note:* The CAC does not meet in August or December.) The meeting dates are as follows:

January 16, 2018  
 February 20, 2018  
 March 20, 2018  
 April 17, 2018  
 May 16, 2018 (moved to Wednesday due to primary election on May 15, 2018)  
 June 19, 2018  
 July 17, 2018  
 September 18, 2018  
 October 16, 2018  
 November 13, 2018

*Contact:* Lee Ann H. Murray, Citizens Advisory Council, P.O. Box 8459, Harrisburg, PA at leemurray@pa.gov or (717) 787-8171.

#### *Cleanup Standards Scientific Advisory Board*

The Cleanup Standards Scientific Advisory Board will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

April 4, 2018  
 August 1, 2018  
 December 6, 2018

*Contact:* Mike Maddigan, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA at mmaddigan@pa.gov or (717) 772-3609.

#### *Climate Change Advisory Committee*

The Climate Change Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. The meeting dates are as follows:

February 6, 2018  
 April 24, 2018  
 June 26, 2018  
 August 28, 2018  
 October 23, 2018  
 December 4, 2018

*Contact:* Mark Brojakowski, Bureau of Air Quality, 400 Market Street, Harrisburg, PA at mbrojakows@pa.gov or (717) 772-3429.

#### *Coal and Clay Mine Subsidence Insurance Fund Board*

The Coal and Clay Mine Subsidence Insurance Fund Board will meet at 10 a.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

January 11, 2018

Other meetings may be scheduled by the Board on an as needed basis.

*Contact:* Lawrence Ruane, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA at lruane@pa.gov or (717) 783-9590.

#### *Coastal Zone Advisory Committee*

The Coastal Zone Advisory Committee will meet at 9:30 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 17, 2018  
 June 6, 2018

*Contact:* Stacey Box, Interstate Waters Office, Compacts and Commissions Office, 400 Market Street, P.O. Box 8465, Harrisburg, PA at sbox@pa.gov or (717) 772-5622.

#### *Environmental Justice Advisory Board*

The Environmental Justice Advisory Board (EJAB) will meet at 8:30 a.m. on the following dates:

February 13, 2018—14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA  
 May 22, 2018—Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA  
 August 28, 2018—Goddard Room, Northcentral Regional Office, 208 West Third Street, Williamsport, PA  
 November 13, 2018—Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA

The EJAB will also hold conference calls on the following dates:

April 10, 2018—9 a.m.  
 July 10, 2018—9 a.m.  
 October 9, 2018—1 p.m.

*Contact:* John Brakeall, Office of Environmental Justice, 400 Market Street, Harrisburg, PA at jbrakeall@pa.gov or (717) 783-9731.

#### *Environmental Quality Board*

The Environmental Quality Board will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

January 16, 2018  
February 20, 2018  
March 20, 2018  
April 17, 2018  
May 16, 2018 (moved to Wednesday due to primary election on May 15, 2018)  
June 19, 2018  
July 17, 2018  
August 21, 2018  
September 18, 2018  
October 16, 2018  
November 13, 2018  
December 18, 2018

*Contact:* Laura Edinger, Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477 at ledinger@pa.gov or (717) 772-3277.

#### *Laboratory Accreditation Advisory Committee*

The Laboratory Accreditation Advisory Committee will meet at 9 a.m. in Room 206, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA. The meeting dates are as follows:

April 12, 2018  
October 16, 2018

*Contact:* Aaren Alger, Bureau of Laboratories, 2575 Interstate Drive, Harrisburg, PA at aaalger@pa.gov or (717) 346-7200.

#### *Low-Level Waste Advisory Committee*

The Low-Level Waste Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

September 28, 2018

*Contact:* Rich Janati, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA at rjanati@pa.gov or (717) 787-2147.

#### *Mine Families First Response and Communications Advisory Council*

The Mine Families First Response and Communications Advisory Council will meet at 10 a.m. in the Westmoreland Room, New Stanton Office, 131 Broadview Road, New Stanton, PA. The meeting date is as follows:

April 10, 2018

*Contact:* Peggy Scheloske, Bureau of Mine Safety, New Stanton Office, 131 Broadview Road, New Stanton, PA at mscheloske@pa.gov or (724) 404-3143.

#### *Mining and Reclamation Advisory Board*

The Mining and Reclamation Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 11, 2018  
April 19, 2018  
October 25, 2018

*Contact:* Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA at dsnowden@pa.gov or (717) 787-5103.

