

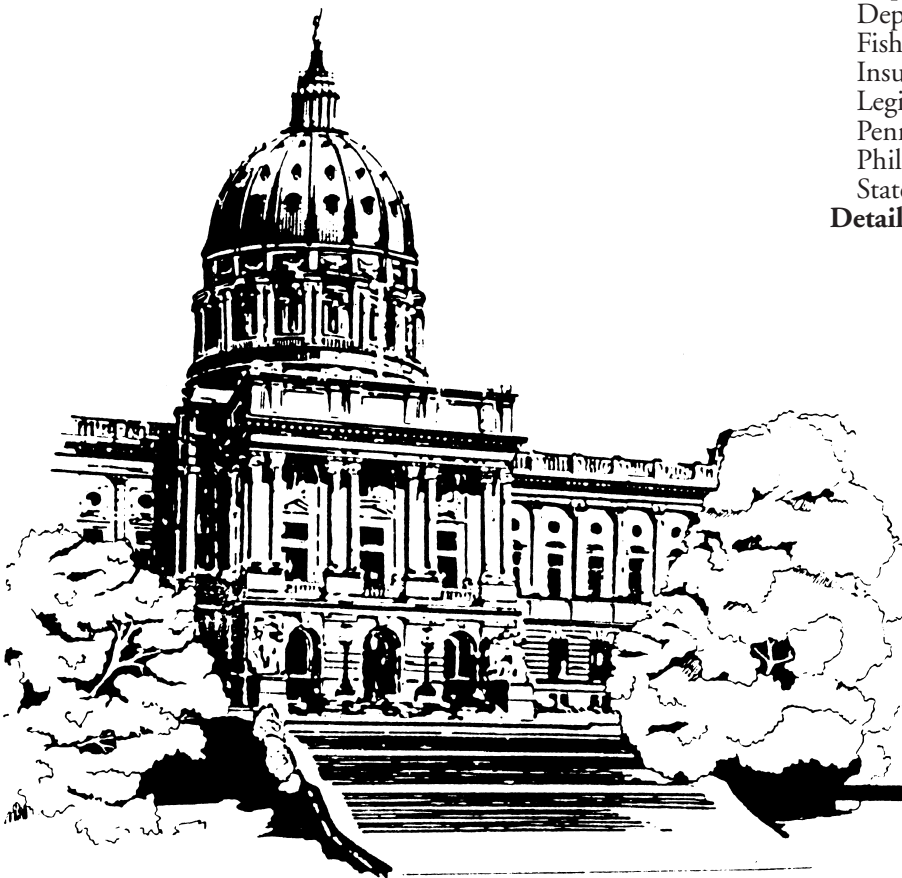
# PENNSYLVANIA BULLETIN

Volume 47  
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**Agencies in this issue**

The Courts  
Board of Coal Mine Safety  
Department of Banking and Securities  
Department of Community and Economic  
Development  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Department of Transportation  
Fish and Boat Commission  
Insurance Department  
Legislative Reference Bureau  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Ethics Commission

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

**No. 508, March 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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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.

<b>4 Pa. Code (Administration)</b>	<b>201 Pa. Code (Rules of Judicial Administration)</b>
<b>Statements of Policy</b>	<b>Adopted Rules</b>
9 ..... 832, 1163, 1515	1 ..... 937
<b>19 Pa. Code (Corporations and Business Associations)</b>	<b>204 Pa. Code (Judicial System General Provisions)</b>
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# THE COURTS

## Title 225—RULES OF EVIDENCE

[ 225 PA. CODE ARTS. VI AND VIII ]

### Order Amending Rules 803.1 and 804 and Approving the Revision of the Comment to Rule 613 of Rules of Evidence; No. 730 Supreme Court Rules Doc.

#### Order

*Per Curiam*

And Now, this 1st day of March, 2017, upon the recommendation of the Committee on Rules of Evidence; the proposal having been published for public comment at 45 Pa.B. 6476 (November 7, 2015):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Pennsylvania Rules of Evidence 803.1 and 804 are amended; and

2) The Comment to Pennsylvania Rule of Evidence 613 is revised;

in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective April 1, 2017.

#### Annex A

### TITLE 225. RULES OF EVIDENCE

#### ARTICLE VI. WITNESSES

#### Rule 613. Witness's Prior Inconsistent Statement to Impeach; Witness's Prior Consistent Statement to Rehabilitate.

(a) *Witness's Prior Inconsistent Statement to Impeach.* A witness may be examined concerning a prior inconsistent statement made by the witness to impeach the witness's credibility. The statement need not be shown or its contents disclosed to the witness at that time, but on request, the statement or contents must be shown or disclosed to an adverse party's attorney.

\* \* \* \* \*

#### Comment

Pa.R.E. 613 differs from F.R.E. 613 to clarify its meaning and to conform to Pennsylvania law.

Pa.R.E. 613(a) and (b) are similar to F.R.E. 613(a) and (b), but the headings and the substance make it clear that the paragraphs are dealing with the use of an inconsistent statement to impeach. The disclosure requirement in paragraph (a) is intended to deter sham allegations of the existence of an inconsistent statement.

Pa.R.E. 613(b) differs from F.R.E. 613(b) in that extrinsic evidence of a prior inconsistent statement is not admissible unless the statement is shown or disclosed to the witness during the witness's examination. Paragraph (b) is intended to give the witness and the party a fair opportunity to explain or deny the allegation.

**To be used for impeachment purposes, an inconsistent statement need not satisfy the requirements of Pa.R.E. 803.1(1)(A)–(C).**

F.R.E. 613 does not contain a paragraph (c); it does not deal with rehabilitation of a witness with a prior consistent statement. Pa.R.E. 613(c) gives a party an opportunity to rehabilitate the witness with a prior consistent statement where there has been an attempt to impeach the witness. In most cases, a witness's prior statement is hearsay, but F.R.E. 801(d)(1)(B) treats some prior consistent statements offered to rebut impeachment as not hearsay. Pa.R.E. 613(c) is consistent with Pennsylvania law in that the prior consistent statement is admissible, but only to rehabilitate the witness. *See Commonwealth v. Hutchinson*, [ 521 Pa. 482, ] 556 A.2d 370 (Pa. 1989) (to rebut charge of recent fabrication); *Commonwealth v. Smith*, [ 518 Pa. 15, ] 540 A.2d 246 (Pa. 1988) (to counter alleged corrupt motive); *Commonwealth v. Swinson*, [ 426 Pa. Super. 167, ] 626 A.2d 627 (Pa. Super. 1993) (to negate charge of faulty memory); *Commonwealth v. McEachin*, [ 371 Pa. Super. 188, ] 537 A.2d 883 (Pa. Super. 1988) (to offset implication of improper influence).

Pa.R.E. 613(c)(2) is arguably an extension of Pennsylvania law, but is based on the premise that when an attempt has been made to impeach a witness with an alleged prior inconsistent statement, a statement consistent with the witness's testimony should be admissible to rehabilitate the witness if it supports the witness's denial or explanation of the alleged inconsistent statement.

**Official Note:** Adopted May 8, 1998, effective October 1, 1998; amended March 23, 1999, effective immediately; amended March 10, 2000, effective July 1, 2000; rescinded and replaced January 17, 2013, effective March 18, 2013; **amended March 1, 2017, effective April 1, 2017.**

#### *Committee Explanatory Reports:*

Final Report explaining the March 23, 1999 technical amendments to paragraph (b)(3) published with the Court's Order at 29 Pa.B. 1714 (April 3, 1999).

Final Report explaining the March 10, 2000 amendments adding "inconsistent" to section (a) published with the Court's Order at 30 Pa.B. 1645 (March 25, 2000).