#### *Oil and Gas Technical Advisory Board*

The Oil and Gas Technical Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 14, 2018  
May 10, 2018  
August 8, 2018  
November 7, 2018

*Contact:* Todd Wallace, Office of Oil and Gas Management, 400 Market Street, Harrisburg, PA at twallace@pa.gov or (717) 783-9438.

#### *Pennsylvania Energy Development Authority*

The Pennsylvania Energy Development Authority Board meetings for 2018 have not yet been scheduled.

Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

*Contact:* Dave Althoff, Office of Pollution, Prevention and Energy Assistance, 400 Market Street, Harrisburg, PA at dalthoff@pa.gov or (717) 783-8411.

#### *Radiation Protection Advisory Committee*

The Radiation Protection Advisory Committee will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 22, 2018  
October 18, 2018

*Contact:* Joseph Melnic, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA at jmelnic@pa.gov or (717) 783-9730.

#### *Recycling Fund Advisory Committee*

The Recycling Fund Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

September 20, 2018 (joint meeting with the Solid Waste Advisory Committee)

*Contact:* Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA at lahenry@pa.gov or (717) 772-5713.

#### *Sewage Advisory Committee*

The Sewage Advisory Committee will meet at 10:30 a.m. on the following dates:

April 24, 2018—Susquehanna Conference Rooms A&B, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA  
September 12, 2018—Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA

*Contact:* Janice Vollero, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at jvollero@pa.gov or (717) 772-5157.

#### *Small Business Compliance Advisory Committee*

The Small Business Compliance Advisory Committee will meet at 10 a.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:



January 24, 2018  
 April 25, 2018  
 July 25, 2018  
 October 24, 2018

*Contact:* Nancy Herb, Bureau of Air Quality, 400 Market Street, Harrisburg, PA at [nherb@pa.gov](mailto:nherb@pa.gov) or (717) 783-9269.

*Small Water Systems Technical Assistance Center Board*

The Small Water Systems Technical Assistance Center Board will meet quarterly in 2018. All meetings will begin at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA (unless otherwise noted). The meeting dates are as follows:

March 29, 2018  
 May 24, 2018  
 August 16, 2018  
 October 18, 2018—Susquehanna Conference Room, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA

*Contact:* Dawn Hissner, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA at [dhissner@pa.gov](mailto:dhissner@pa.gov) or (717) 772-2189.

*Solid Waste Advisory Committee*

The Solid Waste Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 8, 2018  
 June 7, 2018  
 September 20, 2018 (joint meeting with the Recycling Fund Advisory Committee)  
 December 12, 2018

*Contact:* Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA at [lahenry@pa.gov](mailto:lahenry@pa.gov) or (717) 772-5713.

*State Board for Certification of Sewage Enforcement Officers*

The State Board for Certification of Sewage Enforcement Officers will meet at 10 a.m. in Conference Room 11B, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 14, 2018  
 May 30, 2018  
 August 15, 2018  
 October 31, 2018

*Contact:* Kristen Szwajkowski, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at [kszwajkows@pa.gov](mailto:kszwajkows@pa.gov) or (717) 772-2186.

*State Board for Certification of Water and Wastewater Systems Operators*

The State Board for Certification of Water and Wastewater Systems Operators will meet at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 8, 2018  
 April 11, 2018  
 June 13, 2018  
 August 15, 2018  
 October 17, 2018  
 December 12, 2018

*Contact:* Edgar Chescattie, Bureau of Safe Drinking Water, Operator Certification, 400 Market Street, Harrisburg, PA at [echescattie@pa.gov](mailto:echescattie@pa.gov) or (717) 772-2814.

*Storage Tank Advisory Committee*

The Storage Tank Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 6, 2018  
 June 5, 2018  
 September 4, 2018  
 December 5, 2018

*Contact:* Dawn Heimbach, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA at [daheimbach@pa.gov](mailto:daheimbach@pa.gov) or (717) 772-5556.

*Technical Advisory Committee on Diesel-Powered Equipment*

The Technical Advisory Committee on Diesel-Powered Equipment will meet at 10 a.m. in the Westmoreland Room, New Stanton Office, 131 Broadview Road, New Stanton, PA. The meeting dates are as follows:

January 10, 2018  
 April 11, 2018  
 July 11, 2018  
 October 10, 2018

*Contact:* Peggy Scheloske, Bureau of Mine Safety, New Stanton Office, 131 Broadview Road, New Stanton, PA at [mscheloske@pa.gov](mailto:mscheloske@pa.gov) or (724) 404-3143.