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

**Final Report explaining the March 1, 2017 revision of the Comment published with the Court's Order at 47 Pa.B. 1627 (March 18, 2017).**

#### ARTICLE VIII. HEARSAY

#### Rule 803.1. Exceptions to the Rule Against Hearsay—Testimony of Declarant Necessary.

The following statements are not excluded by the rule against hearsay if the declarant testifies and is subject to cross-examination about the prior statement:

#### Comment

**A witness must be subject to cross-examination regarding the prior statement. See *Commonwealth v. Romero*, 722 A.2d 1014, 1017-1018 (Pa. 1999) (witness was not available for cross-examination when witness refused to answer questions about prior statement).**

(1) *Prior Inconsistent Statement of Declarant-Witness.* A prior statement by a declarant-witness that is inconsistent with the declarant-witness's testimony and:

(A) was given under oath subject to the penalty of perjury at a trial, hearing, or other proceeding, or in a deposition;

(B) is a writing signed and adopted by the declarant; or

(C) is a verbatim contemporaneous electronic [ , **audiotaped, or videotaped** ] recording of an oral statement.

#### Comment

The Federal Rules treat statements corresponding to Pa.R.E. 803.1(1) and (2) as “not hearsay” and places them in F.R.E. 801(d)(1)(A) and (C). Pennsylvania follows the traditional approach that treats these statements as exceptions to the hearsay rule if the declarant testifies at the trial.

Pa.R.E. 803.1(1) is consistent with prior Pennsylvania case law. See *Commonwealth v. Brady*, [ 510 Pa. 123, ] 507 A.2d 66 (Pa. 1986) (seminal case that overruled close to two centuries of decisional law in Pennsylvania and held that the recorded statement of a witness to a murder, inconsistent with her testimony at trial, was properly admitted as substantive evidence, excepted to the hearsay rule); *Commonwealth v. Lively*, [ 530 Pa. 464, ] 610 A.2d 7 (Pa. 1992). In *Commonwealth v. Wilson*, [ 550 Pa. 518, ] 707 A.2d 1114 (Pa. 1998), the Supreme Court held that to be admissible under this rule an oral statement must be a verbatim contemporaneous recording in electronic, audiotaped, or videotaped form.

An inconsistent statement of a witness that does not qualify as an exception to the hearsay rule may still be introduced to impeach the credibility of the witness. See Pa.R.E. 613.

(2) **Prior Statement of Identification by Declarant-Witness.** A prior statement by a declarant-witness identifying a person or thing, made after perceiving the person or thing, provided that the declarant-witness testifies to the making of the prior statement.

#### Comment

Pennsylvania treats a statement meeting the requirements of Pa.R.E. 803.1(2) as an exception to the hearsay rule. F.R.E. 801(d)(1)(C) provides that such a statement is not hearsay. This differing organization is consistent with Pennsylvania law.

Pa.R.E. 803.1(2) differs from F.R.E. 801(d)(1)(C) in several respects. It requires the witness to testify to making the identification. This is consistent with Pennsylvania law. See *Commonwealth v. Ly*, 599 A.2d 613 (Pa. 1991). The Pennsylvania rule includes identification of a thing, in addition to a person.

(3) **Recorded Recollection of Declarant-Witness.** A memorandum or record made or adopted by a declarant-witness that:

(A) is on a matter the declarant-witness once knew about but now cannot recall well enough to testify fully and accurately;

(B) was made or adopted by the declarant-witness when the matter was fresh in his or her memory; and

(C) the declarant-witness testifies accurately reflects his or her knowledge at the time when made.

If admitted, the memorandum or record may be read into evidence and received as an exhibit, but

may be shown to the jury only in exceptional circumstances or when offered by an adverse party.

#### Comment

Pa.R.E. 803.1(3) is similar to F.R.E. 803(5), but differs in the following ways:

1. Pennsylvania treats a statement meeting the requirements of Pa.R.E. 803.1(3) as an exception to the hearsay rule in which the testimony of the declarant is necessary. F.R.E. 803(5) treats this as an exception regardless of the availability of the declarant. This differing organization is consistent with Pennsylvania law.

2. Pa.R.E. 803.1(3)(C) makes clear that, to qualify a recorded recollection as an exception to the hearsay rule, the witness must testify that the memorandum or record correctly reflects the knowledge that the witness once had. In other words, the witness must vouch for the reliability of the record. The Federal Rule is ambiguous on this point and the applicable federal cases are conflicting.

3. Pa.R.E. 803.1(3) allows the memorandum or record to be received as an exhibit, and grants the trial judge discretion to show it to the jury in exceptional circumstances, even when not offered by an adverse party.

Pa.R.E. 803.1(3) is consistent with Pennsylvania law. See *Commonwealth v. Cargo*, 444 A.2d 639 (Pa. 1982).

(4) **Prior Statement by a Declarant-Witness Who Claims an Inability to Remember the Subject Matter of the Statement.** A prior statement by a declarant-witness who testifies to an inability to remember the subject matter of the statement, unless the court finds the claimed inability to remember to be credible, and the statement:

(A) was given under oath subject to the penalty of perjury at a trial, hearing, or other proceeding, or in a deposition;

(B) is a writing signed and adopted by the declarant; or

(C) is a verbatim contemporaneous electronic recording of an oral statement.

#### Comment

Pa.R.E. 803.1(4) has no counterpart in the Federal Rules of Evidence. The purpose of this hearsay exception is to protect against the “turncoat witness” who once provided a statement, but now seeks to deprive the use of this evidence at trial. It is intended to permit the admission of a prior statement given under demonstrably reliable and trustworthy circumstances, see, e.g., *Commonwealth v. Hanible*, 30 A.3d 426, 445 n. 15 (Pa. 2011), when the declarant-witness feigns memory loss about the subject matter of the statement.

A prior statement made by a declarant-witness having credible memory loss about the subject matter of the statement, but able to testify that the statement accurately reflects his or her knowledge at the time it was made, may be admissible under Pa.R.E. 803.1(3). Otherwise, when a declarant-witness has a credible memory loss about the subject matter of the statement, see Pa.R.E. 804(a)(3).



*Official Note:* Adopted May 8, 1998, effective October 1, 1998; amended March 10, 2000, effective July 1, 2000; rescinded and replaced January 17, 2013, effective March 18, 2013; amended March 1, 2017, effective April 1, 2017.

*Committee Explanatory Reports:*

Final Report explaining the amendment to paragraph (1) and the updates to the Comment to paragraph (1) published with the Court's Order at 30 Pa.B. 1646 (March 25, 2000).

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

Final Report explaining the March 1, 2107 revision of the Comment and addition of paragraph (4) published with the Court's Order at 47 Pa.B. 1627 (March 18, 2017).

Rule 803.1(2). [ Prior Statement of Identification ] (Reserved).

[ (2) *Prior Statement of Identification by Declarant-Witness.* A prior statement by a declarant-witness identifying a person or thing, made after perceiving the person or thing, provided that the declarant-witness testifies to the making of the prior statement.

Comment

Pennsylvania treats a statement meeting the requirements of Pa.R.E. 803.1(2) as an exception to the hearsay rule. F.R.E. 801(d)(1)(C) provides that such a statement is not hearsay. This differing organization is consistent with Pennsylvania law.

Pa.R.E. 803.1(2) differs from F.R.E. 801(d)(1)(C) in several respects. It requires the witness to testify to making the identification. This is consistent with Pennsylvania law. *See Commonwealth v. Ly*, 528 Pa. 523, 599 A.2d 613 (1991). The Pennsylvania rule includes identification of a thing, in addition to a person. ]

Rule 803.1(3). [ Recorded Recollection ] (Reserved).

[ (3) *Recorded Recollection of Declarant-Witness.* A memorandum or record made or adopted by a declarant-witness that:

(A) is on a matter the declarant-witness once knew about but now cannot recall well enough to testify fully and accurately;

(B) was made or adopted by the declarant-witness when the matter was fresh in his or her memory; and

(C) the declarant-witness testifies accurately reflects his or her knowledge at the time when made.

If admitted, the memorandum or record may be read into evidence and received as an exhibit, but may be shown to the jury only in exceptional circumstances or when offered by an adverse party.

Comment

Pa.R.E. 803.1(3) is similar to F.R.E. 803(5), but differs in the following ways:

1. Pennsylvania treats a statement meeting the requirements of Pa.R.E. 803.1(3) as an exception to the hearsay rule in which the testimony of the declarant is necessary. F.R.E. 803(5) treats this as

an exception regardless of the availability of the declarant. This differing organization is consistent with Pennsylvania law.

2. Pa.R.E. 803.1(3)(C) makes clear that, to qualify a recorded recollection as an exception to the hearsay rule, the witness must testify that the memorandum or record correctly reflects the knowledge that the witness once had. In other words, the witness must vouch for the reliability of the record. The Federal Rule is ambiguous on this point and the applicable federal cases are conflicting.

3. Pa.R.E. 803.1(3) allows the memorandum or record to be received as an exhibit, and grants the trial judge discretion to show it to the jury in exceptional circumstances, even when not offered by an adverse party.

Pa.R.E. 803.1(3) is consistent with Pennsylvania law. *See Commonwealth v. Cargo*, 498 Pa. 5, 444 A.2d 639 (1982).

*Official Note:* Adopted May 8, 1998, effective October 1, 1998; amended March 10, 2000, effective July 1, 2000; rescinded and replaced January 17, 2013, effective March 18, 2013.

*Committee Explanatory Reports:*

Final Report explaining the amendment to subsection (1) and the updates to the Comment to subsection (1) published with the Court's Order at 30 Pa.B. 1646 (March 25, 2000).

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

Rule 804. Exceptions to the Rule Against Hearsay—When the Declarant is Unavailable as a Witness.

(a) *Criteria for Being Unavailable.* A declarant is considered to be unavailable as a witness if the declarant:

(1) is exempted from testifying about the subject matter of the declarant's statement because the court rules that a privilege applies;

(2) refuses to testify about the subject matter despite a court order to do so;

(3) testifies to not remembering the subject matter, **except as provided in Rule 803.1(4)**;

(4) cannot be present or testify at the trial or hearing because of death or a then-existing infirmity, physical illness, or mental illness; or

(5) is absent from the trial or hearing and the statement's proponent has not been able, by process or other reasonable means, to procure:

(A) the declarant's attendance, in the case of a hearsay exception under Rule 804(b)(1) or (6); or

(B) the declarant's attendance or testimony, in the case of a hearsay exception under Rule 804(b)(2), (3), or (4).

But this [ **subdivision** ] **paragraph** (a) does not apply if the statement's proponent procured or wrongfully caused the declarant's unavailability as a witness in order to prevent the declarant from attending or testifying.

Comment

[ This rule is identical to F.R.E. 804(a). ] Pa.R.E. 804(a)(3) differs from F.R.E. 804(a)(3) in that it excepts from this rule instances where a declarant-

witness's claim of an inability to remember the subject matter of a prior statement is not credible, provided the statement meets the requirements found in Pa.R.E. 803.1(4). This rule is otherwise identical to F.R.E. 804(a). A declarant-witness with credible memory loss about the subject matter of a prior statement may be subject to this rule.

**Rule 804(b). The Exceptions.**

(b) *The Exceptions.* The following are not excluded by the rule against hearsay if the declarant is unavailable as a witness:

(1) *Former Testimony.* Testimony that:

(A) was given as a witness at a trial, hearing, or lawful deposition, whether given during the current proceeding or a different one; and

(B) is now offered against a party who had—or, in a civil case, whose predecessor in interest had—an opportunity and similar motive to develop it by direct, cross-, or redirect examination.

**Comment**

Pa.R.E. 804(b)(1) is identical to F.R.E. 804(b)(1).

In criminal cases the Supreme Court has held that former testimony is admissible against the defendant only if the defendant had a “full and fair” opportunity to examine the witness. *See Commonwealth v. Bazemore*, [ 531 Pa. 582, ] 614 A.2d 684 (Pa. 1992).

*Depositions*

Depositions are the most common form of former testimony that is introduced at a modern trial. Their use is provided for not only by Pa.R.E. 804(b)(1), but also by statute and rules of procedure promulgated by the Pennsylvania Supreme Court.

The Judicial Code provides for the use of depositions in criminal cases. 42 Pa.C.S. § 5919 provides:

*Depositions in criminal matters.* The testimony of witnesses taken in accordance with section 5325 (relating to when and how a deposition may be taken outside this Commonwealth) may be read in evidence upon the trial of any criminal matter unless it shall appear at the trial that the witness whose deposition has been taken is in attendance, or has been or can be served with a subpoena to testify, or his attendance otherwise procured, in which case the deposition shall not be admissible.

42 Pa.C.S. § 5325 sets forth the procedure for taking depositions, by either prosecution or defendant, outside Pennsylvania.

In civil cases, the introduction of depositions, or parts thereof, at trial is provided for by Pa.R.C.P. No. 4020(a)(3) and (5).

A video deposition of a medical witness, or any expert witness, other than a party to the case, may be introduced in evidence at trial, regardless of the witness's availability, pursuant to Pa.R.C.P. No. 4017.1(g).

42 Pa.C.S. § 5936 provides that the testimony of a licensed physician taken by deposition in accordance with the Pennsylvania Rules of Civil Procedure is admissible in a civil case. There is no requirement that the physician testify as an expert witness.

(2) *Statement Under Belief of Imminent Death.* A statement that the declarant, while believing the declarant's death to be imminent, made about its cause or circumstances.

**Comment**

Pa.R.E. 804(b)(2) differs from F.R.E. 804(b)(2) in that the Federal Rule is applicable in criminal cases only if the defendant is charged with homicide. The Pennsylvania Rule is applicable in all civil and criminal cases, subject to the defendant's right to confrontation in criminal cases.

In *Crawford v. Washington*, 541 U.S. 36 (2004), the Supreme Court interpreted the Confrontation Clause in the Sixth Amendment of the United States Constitution to prohibit the introduction of “testimonial” hearsay from an unavailable witness against a defendant in a criminal case unless the defendant had an opportunity to confront and cross-examine the declarant, regardless of its exception from the hearsay rule. However, in footnote 6, the Supreme Court said that there may be an exception, *sui generis*, for those dying declarations that are testimonial.

(3) *Statement Against Interest.* A statement that:

(A) a reasonable person in the declarant's position would have made only if the person believed it to be true because, when made, it was so contrary to the declarant's proprietary or pecuniary interest or had so great a tendency to invalidate the declarant's claim against someone else or to expose the declarant to civil or criminal liability; and

(B) is supported by corroborating circumstances that clearly indicate its trustworthiness, if it is offered in a criminal case as one that tends to expose the declarant to criminal liability.

**Comment**

This rule is identical to F.R.E. 804(b)(3).

(4) *Statement of Personal or Family History.* A statement made before the controversy arose about:

(A) the declarant's own birth, adoption, legitimacy, ancestry, marriage, divorce, relationship by blood, adoption or marriage, or similar facts of personal or family history, even though the declarant had no way of acquiring personal knowledge about that fact; or

(B) another person concerning any of these facts, as well as death, if the declarant was related to the person by blood, adoption, or marriage or was so intimately associated with the person's family that the declarant's information is likely to be accurate.

**Comment**

Pa.R.E. 804(b)(4) differs from F.R.E. 804(b)(4) by requiring that the statement be made before the controversy arose. *See In re McClain's Estate*, 392 A.2d 1371 (Pa. 1978). This requirement is not imposed by the Federal Rule.

(5) *Other exceptions (Not Adopted)*

**Comment**

Pennsylvania has not adopted F.R.E. 804(b)(5) (now F.R.E. 807).

(6) *Statement Offered Against a Party That Wrongfully Caused the Declarant's Unavailability.* A statement offered against a party that wrongfully caused—or acquiesced in wrongfully causing—the declarant's unavailability as a witness, and did so intending that result.

### Comment

This rule is identical to F.R.E. 804(b)(6).

**Official Note:** Adopted May 8, 1998, effective October 1, 1998; Comment revised March 10, 2000, effective immediately; rescinded and replaced January 17, 2013, effective March 18, 2013; amended March 1, 2017, effective April 1, 2017.

#### Committee Explanatory Reports:

Final Report explaining the March 10, 2000 revision of the Comment to paragraph (b)(4) published with the Court's Order at 30 Pa.B. 1641 (March 25, 2000).

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 620 (February 2, 2013).

Final Report explaining the March 1, 2017 amendment of paragraph (a)(3) published with the Court's Order at 47 Pa.B. 1627 (March 18, 2017).