*Water Resources Advisory Committee*

The Water Resources Advisory Committee will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 25, 2018  
 March 14, 2018  
 May 9, 2018  
 July 11, 2018  
 September 19, 2018  
 November 14, 2018

*Contact:* Diane Wilson, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at [diawilson@pa.gov](mailto:diawilson@pa.gov) or (717) 787-3730.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2087. Filed for public inspection December 15, 2017, 9:00 a.m.]

**Draft National Pollutant Discharge Elimination System General Permit for Discharges from Concentrated Aquatic Animal Production Facilities (PAG-11)**

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Concentrated Aquatic Animal Production (CAAP) Facilities (PAG-11). 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 "Clean Water," then "PAG-11 (Draft)").



The PAG-11 General Permit is intended to provide NPDES permit coverage for discharges from CAAP facilities into surface waters of the Commonwealth. The existing PAG-11 was extended on October 5, 2017, for 1 year. The Department is proposing to reissue a final PAG-11 General Permit on or before October 5, 2018.

The proposed fee for submission of a Notice of Intent (NOI) for coverage under this General Permit is \$100. The NOI fee will be paid one time with the NOI for permit coverage. The Department is proposing that after coverage under the General Permit is authorized, coverage will continue without the need to submit an NOI for renewal of coverage as long as the permittee complies with the terms and conditions of the PAG-15 General Permit currently in effect, unless the Department specifically requires the submission of an NOI in writing.

The Department is seeking comments on the draft PAG-11 General Permit (3800-PM-BCW0006d) and accompanying documents for 30 days. Interested persons may submit written comments through Tuesday, January 16, 2018. Comments submitted by facsimile will not be accepted. Commentators are encouraged 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 may also be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

Written comments submitted during the 30-day comment period will be retained by the Department and considered in finalizing the General Permit. The Department will provide an opportunity for any interested person or group of persons, any affected state, any affected interstate agency, the United States Environmental Protection Agency or any interested agency to request or petition for a public hearing with respect to the proposed General Permit. The request or petition for public hearing, which must be filed within the 30-day period allowed for filing of written comments, must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is significant public interest.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2088. Filed for public inspection December 15, 2017, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(b) (relating to utility room):

Loyalsock Rehab Center  
1445 Sycamore Road  
Montoursville, PA 17754  
FAC ID # 194402

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@pa.gov](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 previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-2089. Filed for public inspection December 15, 2017, 9:00 a.m.]

### Medical Marijuana Advisory Board Meeting

The Department of Health (Department) gives notice that the Medical Marijuana Advisory Board (Board) will meet on Friday, January 12, 2018, from 10 a.m. to 12 p.m. in the Forest Room, Keystone Building Meeting Center, Keystone Building, 400 North Street, Suite 114 East, Harrisburg, PA. This meeting will provide an update on Board activities and discuss plans for the upcoming year.

For additional information, including an alternative format of this notice (for example, large print, audiotape, Braille) or for persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so, contact Holli Senior, Special Assistant, Office of Medical Marijuana, 625 Forster Street, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3047, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-2090. Filed for public inspection December 15, 2017, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Nursing Facility Assessment Program for Fiscal Year 2017-2018

This notice announces the amount of the assessment that the Department of Human Services (Department) is implementing for Fiscal Year (FY) 2017-2018, provides an explanation of the assessment methodology that the Department is using in FY 2017-2018 and identifies the estimated aggregate impact on nursing facilities which will be subject to the assessment.

### Background

Article VIII-A of the Human Services Code (code) (62 P.S. §§ 801-A—815-A) authorizes the Department to impose an annual monetary assessment on nursing facilities and county nursing facilities in this Commonwealth each fiscal year through FY 2018-2019. Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). See 62 P.S. § 803-A. To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Centers for Medicare & Medicaid Services if necessary to implement the Assessment Program. See 62 P.S. § 812-A.

For each fiscal year that the Assessment Program is implemented, the code authorizes the Secretary of the Department (Secretary) to determine the aggregate amount of the assessment and the annual assessment rate in consultation with the Secretary of the Budget. See 62 P.S. § 804-A. The code specifies that annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that qualifies for Federal matching funds. See 62 P.S. § 804-A.

The Secretary must publish a notice in the *Pennsylvania Bulletin* before imposing an annual assessment for a fiscal year. The notice must specify the amount of the assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P.S. § 805-A.

After consideration of any comments received during the 30-day comment period, the Secretary must publish a second notice announcing the rate of assessment for the fiscal year. See 62 P.S. § 805-A. The annual aggregate assessment amount and assessment rate for the fiscal year must be approved by the Governor. See 62 P.S. § 804-A.