Rule 804(b)(2). [ Statement Under Belief of Imminent Death ] (Reserved).

[ (2) *Statement Under Belief of Imminent Death*. A statement that the declarant, while believing the declarant's death to be imminent, made about its cause or circumstances.

### Comment

Pa.R.E. 804(b)(2) differs from F.R.E. 804(b)(2) in that the Federal Rule is applicable in criminal cases only if the defendant is charged with homicide. The Pennsylvania Rule is applicable in all civil and criminal cases, subject to the defendant's right to confrontation in criminal cases.

In *Crawford v. Washington*, 541 U.S. 36 (2004), the Supreme Court interpreted the Confrontation Clause in the Sixth Amendment of the United States Constitution to prohibit the introduction of "testimonial" hearsay from an unavailable witness against a defendant in a criminal case unless the defendant had an opportunity to confront and cross-examine the declarant, regardless of its exception from the hearsay rule. However, in footnote 6, the Supreme Court said that there may be an exception, *sui generis*, for those dying declarations that are testimonial. ]

Rule 804(b)(3). [ Statement Against Interest ] (Reserved).

[ (3) *Statement Against Interest*. A statement that:

(A) a reasonable person in the declarant's position would have made only if the person believed it to be true because, when made, it was so contrary to the declarant's proprietary or pecuniary interest or had so great a tendency to invalidate the declarant's claim against someone else or to expose the declarant to civil or criminal liability; and

(B) is supported by corroborating circumstances that clearly indicate its trustworthiness, if it is offered in a criminal case as one that tends to expose the declarant to criminal liability.

### Comment

This rule is identical to F.R.E. 804(b)(3). ]

Rule 804(b)(4). [ Statement of Personal or Family History ] (Reserved).

[ (4) *Statement of Personal or Family History*. A statement made before the controversy arose about:

(A) the declarant's own birth, adoption, legitimacy, ancestry, marriage, divorce, relationship by blood, adoption or marriage, or similar facts of personal or family history, even though the declarant had no way of acquiring personal knowledge about that fact; or

(B) another person concerning any of these facts, as well as death, if the declarant was related to the person by blood, adoption, or marriage or was so intimately associated with the person's family that the declarant's information is likely to be accurate.

### Comment

Pa.R.E. 804(b)(4) differs from F.R.E. 804(b)(4) by requiring that the statement be made before the controversy arose. See *In re McClain's Estate*, 481 Pa. 435, 392 A.2d 1371 (1978). This requirement is not imposed by the Federal Rule. ]

Rule 804(b)(5). [ Other exceptions (Not Adopted) ] (Reserved).

[ (5) *Other exceptions (Not Adopted)*

### Comment

Pennsylvania has not adopted F.R.E. 804(b)(5) (now F.R.E. 807). ]

Rule 804(b)(6). [ Statement Offered Against a Party That Wrongfully Caused the Declarant's Unavailability ] (Reserved).

[ (6) *Statement Offered Against a Party That Wrongfully Caused the Declarant's Unavailability*. A statement offered against a party that wrongfully caused—or acquiesced in wrongfully causing—the declarant's unavailability as a witness, and did so intending that result.

### Comment

This rule is identical to F.R.E. 804(b)(6).

**Official Note:** Adopted May 8, 1998, effective October 1, 1998; Comment revised March 10, 2000, effective immediately; rescinded and replaced January 17, 2013, effective March 18, 2013.

#### Committee Explanatory Reports:

Final Report explaining the March 10, 2000 revision of the Comment to paragraph (b)(4) published with the Court's Order at 30 Pa.B. 1641 (March 25, 2000).

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

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

#### Revision of the Comment to Rule of Evidence 613 Amendment of Rules of Evidence 803.1 & 804

On March 1, 2017, effective April 1, 2017, upon the joint recommendation of the Committee on Rules of Evidence, the Court adopted a revision of the Comment to

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

Pa.R.E. 613 and amendment of Pa.R.E. 803.1 to add a new paragraph (4) and Pa.R.E. 804(a)(3).

As described in the Publication Report, the Committee proposed amendments to protect against the “turncoat witness” who once provided a statement, but now seeks to deprive the use of this evidence at trial by feigning memory loss. “[T]he unwilling witness often takes refuge in a failure to remember.” 3A J. Wigmore, Evidence § 1043, at 1061.

New paragraph (4) to Pa.R.E. 803.1 excepts from the hearsay rule a prior statement when the declarant-witness claims an inability to remember the substance of the statement and the prior statement was given under circumstances identical to paragraph (1).

Pa.R.E. 804(a)(3), which considers a declarant unavailable to testify as a witness if the declarant testifies to not remembering the subject matter at issue, has been amended to recognize the new exception in Pa.R.E. 803.1(4). However, this new exception is not applicable if the court finds the claimed inability to remember to be credible. A witness with a credible inability to remember the subject matter at issue may be subject to Pa.R.E. 804.

Notwithstanding a witness’s claimed memory loss about the subject matter of the prior statement, the witness must still be subject to cross-examination about the statement pursuant to Pa.R.E. 803.1. Further, readers should note that these amendments do not attempt to codify or reflect requirements under the Confrontation Clause. See Pa.R.E. 802, Comment.

Relatedly, the Comment to Pa.R.E. 613 was revised to clarify that the criteria set forth in Pa.R.E. 803.1(1)(A)—(C) is not applicable to the use of inconsistent statements for impeachment pursuant to Rule 613.

[Pa.B. Doc. No. 17-464. Filed for public inspection March 17, 2017, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Rescission of Phila.Civ.R. \*212.2 Sanctions for Failure to Settle; President Judge General Court Regulation No. 2017-01

##### Order

*And Now*, this 28th day of February, 2017, the Board of Judges of Philadelphia County having voted at the Board of Judges’ meeting held on February 16, 2017 to rescind Philadelphia Civil Rule \*212.2 Sanctions for Failure to Settle *It Is Hereby Ordered and Decreed* that Philadelphia Civil Rule \*212.2 is hereby rescinded.

This General Court Regulation is issued in accordance with Pa.R.J.A. 103 and shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for General Court Regulation issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this General Court Regulation shall be distributed to the Legislative Reference Bureau, together with a copy on a computer diskette, for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this

General Court Regulation shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the General Court Regulation shall also be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HONORABLE SHEILA WOODS-SKIPPER,  
*President Judge, Court of Common Pleas*

[Pa.B. Doc. No. 17-465. Filed for public inspection March 17, 2017, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Orphans’ Court Rules; Administrative Order No. 7 of 2017

##### Order of Court

*And Now*, this 2nd day of February, 2017, in recognition that the Supreme Court has vacated all local Orphans’ Court Rules with the exception of local rules promulgated under Chapter 14 (Guardianship of Incapacitated Persons), Chapter 15 (Adoptions) and Chapter 16 (Abortion Control Act) as of September 1, 2016, the Court hereby Orders that the Adams County Orphans’ Court Rules are vacated in their entirety and replaced as follows:

#### Rule 14. Guardianship of Incapacitated Persons.

##### Rule 14.1. Guardianship.

A. *Guardians*—Except in the case of an adult child living with his/her natural parent(s), preference in appointments shall normally be given to banking institutions and suitable persons who do not reside with the alleged incapacitated person, are not related to the person and who reside or have a regular place of business in Adams County.

B. *Estate*—Consent of Proposed Guardian—The written consent of the proposed guardian to act as guardian shall be attached to the petition.

C. *Estate*—*Proof of Service*—Proof of service shall be presented at the hearing. The affidavit of service shall, in all cases, recite that the petition and citation and notice were read and explained to the alleged incapacitated person.

D. *Sale of Personal Property*—Court approval for sale of personal property shall not be required.

#### Rule 14.3 to 14.5. Reserved.

#### Rule 15. Adoptions.

##### Rule 15.1. Investigations.

A. Adams County Children and Youth Services is designated as the agency to perform investigations required by the Court in accordance with the Adoption Act.

B. Fees for investigations by the agency shall be periodically set by the administrative order. Until changed, the fee shall be \$75.00. Fees for obtaining child abuse clearances and criminal histories shall be in addition to the investigation fee.

C. Petitioners and/or persons filing notices of intention to adopt shall, unless excused from an investigation, pay the investigation fee within two (2) weeks of filing a petition or notice of intention to adopt, whichever is filed first.

D. Petitioners shall, within the two (2) week period, provide the agency with a description of petitioners' home and detailed directions to it.

E. Persons who are otherwise subject to investigation and who request a waiver thereof shall include, with the application for waiver, either:

1. an affidavit setting forth in detail that person's criminal history and all indicated reports of child abuse that are known to the person, or

2. original or certified copies of the person's criminal history and child abuse clearance forms.

F. Upon receipt of the material described in (e), the Clerk shall promptly provide the agency with copies thereof.

**Rule 15.2. Voluntary Relinquishment to Agency.**

The caption for all pleadings and the docket entry shall carry the given name of the child.

**Rule 15.3. Voluntary Relinquishment to Adult Intending to Adopt Child.**

A. The caption for all pleadings and docket entry shall carry the given name of the child.

B. In addition to other information required by Pa.O.C. Rule 15.3, the petition shall describe any agreement between petitioner and natural parents regarding fees, costs, payments, or future rights of visitation and/or custody.

**Rule 15.4. Involuntary Termination of Parental Rights.**

A. The caption for all pleadings and the docket entry shall carry the given name of the child.

B. Information required by Local Rule 15.3(B) shall be provided.

**Rule 15.5. Adoption.**

A. *Petition.*

1. The caption for all pleadings and the docket entry regarding an adoption shall be in the name to be taken by the proposed adoptee. Where there was a prior relinquishment or termination proceeding known to the adopting parents, there shall be a reference thereto by number and year in the petition for adoption.

2. The petition shall contain the information required by Pa.O.C. Rule 15.3(b).

B. *Adult—Change of Name.* An adult to be adopted who desires to assume the surname of adopting parent or parents shall advertise such desire in accordance with Pa.R.C.P. 430(b)(1).

C. *Intermediary.* When a report is filed by an intermediary and the prior relinquishment or termination proceeding is not known to the adopting parents, the report of the intermediary shall refer to the prior relinquish-

ment or termination proceeding by number and year. Where the prior relinquishment or termination proceeding is not referred to in the Adoption Petition or in the report of the intermediary, but is known to the clerk, the Clerk shall place a memorandum in the adoption packet showing the reference to the prior relinquishment or termination proceeding.

**Rule 15.6. Notice—Method and Time.**

A. If personal service is not obtainable and the registered or certified mail is returned undelivered, then:

1. Notice shall be sent by regular mail to the last known address of the parent and an affidavit of mailing shall be filed of record.

2. Further notice by publication shall be given in accordance with Pa.O.C. Rule 5.1(c).

3. The notice by publication shall appear in substantially the following form:

**IN THE COURT OF COMMON PLEAS, ADAMS COUNTY, PENNSYLVANIA**

**COMMONWEALTH OF PENNSYLVANIA**

**ORPHANS' COURT DIVISION**

**NOTICE**

TO: (Party to Whom Notice is Given)

You are hereby notified that a Petition for (Adoption/Involuntary Termination of Parental Rights to Child) has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_.M., prevailing time, at the Courthouse at Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the (Adoption/Involuntary Termination of Your Parental Rights) with respect to your child.

You should contact your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get help.

Court Administrator  
Adams County Courthouse  
111-117 Baltimore Street  
Gettysburg, Pennsylvania 17325  
Telephone Number: 717-337-9846

4. Proof of notice by publication shall be presented to the Court at the time of the hearing.

**Rule 15.7. Impounding—Docket Entries—Reports—Privacy.**

The docket maintained by the Clerk shall carry only the name and date of each paper filed and shall also carry the date in reference to final action, which entry shall consist of a notation either that the decree was entered or that the petition was dismissed. Adoptions shall be indexed on an annual basis rather than to a term and number. An alphabetical index will be maintained for the convenience of the Clerk.

**Rule 16. Abortion Control Act Proceedings.**

**Rule 16.1 through 16.5. Reserved.**

**Rule 16.6. Dockets. Docket Maintenance.**

In addition to the requirements of Pa.O.C. Rule 16.6, all docket entries shall be referenced under an "AC" number, with the appropriate year, and not under an "OC" number.

**Rule 16.7 through 16.12. Reserved.**

These rules shall become effective after all the provisions of the Pennsylvania Rules of Judicial Administration 103 are met, to include the following:

a. A copy of this order shall be submitted to the Orphans' Court Procedural Rules Committee for review to [rulescommittees@pacourts.us](mailto:rulescommittees@pacourts.us);

b. Upon receipt of a statement from the Orphans' Court Procedural Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the test of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

d. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;

e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

f. The effective date of the local rule(s) shall be 30 days after publication in the *Pennsylvania Bulletin*.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 17-466. Filed for public inspection March 17, 2017, 9:00 a.m.]

**ADAMS COUNTY****Orphans' Court Rules; Administrative Order No. 7A of 2017****Order of Court**

*And Now*, this 1st day of March, 2017, after review by the Supreme Court of Pennsylvania Orphans' Court Procedural Rules Committee, the Court makes a correction to the proposed Orphans' Court Rules as outlined in Administrative Order 7 of 2017, as follows:

Rule 15.6(A)(2): Further notice by publication shall be given once a week during three successive calendar weeks in the local legal periodical and in a newspaper of general circulation published at or near his or her last known residence within the county.

In all other respects, Administrative Order 7 of 2017 remains in full effect.

The District Court Administrator is hereby directed to proceed to submit these proposed Rules to the *Pennsylvania Bulletin* for publication.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 17-467. Filed for public inspection March 17, 2017, 9:00 a.m.]

**ERIE COUNTY****Order Adopting Orphans' Court Rules; Doc. No. 52-2017****Order**

*And Now*, to wit, this 21st day of February, 2017, it is hereby *Ordered* that the following Erie County Orphans' Court Rules are adopted, effective 30 days after their publication in the *Pennsylvania Bulletin*.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration 103(d).

JOHN J. TRUCILLA,  
*President Judge*

**CHAPTER I****RULE 1****PRELIMINARY RULES****1.3. Additional Definitions.**

The following words, when used in these Rules, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Business days" shall be deemed to include Mondays through Fridays excepting weekdays when the Court House is closed.

"Local Rule" or "Local Rules" shall mean the Erie County Orphans' Court Rules, singularly or collectively, as the context may dictate, promulgated in accordance with PA.R.J.A. No. 103(d).

**CHAPTER II****RULE 2****ACCOUNTS, OBJECTIONS AND DISTRIBUTIONS****2.4. Petition for Adjudication/Statement of Proposed Distribution; Supplements/Additions.**

*Additional Receipts and Disbursements*—Receipts and/or disbursements received or made after filing the Account and Petition for Adjudication/Statement of Proposed Distribution may be accounted for in a supplemental account, which shall be signed and verified by the accountant(s) and filed with the Clerk, with notice in the same manner as required by Pa.O.C. Rule 2.5(a)—(g) with respect to an Account.

**2.6. Filing for a Particular Audit.**

Accounts to appear on a particular audit list must be filed in accordance with the audit calendar published by the Clerk's office.

**2.7. Objections to Accounts or Petitions for Adjudication/Statement of Proposed Distribution. Time.**

(a) Within twenty days of filing an objection, the objecting party or his/her attorney shall schedule a hearing thereon with the Court allowing ample time for the objection to be heard. The Accountant or his/her attorney may (but is not required to) schedule a hearing during the same period pursuant to the same procedure. The party scheduling the hearing shall notify all other parties who receive notice pursuant to Rule 2.5 and the Orphans' Court Auditor of the date and time thereof.

(b) The Orphan's Court Auditor may periodically identify Accounts for which objections have been filed and no hearing scheduled to the Court and send the notice if so directed by the Court.

### 2.9. Schedule of Distribution: Confirmation of Title to Real Property.

Approval of a schedule of distribution of real estate shall be in the nature of a confirmation of title in the respective distributees.

(a) *Separate Awards of Real Property.* A schedule of distribution shall set forth separate awards of real property in separate paragraphs.