The Secretary published a notice at 47 Pa.B. 3461 (June 17, 2017) announcing the proposed assessment rates, the aggregate amount and the impact for FY 2017-2018. One commentator, a nonpublic nursing facility provider, submitted comments related to supplemental payments, specifically reimbursement of the MA allowable assessment cost and quarterly supplemental payments for nonpublic nursing facilities which are funded by a portion of assessment revenues. Since this notice is related to revenue and not supplemental payments, the comments are outside the scope of the notice.

### Assessment Methodology and Rates for FY 2017-2018

The following nursing facilities will continue to be exempt from the Assessment Program in FY 2017-2018:

- (1) State owned and operated nursing facilities.
- (2) Veteran's Administration nursing facilities.
- (3) Nursing facilities that have not been licensed and operated by the current or previous owner for the full calendar quarter prior to the calendar quarter in which an assessment is collected.
- (4) Nursing facilities that provide nursing facility services free of charge to all residents.

The Department will continue to assess nonexempt nursing facilities at two rates. One rate will apply to four categories of nursing facilities: county nursing facilities; nursing facilities that have 44 or fewer licensed beds; qualified nursing facilities affiliated with Continuing Care

Retirement Communities (CCRC) (see 40 Pa.B. 7297 (December 18, 2010)); and nursing facilities with an MA occupancy rate of at least 94% based on the 4 consecutive assessment quarters beginning April 1, 2015, and ending March 31, 2016, for each nursing facility as of April 22, 2016. The other rate will apply to all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010. Using the applicable rate, the Department will calculate an annual assessment amount for each nonexempt facility by multiplying its assessment rate by the facility's historical non-Medicare resident day for the four consecutive assessment quarters beginning April 1, 2015, and ending March 31, 2016, and collect the annual assessment amount in four equal quarterly installments.

The Department will maintain the same rate structure for FY 2017-2018 as in FY 2016-2017. For FY 2017-2018, the assessment rates for nonexempt nursing facilities will be as follows:

(1) For county nursing facilities, for nursing facilities that have 44 or fewer licensed beds, for qualified CCRC nursing facilities, and nursing facilities with an MA occupancy rate of at least 94% based on the 4 consecutive assessment quarters beginning April 1, 2015, and ending March 31, 2016, for each nursing facility as of April 22, 2016, the assessment rate will be \$8.01 per historical non-Medicare resident day.

(2) For all other nonexempt nursing facilities, the assessment rate will be \$32.10 per historical non-Medicare resident day.

The Assessment Program due dates will be available on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/index.htm>.

### Aggregate Assessment Amounts and Fiscal Impact

The Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$506.562 million. The Department will use the State revenue derived from the assessment fees and any associated FFP to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

### Public Comment

Interested persons are invited to submit written comments regarding the contents of this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,  
Acting Secretary

**Fiscal Note:** 14-NOT-1193. (1) General Fund; (2) Implementing Year 2017-18 is -\$506,562,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-2091. Filed for public inspection December 15, 2017, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on November 30, 2017, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' feet maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 1009	From PA 987 to 200 Cascade Drive (Wel Co's Driveway)	Lehigh	0.50

Lehigh County approved the access route within its respective jurisdiction.

Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-2092. Filed for public inspection December 15, 2017, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Food & Water Watch v. Department of Environmental Protection and Keystone Protein Company, Permittee; EHB Doc. No. 2017-114-L

Food & Water Watch has appealed the issuance by the Department of Environmental Protection of an NPDES Permit No. PA0266345 to Keystone Protein Company for the Keystone Protein Fredericksburg facility located in Bethel Township, Lebanon County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 17-2093. Filed for public inspection December 15, 2017, 9:00 a.m.]

### Waste Management of PA, Inc. v. Department of Environmental Protection; EHB Doc. No. 2017-113-L

Waste Management of PA, Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES Permit No. PA0244902 to Waste Management of PA, Inc. for the Tullytown facility located in Tullytown Borough, Bucks County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 17-2094. Filed for public inspection December 15, 2017, 9:00 a.m.]



# FISH AND BOAT COMMISSION

## Proposed Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates or redesignates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations and redesignations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on January 22 and 23, 2018, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication in the *Pennsylvania Bulletin*:

*58 Pa. Code § 65.19. Stocked trout waters open to year-round fishing*

The Commission will consider removing the following water as a stocked trout water open to year-round fishing:

County	Water
Mercer	Shenango River, from the outlet of Shenango Dam downstream to Buckeye Drive Bridge (SR 3025)

The Commission will consider adding the following water as a stocked trout water open to year-round fishing:

County	Water
Mercer	Shenango River, from the Hamburg Road Bridge (SR 4012) at New Hamburg downstream to the pipeline crossing upstream from the Big Bend Access Area

At this time, the Commission is soliciting public input concerning the previous designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,  
Executive Director

[Pa.B. Doc. No. 17-2095. Filed for public inspection December 15, 2017, 9:00 a.m.]