(b) *Description of Real Property. Certification by Counsel.* Real property shall be described in the manner appearing in the last deed of record and shall, in addition, include information pertinent to the derivation of decedent's title.

### 2.10. Foreign Heirs and Unknown Distributees. Report by Fiduciary.

(b) The report required by Pa.O.C. Rule 2.10(b) shall be submitted at the audit to the Court and the Auditor and shall include substantially the following:

(1) *Unknown Distributee.* If it appears that the existence, identity or whereabouts of a distributee is unknown, or there are no known heirs, the fiduciary shall submit the written report, verified by the fiduciary or the fiduciary's counsel, in which shall be set forth:

(i) The nature of the investigation made to locate the heirs of the decedent, in complete detail; and

(ii) In cases of intestacy, or where there are no known heirs, a family tree, as complete as possible under the circumstances, supported by such documentary evidence as the fiduciary has been able to obtain. The term "investigation", as used in this Rule, shall include inquiry of or to as many of the following as may be pertinent and feasible: residents of the household in which the decedent resided; friends and neighbors; beneficial organizations; insurance records; church membership; school records; social security, Veterans' Administration or military service records; naturalization records, if not native born; and such other sources of information as the circumstances may suggest.

(2) *Foreign Distributees.* If the fiduciary requests the Court to withhold distribution to a foreign distributee, he or she shall submit the written report, verified by the fiduciary or the fiduciary's counsel, in which shall be set forth:

(i) the relationship of the distributee to the decedent, and any available information concerning his/her present whereabouts;

(ii) in cases of intestacy, a family tree, as complete as possible under the circumstances, supported by such documentary evidence as the fiduciary has been able to obtain; and

(iii) the reasons for the request that distribution be withheld, and the suggested manner of withholding.

## CHAPTER III

### RULE 3

#### PETITION PRACTICE AND PLEADING

#### 3.16. Motion Court Practice.

(1) *Motion Court.* Unless otherwise ordered by the Court, Motion Court will be held every Monday through Thursday at 9:00 a.m.

(2) *Cover Sheet.* All motions presented at motion Court shall include a completed motion Court cover sheet in the form required by the Court.

(3) *Notice Requirements Prior to Presentation at Motion Court.* Prior to the presentation to the Court of any motion or petition requesting an immediate Order of Court, other than a Rule to Show Cause which grants no relief, opposing counsel and unrepresented parties must be given notice, subject to the following:

(i) *Contents of Notice.* The notice must give the date and time when the motion or petition will be presented to the Court and must be accompanied by a copy of the proposed motion and Order.

(ii) *Certification of Notice.* The motion or petition must contain a certificate signed by counsel verifying that proper notice or citation was given under this Rule.

(iii) *Length of notice required.* Except where otherwise required under law, the following notice shall be required:

(a) If the motion or petition is uncontested, either two (2) full business days' notice must be given by personal delivery or facsimile transmission to each party or their counsel's office, or five (5) full business days' notice must be given if notice is by mail.

(b) Where such motion or petition does not meet the requirements of subsection (iii)(a) above, twenty (20) days' notice as set forth in Pa.O.C. Rule 2.5(d) and 3.5(b).

(iv) *Failure to give notice.* The Court will not enter an Order on a petition or motion without the Certificate of Notice being attached unless a special cause is shown to the Court.

## CHAPTER IV

### RULE 4

#### FORMAT AND SERVICE OF LEGAL PAPER BY PARTIES AND COURT; ELECTRONIC FILING

#### Rule 4.1. Format of All Legal Paper.

(a) No paper or other document may be filed in the Register of Wills or Clerk other than paper 8 1/2" x 11" size. The only exception to this Rule is the filing of a will or other original document.

(b) Every pleading and motion shall be endorsed with the name, address, Pennsylvania Supreme Court Identification Number and telephone number of counsel.

#### Rule 4.5. Service of Legal Paper by Court and Clerk.

(c) The Clerk and the Court may serve all notices, opinions, and orders via delivery to the counsel's box held by such counsel or his or her firm in the Office of the Prothonotary at the Erie County Courthouse, and the Docket shall specifically note this method of service.

#### Explanatory Comment

This rule provides an additional alternative for the Clerk and the Court to serve notices, opinions, and orders. This rule does not permit service upon counsel via counsel's box by any persons or entities other than the Clerk and the Court.

## CHAPTER V

### RULE 5

#### RULES GOVERNING SPECIFIC TYPES OF PETITIONS

#### 5.2. Family Exemption. Petition for Settlement of Small Estate.

The family exemption petition as set forth in Pa.O.C. Rule 5.2 may be included in a petition for settlement of small estate as set forth in Local Rule 5.16.

### 5.10. Public Sale of Real Property. Method of Serving Notice.

Notice of the public sale of real property (containing the date, time, and place of sale and any other information required by Act of Assembly) shall be given:

(1) By advertisement once a week for three successive weeks, the first of which shall be at least twenty (20) days prior to the date set for the sale of the property, in the *Erie County Legal Journal* and in one newspaper of general circulation in Erie County; and

(2)(i) By handbills, one of which shall be posted at a conspicuous place on the real property to be sold, and at least three of which shall be posted in three public places in the vicinity of such real property, at least twenty (20) days prior to the date set for the sale of the property; and

(ii) By personal notice, sent via registered or certified mail, to all interested parties, of the time and place of the proposed sale, at least twenty (20) days prior to the date set for the sale of the property.

### 5.16. Settlement of Small Estates.

(a) *Form of Petition. Contents.*

Petitions under PEF Code § 3102, as amended, for the settlement of small estates shall, in addition to the requirements of Chapter III of the State Orphans' Court Rules, set forth:

(1) The name and address of the petitioner and the relationship of the petitioner to the decedent.

(2) The name, date of death, and domicile of decedent, whether the decedent died testate or intestate, the dates of the probate of the will and of the grant of letters, if any, and whether the personal representative has been required to give bond and, if so, the amount.

(3) The names and relationship of all beneficiaries entitled to any part of the estate under the will or intestate laws, a brief description of their respective interests, whether any of them has received or retained any property of the decedent by payment of wages under Section 3101 of the PEF Code and whether any of them are minors, incapacitated, or deceased with the names of their fiduciaries.

(4) The person or persons, if any, entitled to the family exemption; whether or not the individual was a member of the same household as the decedent at the time of decedent's death; and, if a claim thereof is made in this petition, any additional facts necessary to establish the prima facie right thereto.

(5) An inventory of the real and personal estate of the decedent, with values ascribed to each item, either incorporated in the petition or attached as an exhibit.

(6) An itemization of all administrative costs, funeral expenses, debts and distributions, and of assets then remaining for distributions.

(7) A list showing the nature, amount and preference of all unpaid claims against the estate and indicating which are admitted.

(8) That twenty (20) days' written notice of intention to present the petition has been given to every unpaid beneficiary, heir, or claimant who has not joined in the petition, or to the Attorney General, if the decedent's heirs are unknown.

(9) A prayer for distribution of the property, setting forth the persons entitled and their distributive shares,

and requesting the discharge of the personal representative and the release of surety, if letters have been granted and advertised.

(b) *Required Exhibits.*

The following exhibits shall be attached to the petition:

(1) The original of the decedent's will, if it has not been probated.

(2) Joinders or notice to unpaid beneficiaries, heirs, and claimants.

(3) A receipt for the filing of an inheritance tax return reporting the assets which are the subject of the petition.

(4) A certification that a copy of the proposed petition and decree has been given to all beneficiaries and unpaid creditors at least twenty (20) days prior to presentation of the petition.

(5) Written confirmation by the Pennsylvania Department of Public Welfare of the amount of any claim for assistance provided to the decedent.

(c) The family exemption petition as set forth in Pa.O.C. Rule 5.2 may be included in a petition for settlement of small estates.

### 5.17. Determination of Title to Real Property. PEF Code Section 3546.

(a) *Contents of Petition.* A petition under PEF Code Section 3546 for the determination of title to real property shall, in addition to the requirements of Chapter III of the State Orphans' Court Rules, set forth:

(1) the name of the petitioner and the relationship of the petitioner to the decedent;

(2) the facts on which the claim of the petitioner is based;

(3) whether the decedent died testate or intestate, and where, when and to whom letters were granted;

(4) a description of real property located within the Commonwealth, and instrument number or the place, book, and page of recording of the last deed thereto;

(5) the names and addresses of all known creditors and interested parties; and

(6) the facts material to a determination of the title.

(b) *Exhibits.* The following exhibits shall be attached to the petition:

(1) The notice which has been given to creditors, interested parties, and, if the heirs of the decedent are unknown, a copy of the notice given to the Attorney General; and

(2) A copy of the decedent's Will.

(c) *Service.* The decree shall be served on all known interested parties and creditors of the decedent thirty (30) days prior to final confirmation, which must be at least three (3) months after the date of the decree nisi. The final confirmation date shall be advertised once in the legal publication of the County in which the real property is located and once in a newspaper of general circulation for the County in which the real property is located, or as the Court shall otherwise direct.

### 5.18. Filing of Dispositive Instruments Including Wills Without Issuance of Letters.

(a) In every proceeding involving a dispositive instrument requiring the filing of a Pennsylvania Inheritance Tax Return other than a grant of letters, the fiduciary shall within six (6) months of the event giving rise to the



disposition of any interest in any property, notify all individuals and entities (and the Attorney General where required) named in said dispositive instrument, and all heirs named in a Proof of Death filed in conjunction therewith, of the happening of the event giving rise to the disposition of the interest. The notice shall be submitted by regular U.S. mail and shall include the following:

- (1) The name of the creator of the property interest;
- (2) The nature of the property interest created;
- (3) Notification that the addressee has been named as a beneficiary in said dispositive instrument and a copy of such instrument or a description of the beneficiary's interest under the terms of the instrument; and
- (4) The address where a copy of the dispositive interest instrument can be acquired if desired.

*Comment:* 20 Pa.C.S. § 301(b) provides that the title to real estate is vested in beneficiaries and/or heirs, as applicable upon the death of the decedent subject to the right of the personal representative to administer the estate. 20 Pa.C.S. § 3357(a) provides that beneficiaries and/or heirs, as applicable, can give a good deed to real estate if more than one year has elapsed after death and no letters have been issued or within such year if no letters have been issued in the Commonwealth. As a result there can be circumstances when the probate of a will or filing of a proof of death that identifies the beneficiaries and establishes the decedent died intestate may along with an inheritance tax return and notice to medical assistance, etc. serve as a less expensive form of estate "administration" when the only assets are real estate and there are no creditors to speak of. The purpose of Local Rule 5.18, which is to apply when a will is probated but letters not issued, is to provide for notice to parties named in the will that has been probated.

## CHAPTER VII

### RULE 7

#### RULES RELATING TO PRE-HEARING AND HEARING PROCEDURE

##### 7.1. Depositions, Discovery and Production of Documents.

The procedure relating to depositions, discovery and production of documents shall be governed by special Order of Court.

- (a) Leave to take depositions and/or to obtain discovery or production of documents shall be granted only upon petition with good cause shown, except upon agreement of counsel.
- (b) In the case of a will contest, no discovery shall be allowed prior to the filing of the contest or caveat.
- (c) The procedure relating to perpetuation of testimony shall be governed by special Order of Court in every case.

## CHAPTER IX

### RULE 9

#### AUDITORS AND MASTERS

##### 9.1. Notice of Hearings.

- (a) An Auditor or Master shall give at least twenty (20) days' notice of the time and place of his or her first hearing to all parties in the manner set forth in Pa.O.C. Rule 4.3.
- (b) Notice of succeeding hearings given by an Auditor or Master at a hearing of which proper notice has been given shall constitute sufficient notice of such succeeding hearings.

##### 9.6. Filing of Report.

An Auditor or Master shall, at the time of the filing of his or her report, give notice of the filing to all parties in the manner set forth in Pa.O.C. Rule 4.3.

##### 9.7. Confirmation or Approval of Report.

The Court shall hold a hearing on the confirmation of an Auditor's Report or the approval of a Master's Report. Any party may request a hearing through Court Administration.

##### 9.8. Compensation of Auditor or Master.

The Auditor or Master shall be compensated as directed by the Court and from such sources as the Court shall direct.

## CHAPTER X

### RULE 10

#### REGISTER OF WILLS

##### 10.1. Forms—Death Certificates—Estates.

(a) A death certificate for the decedent shall be presented to the Register of Wills for inspection and verification of information at the time of the presentation of a Petition for Grant of Letters.

##### 10.3. Hearings.

(a) *Extension of Time*—The Register of Wills, upon his or her own motion, or upon the motion of any party, may extend any limitation of time prescribed by these Rules.

(b)(1) *Limitations on Discovery*—Discovery before the Register, upon application to the Register by an interested party, shall be limited to the following: depositions, request for production of documents, request for admissions, subpoenas.

(b)(2) *Objections to Discovery*—Objections to discovery shall be addressed to, and shall be decided by, the Register of Wills or the Deputy Register or solicitor presiding over the hearing.

(b)(3) *Additional Discovery*—Requests for additional discovery beyond the scope of these rules shall be made to the Court.

##### 10.4. Appeals from the Register of Wills.

Appeals from an order or decree of the Register shall be to the Court in accordance with PEF Code § 908.

## CHAPTER XIV

### RULE 14

#### INCAPACITATED PERSONS

##### 14.1. Procedure.

(a) All petitions requiring a hearing shall first be submitted along with a petition cover sheet, proposed Order for scheduling a hearing and proposed final decree to the Family/Orphans' Court Administrator for assignment of a hearing date.

(1) Upon the assignment of a hearing date by the Family/Orphans' Court Administrator, the original Petition or Motion and one copy shall be filed with the Clerk of the Orphans' Court. A copy shall also be given to the Family/Orphans' Court Administrator.

(2) All other pleadings not requiring a hearing shall be filed directly with the Clerk of the Orphans' Court.

(b) Emergency petitions requiring the immediate attention of the Court shall be presented to the Family/Orphans' Court duty judge.

(c) The petitioner shall serve the petition, along with the citation and notice as set forth in Supreme Court Form G-01, on the alleged incapacitated person in accordance with PEF Code § 5511(a).

(d) The petitioner shall serve a copy of the guardianship petition, along with a copy of the citation and notice served on the alleged incapacitated, by first class mail to the following persons:

(1) All persons who are sui juris and would be entitled to share in the estate of the alleged incapacitated person if he or she died intestate at the time;

(2) The person or institution providing residential services to the alleged incapacitated person;

(3) Any attorney in fact under a durable power of attorney;

(4) Such other parties as the Court may direct.

(e) All petitions required by this Rule shall be signed by the moving party or that party's counsel.

(f) *Proof of Service.* Prior to a hearing under Chapter XIV of the Rules, the petitioner shall file an affidavit or verification that the proper service of notice of the petition and hearing was made to all parties listed in the petition and to any other parties required by the Court, by law, or by the Rules to be notified.

(g) *Emergency Guardianships.*

(1) A petition for emergency guardianship under PEF Code § 5513 may be filed by separate petition or with a petition for appointment of a permanent guardian. Reasons for the need for emergency guardianship shall be clearly set forth in the petition.

(2) A petition for emergency guardianship may be presented in Motion Court for the purpose of obtaining a temporary order. Once an emergency order is issued, the petitioner shall obtain a final hearing date from Court Administration.

## CHAPTER XV

### RULE 15

#### ADOPTION

##### 15.1. Procedure.

(a) All Petitions or Motions requiring a hearing including those pertaining to Adoptions, Involuntary Terminations, Voluntary Relinquishments and Confirmation of Consent shall first be submitted to the Family/Orphans' Court Administrator at such times as provided in Erie County Civil Rule 304 for assignment of a hearing date.

(b) Upon the assignment of a hearing date the original Petition or Motion shall be filed with the Clerk and a copy of the Order setting the date of the hearing shall be given to the Family/Orphans' Court Administrator.

(c) All other pleadings not requiring a hearing shall be filed with the Clerk of the Orphans' Court.