# INSURANCE DEPARTMENT

## Geisinger Health Plan (GSHP-131285824); Small Group Transitional; Rate Filing

Geisinger Health Plan submitted a rate filing to increase the base rates for its Small Group Transitional policies renewing on and after June 1, 2018. The filing proposes a rate increase of 17.0% and will affect approximately 3,259 members. The proposed rate increase will generate approximately \$3.6 million of additional revenue.

Unless formal administrative action is taken prior to March 1, 2018, 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) (click on the "Consumers" tab, then under "Resources" click on "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [csandersjo@pa.gov](mailto:csandersjo@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 17-2096. Filed for public inspection December 15, 2017, 9:00 a.m.]

## Geisinger Quality Options (GSHP-131286219); Small Group PPO—Transitional Filing; Rate Filing

Geisinger Quality Options submitted a rate filing to increase the premium rates for its Small Group PPO Non-Grandfathered Plans. The filing proposes a rate increase of 22.6% and will affect approximately 12,642 members. The proposed rate increase will generate an annualized revenue of approximately \$15.3 million and will be effective June 1, 2018.

Unless formal administrative action is taken prior to March 1, 2018, 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) (click on the "Consumers" tab, then under "Resources" click on "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120,



rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 17-2097. Filed for public inspection December 15, 2017, 9:00 a.m.]

### Qualified Unlicensed Reinsurers List

Under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1), the Acting Insurance Commissioner hereby lists reinsurers not licensed by the Insurance Department (Department) which shall be considered qualified to accept reinsurance from insurers licensed by the Department.

#### Qualified Unlicensed Reinsurers List

1. 26883 AIG Specialty Insurance Company, Chicago, Illinois
2. 10852 Allstate New Jersey Insurance Company, Northbrook, Illinois
3. 37990 American Empire Insurance Company, Cincinnati, Ohio
4. 14673 Aspen Bermuda, Limited, Hamilton, Bermuda
5. 11680 Aspen Insurance UK Limited, London, England
6. 14927 AXIS Specialty Limited, Pembroke, Bermuda
7. 98167 Blue Cross Blue Shield of Florida, Jacksonville, Florida
8. 27081 Bond Safeguard Insurance Company, Sioux Falls, South Dakota
9. 30511 Castle Key Insurance Company, Northbrook, Illinois
10. 36951 Century Surety Company, Westerville, Ohio
11. 36552 Coliseum Reinsurance Company, Wilmington, Delaware
12. 39993 Colony Insurance Company, Richmond, Virginia
13. 27812 Columbia Insurance Company, Omaha, Nebraska
14. 40371 Columbia Mutual Insurance Company, Columbia, Missouri
15. 14034 DaVinci Reinsurance Limited, Pembroke, Bermuda
16. 40509 EMC Reinsurance Company, Des Moines, Iowa
17. 35378 Evanston Insurance Company, Deerfield, Illinois
18. 21555 Farm Bureau Mutual Insurance Company of Michigan, Lansing, Michigan
19. 37532 Great American E & S Insurance Company, Wilmington, Delaware
20. 41858 Great American Fidelity Insurance Company, Wilmington, Delaware
21. 88340 Hannover Life Reassurance Company of America, Orlando, Florida
22. 10241 Hannover Ruck SE, Hannover, Germany

23. 54828 Highmark West Virginia, Parkersburg, West Virginia
24. 42374 Houston Casualty Company, Houston, Texas
25. 12936 Houston Specialty Insurance Company, Houston, Texas
26. 27960 Illinois Union Insurance Company, Chicago, Illinois
27. 22829 Interstate Fire & Casualty Company, Chicago, Illinois
28. 25445 Ironshore Specialty Insurance Company, Scottsdale, Arizona
29. 22993 Kentucky Farm Bureau Mutual Insurance Company, Louisville, Kentucky
30. 14925 Lancashire Insurance Company, Limited, Hamilton, Bermuda
31. 19437 Lexington Insurance Company, Wilmington, Delaware
32. Lloyd's Underwriters, London, England
33. 12324 Mapfre Re, Compania de Reaseguros, S.A., Madrid, Spain
34. 15852 Markel Bermuda Limited, Hamilton, Bermuda
35. 10744 Markel International Insurance Company Limited, London, England
36. 26743 Maxum Indemnity Company, Wilmington, Delaware
37. 20079 National Fire & Marine Insurance Company, Omaha, Nebraska
38. 41629 New England Reinsurance Corporation, Hartford, Connecticut
39. 17400 Noetic Specialty Insurance Company, Montpelier, Vermont
40. 31143 Old Republic Union Insurance Company, Chicago, Illinois
41. 88099 Optimum Re Insurance Company, Dallas, Texas
42. 13787 Partner Reinsurance Company Limited, Pembroke, Bermuda
43. 88536 Protective Life and Annuity Insurance Company, Birmingham, Alabama
44. 11515 QBE Specialty Insurance Company, Bismarck, North Dakota
45. 14033 Renaissance Reinsurance Limited, Pembroke, Bermuda
46. AA-1121270 River Thames Insurance Company Limited, Guildford, England
47. 12318 RiverStone Insurance (UK) Limited, Brighton, England
48. 21911 San Francisco Reinsurance Company, Novato, California
49. 87017 SCOR Global Life Re Insurance Company of Delaware, Wilmington, Delaware
50. 97071 SCOR Global Life USA Reinsurance Company, Wilmington, Delaware
51. 87572 Scottish Re (US) Inc., Dover, Delaware
52. 41297 Scottsdale Insurance Company, Columbus, Ohio

53. 23388 Shelter Mutual Insurance Company, Columbia, Missouri
54. 26557 Shelter Reinsurance Company, Columbia, Missouri
55. 13604 Starr Surplus Lines Insurance Company, Chicago, Illinois
56. 39187 Suecia Insurance Company, Tarrytown, New York
57. 60188 Superior Vision Insurance, Inc., Scottsdale, Arizona
58. 15529 Tokio Millennium Re AG, New York, New York
59. 19887 Trinity Universal Insurance Company, Dallas, Texas
60. 37982 Tudor Insurance Company, Keene, New Hampshire
61. 36048 Validus Reinsurance, Limited, Pembroke, Bermuda
62. 15993 Validus Reinsurance (Switzerland), Limited, Zurich, Switzerland
63. 10172 Westchester Surplus Lines Insurance Company, Alpharetta, Georgia
64. 13196 Western World Insurance Company, Keene, New Hampshire

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-2098. Filed for public inspection December 15, 2017, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-17-024, Dated October 31, 2017. Authorizes the labor agreement entered into between the Commonwealth and the Pennsylvania State Troopers Association (PTSA). The agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2017 through June 30, 2020.

Resolution No. CB-17-025, Dated October 31, 2017. Authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Pennsylvania Liquor Enforcement Association, Liquor Law Enforcement Unit. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2016 through June 30, 2019.

Resolution No. CB-17-026, Dated October 31, 2017. Authorizes the Collective Bargaining Agreement between the Commonwealth, PASSHE and the Pennsylvania Doctors Alliance signed on October 16, 2017. The Collective Bargaining Agreement provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2016, through June 30, 2019.

Resolution No. CB-17-027, Dated October 31, 2017. Authorizes the memorandum of understanding between the Commonwealth, PASSHE and the Pennsylvania Doctors Alliance signed on October 16, 2017. The Memorandum of Understanding provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2016, through June 30, 2019.

Resolution No. CB-17-028, Dated November 17, 2017. Authorizes the side letter with Pennsylvania Doctors Alliance (PDA) to revise the Pay Scale Group and the minimum Pay Scale Levels for certain jobs in PDA Agreement and Memorandum. In addition, the side letter also revises the Quality Assurance Program (QAP) for the contract years 7/1/2016 through 6/30/2019.

#### *Governor's Office*

Management Directive No. 210.5—The Commonwealth of Pennsylvania State Records Management Program, Amended October 31, 2017.

Management Directive No. 325.13—Service Organization Controls, Dated November 22, 2017.

Management Directive No. 530.26—Absences for Military Duty, Amended November 2, 2017.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 17-2099. Filed for public inspection December 15, 2017, 9:00 a.m.]

## OFFICE OF THE BUDGET

### Commonwealth Financing Authority Certification for Fiscal Year 2017-2018

I, Randy C. Albright, Secretary of the Budget, hereby certify in accordance with, and as required by, section 1543(e) of the Act of April 1, 2004 (P.L. 163, No. 22), 64 Pa.C.S. § 1543(e), and section 1753.1-E of the Act of April 9, 1929 (P.L. 343, No. 176), that:

(1) sufficient surplus revenue will exist in the General Fund for Commonwealth Fiscal Years 2018-2019 and 2019-2020 to pay any liabilities which will be payable by the Commonwealth from the General Fund during those Fiscal Years if the Commonwealth Financing Authority incurs an additional \$250,000,000 of indebtedness; and,

(2) the aggregate amount of liabilities which will be incurred by the Commonwealth for its Fiscal Years 2017-2018, 2018-2019, and 2019-2020 payable from the General Fund as a result of the activities of the Commonwealth Financing Authority are \$126,402,000, \$145,050,000 and \$146,900,000 respectively.

RANDY C. ALBRIGHT,  
*Secretary*

[Pa.B. Doc. No. 17-2100. Filed for public inspection December 15, 2017, 9:00 a.m.]

# Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P.L. 160, No. 39) as amended by Section 2 of the act of October 19, 1995 (P.L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by Section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 15, 2017, that the salaries covered by that law shall be increased by 0.8% effective January 1, 2018. The following chart lists the position, the salary prior to the adjustment, the percentage increase of the adjustment, and the new salary:

## COLA Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51

*COLA Adjustment is Based on the Percent Change in the CPI-U for PA-DE-NJ-MD, CMSA, for the 12-Month Period Ending October 2017*

<i>Position</i>	<i>Salary Prior to 1/1/2018</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2018</i>
Governor	\$193,304	0.8%	\$194,850
Lieutenant Governor	\$162,373	0.8%	\$163,672
State Treasurer	\$160,828	0.8%	\$162,115
Auditor General	\$160,828	0.8%	\$162,115
Attorney General	\$160,828	0.8%	\$162,115
Large Agency Head	\$154,642	0.8%	\$155,879
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Human Services			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$146,910	0.8%	\$148,085
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$139,178	0.8%	\$140,291
Adjutant General			
Secretary of Agriculture			
Secretary of Banking and Securities			
Secretary of the Commonwealth			
Insurance Commissioner			
Secretary of Drug and Alcohol Programs *****			
Liquor Control Board			
Chairman	\$78,556	0.8%	\$79,184
Member	\$75,462	0.8%	\$76,066
Civil Service Commission****			
Chairman	\$88,395	0.8%	\$89,102
Member	\$84,995	0.8%	\$85,675
State Tax Equalization Board			
Chairman	\$27,063	0.8%	\$27,280
Member	\$25,129	0.8%	\$25,330
Milk Marketing Board			
Chairman	\$25,129	0.8%	\$25,330
Member	\$24,163	0.8%	\$24,356
Securities Commission***			
Chairman	\$42,281	0.8%	\$42,619
Member	\$38,574	0.8%	\$38,883
Athletic Commission			
Chairman	\$20,300	0.8%	\$20,462
Member	\$19,328	0.8%	\$19,483
Board of Pardons			
Member	\$17,783	0.8%	\$17,925

<i>Position</i>	<i>Salary Prior to 1/1/2018</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2018</i>
Public Utility Commission			
Chairman	\$149,410	**	\$150,585
Member	\$146,910	0.8%	\$148,085
Environmental Hearing Board*			
Chairman	\$149,410	*	\$150,585
Member	\$146,910	*	\$148,085
Board of Claims*****			
Chairman	\$142,772	0.8%	\$143,914
Member	\$135,256	0.8%	\$136,338

\*: The Environmental Hearing Board is not listed in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

\*\*.: Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

\*\*\*.: Per Act 1998-51.

\*\*\*\*.: Per Act 2002-140 effective November 27, 2002.

\*\*\*\*\*.: Per Act 2002-118, effective October 2, 2002.

\*\*\*\*\*.: The salary for the Secretary of Drug and Alcohol Programs has not yet been set by statute.

RANDY C. ALBRIGHT,  
*Secretary*

[Pa.B. Doc. No. 17-2101. Filed for public inspection December 15, 2017, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Indirect Transfer of Control

**A-2017-2636971 and A-2017-2637061. Zayo Group, LLC, Spread Holdings, LLC and Northeastern ITS, LLC.** Joint application of Zayo Group, LLC, Spread Holdings, LLC and Northeastern ITS, LLC for approval of an indirect transfer of control of Northeastern ITS, LLC to Zayo Group, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 2, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicants:* Zayo Group, LLC; Spread Holdings, LLC; Northeastern ITS, LLC

*Through and By Counsel:* Anthony C. DeCusatis, Esquire, Catherine G. Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; Catherine Wang, Esquire, Brett P. Ferencak, Esquire, Morgan, Lewis & Bockius, LLP, 1111 Pennsylvania Avenue, NW, Washington, DC 20004-2541; Joshua T. Guyan, Esquire, Winifred Brantl, Esquire, Kelley, Drye & Warren, LLP, 3050 K Street, NW, Suite 400, Washington, DC 20007

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-2102. Filed for public inspection December 15, 2017, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 2, 2018. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### **Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2017-2628544. Caring Hands Personal Homes Agency, Inc.** (1500 Palethorp Street, Suite 404, Philadelphia, Philadelphia County, PA 19122) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, 62 years of age or older between points in the Counties of Bucks, Chester, Delaware and Montgomery and the City and County of Philadelphia. *Attorney:* Erica L. Bazzell, Esquire, 14 East Stratford Avenue, Suite 2B, Lansdowne, PA 19050.

**A-2017-2636033. Kingserv Enterprises, Inc.** (500 Walnut Street, Lemoyne, Cumberland County, PA 17043) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, between points in the Counties of Cumberland, Dauphin, Lancaster, Lebanon, Lehigh and York.



**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2017-2636979. Movers USA, Inc.** (8221 Preston Court, Suite A, Jessup, Howard County, MD 20794) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the City and County of Philadelphia, to points in Pennsylvania, and vice versa.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 17-2103. Filed for public inspection December 15, 2017, 9:00 a.m.]

**Service of Notice of Motor Carrier Formal Complaints**

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due January 2, 2018, 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. Donald E. Switzer and Mary Ellen Switzer, Husband and Wife, t/a Switzer & Switzer Trucking;  
Docket No. C-2017-2628897**

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 Donald E. Switzer and Mary Ellen Switzer, Husband and Wife, t/a Switzer & Switzer Trucking, (respondent) is under suspension effective October 03, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 226 Antis Run Road, Howard, PA 16841.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 04, 2008, at A-8910507.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66

Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8910507 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: 10/18/2017

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

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. ABBAS Transportation Services, LLC;**  
**Docket No. C-2017-2630684**

#### 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 Sec-

tion 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to ABBAS Transportation Services, LLC, (respondent) is under suspension effective October 11, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 2303 Bleigh Avenue, Philadelphia, PA 19152.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 30, 2017, at A-6417367.

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-6417367 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: 10/31/2017

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

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Rapid Movers, LLC, t/a Rapid Moving & Storage;  
 Docket No. C-2017-2630813**

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 Rapid Movers, LLC, t/a Rapid Moving & Storage, (respondent) is under suspension effective October 15, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 498, Falconer, NY 14733.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 23, 2016, at A-8915848.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915848 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: 10/31/2017

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

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Steven R. Henry, t/a S R Henry Trucking; Docket No. C-2017-2631873**

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 Steven R. Henry, t/a S R Henry Trucking, (respondent) is under suspension effective October 23, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 218 Ferds Lane, Frenchville, PA 16836.

3. That respondent was issued a Certificate of Public Convenience by this Commission on July 20, 2016, at A-8918960.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice



and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918960 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: 11/8/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

### **Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Hazle Yellow Cab Company, Inc.; Docket No. C-2017-2632810**

#### 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 Hazle Yellow Cab Company, Inc., (respondent) is under suspension effective October 29, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at RR 4 Box 4450, Hazleton, PA 18202-9716.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 01, 1987, at A-00114599.

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-00114599 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: 11/9/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. PKB Transport, LLC; Docket No. C-2017-2634223**

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 PKB Transport, LLC, (respondent) is under suspension effective November 01, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 152 North Hellertown Avenue, Quakertown, PA 18951.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 11, 2016, at A-8918559.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918559 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: 11/21/2017

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

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of



insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. CLM Trucking, LLC; Docket No. C-2017-2634470**

**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 CLM Trucking, LLC, (respondent) is under suspension effective November 08, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 362 Tulley Drive, Bernville, PA 19506.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 11, 2013, at A-8915375.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915375 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: 11/21/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

**NOTICE**

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.



The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-2104. Filed for public inspection December 15, 2017, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than January 2, 2018. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants.

**Doc. No. A-17-11-05. B&B Trans Co.** (224 South 53rd Street, Philadelphia, PA 19139): An application for a medallion taxicab certificate of public convenience (CPC) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Doc. No. A-17-12-01. Ifza Transportation, Inc.** (4415 Sansom Street, Philadelphia, PA 19104): An application for a limousine CPC to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 17-2105. Filed for public inspection December 15, 2017, 9:00 a.m.]