(d) Any Motion or Petition requiring immediate attention of the Court shall be presented at Family/Orphans' Court Motion Court, with notice to all parties as required by Erie County Civil Rule 440.

##### 15.4.1. Involuntary Termination of the Parental Rights of a Putative Father Whose Identity or Whereabouts Cannot be Ascertained.

The parental rights of a natural or putative father whose identity or whereabouts cannot be ascertained must be terminated by an involuntary termination proceeding prior to approval of a final adoption.

(a) The involuntary termination petition must aver that the natural mother does not know the identity or whereabouts of the natural or putative father, must include his last known address, if known, and must also specify all attempts made by the petitioner to determine the correct identity of the natural or putative father.

(b) Notice of the involuntary termination petition and hearing shall be served on the natural or putative father by publication in the form and manner approved by the Court following presentation of a separate Motion for Service by Publication and Affidavit of Diligent Search as required by Pa.R.C.P. 430.

(c) Publication shall include, as a minimum, the contents of the citation attached to the Involuntary Termination Petition. Proof of publication shall be submitted to the Court prior to hearing.

##### 15.4.2. Petition to Terminate Putative Father's Rights Under § 2503(d) and § 2504(c).

(a) *Contents.* A Petition to terminate a putative father's rights under 23 Pa.C.S.A. Section 2503(d) or 2504(c) shall contain the following:

(1) The names and addresses of the petitioners;

(2) The names and addresses of the birth parents and the putative father;

(3) The date the child was relinquished to an agency or to an adult intending to adopt the child, the date that a report of intention to adopt was filed, and the date of any proceedings to terminate the parental of the birth parents, including voluntary relinquishment, involuntary termination, or confirmation of consent;

(4) A statement of any further proceedings pending in the adoption; and

(5) The certification from the Pennsylvania Department of Vital Statistics pursuant to 23 Pa.C.S.A. § 5103 showing that no claim of paternity has been filed.

(b) *Procedure.*

(1) Upon presentation of a Petition to Terminate putative father's rights under 23 Pa.C.S.A. §§ 2503(d) or 2504(c), the Family/Orphans' Court Administrator shall schedule a hearing, which shall not be less than ten (10) days after the filing of the petition.

(2) Notice shall be provided in the form provided in 23 Pa.C.S.A. § 2513(b), and service shall be as provided in State Rule 15.6.

(3) Notice shall be given to the birth parents and putative father, and to the parents or guardians of a birth parent or putative father who has not reached age 18.

(4) Following hearing, the Court shall issue such decree as clearly sets forth that the parental rights of the putative father are terminated.

(5) A Petition to Terminate Putative Father's Rights may be brought in the name of the attorney for the adopting parents.

##### 15.5. Petition to Confirm Consent to Adoption, including Stepparent adoptions.

All written consents to adoption must be confirmed by Court prior to the entry of a final Adoption Decree.

(a) *Form of Petition. Contents.* The Petition to Confirm Consent shall include the following:

(1) The names and addresses of the petitioners;

(2) The names and addresses of the birth parents;

(3) The date the child was relinquished to an agency or to an adult intending to adopt the child, the date that a report of intention to adopt was filed, and the date the consent to adoption was signed by the birth parent or parents. The original consent shall be attached to the petition or shall be part of prior pleadings; and

(4) A statement of any further proceedings pending in the adoption.

(b) *Procedure.*

(1) The Petition to Confirm Consent shall be presented to the Family/Orphans Court Administrator to schedule a hearing. The hearing shall be scheduled not less than ten (10) days after the filing of the petition and not less than sixty (60) days after the filing of the consent to adoption, whichever is later.

(2) Notice shall be in the form provided in 23 Pa.C.S.A. Section 2513(b), and service shall be as provided in State Rule 15.6. Notice shall be given to the birth parents and putative father, if applicable, and to the parents or guardians of a consenting parent who has not reached age 18.

(3) Following hearing, the Court shall issue such decree as clearly sets forth that the consent to adoption is confirmed and that all rights of the consenting birth parent are terminated.

(4) A Petition to Confirm Consent may be brought in the name of the attorney for adopting parents.

(5) The Adoption petition shall be filed separately from Petition to Confirm Consent, Petition for Voluntary Relinquishment, or Petition for Involuntary Termination of Parent Rights, and may be filed simultaneously with any aforesaid Petition.

(c) *Hearing.*

At the hearing to confirm the consent the petitioner shall present such information as may be necessary to allow the Court to review the circumstances of the execution and the submission of all written consents to adoption so as to determine their validity. The Court shall then enter an order confirming or rejecting the written consent to adoption.

[Pa.B. Doc. No. 17-468. Filed for public inspection March 17, 2017, 9:00 a.m.]

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## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Edward Bissau Mendy (# 66328), having been disbarred in the state of Louisiana, the Supreme Court of Pennsylvania issued an Order on March 7, 2017, disbaring Edward Bissau Mendy from the Bar of this Commonwealth, effective April 6, 2017. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 17-469. Filed for public inspection March 17, 2017, 9:00 a.m.]

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# PROPOSED RULEMAKING

## BOARD OF COAL MINE SAFETY

[ 25 PA. CODE CH. 208 ]

### Sensitive Ground Fault

The Board of Coal Mine Safety (Board) proposes to amend Chapter 208 (relating to underground coal mine safety) to read as set forth in Annex A. This proposed rulemaking adds a provision to require operators to equip certain circuits with sensitive ground fault protection, as well as related definitions. This protection will enhance miner safety with respect to electric cables.

This proposed rulemaking was adopted by the Board at its meeting of September 13, 2016.

#### A. *Effective Date*

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

#### B. *Contact Persons*

For further information, contact Craig Carson, Director, Bureau of Mine Safety, 131 Broadview Road, New Stanton, PA 15672, (724) 404-3154 or cocarson@pa.gov; or Joseph Iole, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-9376 or jiole@pa.gov. Information regarding submitting comments on this proposed rulemaking appears in Section J of this preamble. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov).

#### C. *Statutory Authority*

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

#### D. *Background and Purpose*

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

This proposed rulemaking adds a provision to Chapter 208 to enhance cable safety. Specifically, section 334(c) of the BCMSA (52 P.S. § 690-334(c)) directed the mining industry to initiate studies into possible means of enhancing safety of underground cables, including through,

among other things, "more sensitive ground fault limiting and detection." Section 334(c) of the BCMSA further required both laboratory and underground testing of these systems, and that the Board will take action on the industry's reports and recommendations.

To that end, the Pennsylvania Coal Alliance formed a committee with representatives from several coal mine operators to convene, manage the studies, and ultimately produce a report and recommendations to the Board. The committee produced a report in March 2012 entitled "Pennsylvania Coal Association Bituminous Coal Mine Safety Act Section 334 Industry Studies Final Report" (Final Report). This proposed rulemaking is the product of the Final Report, which was followed by extensive deliberations by the Board over the course of 3 years.

This proposed rulemaking enhances miner safety from electrocution by improving the sensitive ground fault mechanisms on certain electrical circuits powering machinery within the mines. This proposed rulemaking will require operators to ensure that certain new and rebuilt power centers are equipped with these more sensitive ground fault protection devices (including sensing relays, limiting resistors and interrupting devices) thus enhancing the safety of persons working with or around the electric cables supplying power to certain machinery.

To improve miner safety, per the BCMSA, this proposed rulemaking is more stringent than Federal regulations in certain regards. The Federal Mine Safety and Health Administration (MSHA) regulation in 30 CFR 75.901(a) (relating to protection of low- and medium-voltage three-phase circuits used underground) requires a ground fault current limit (trip setting) of 25 amperes or less, and an MSHA policy manual recommends that the device be adjusted to operate at not more than 50% of the current rating of the grounding resistor.

In light of the Final Report, which indicated that a setting of 125 milli-amperes would be too low to functionally operate equipment at the mine, but that 300 milli-amperes was more protective than the current regulatory requirement of 25 amperes, this proposed rulemaking requires a trip setting of 300 milli-amperes or less nominally, except in the case of circuits powering equipment using variable speed drives, in which case, if nuisance tripping occurs at 300 milli-amperes, the operator may adjust the setting no greater than the lower value of 500 milli-amperes or 1/2 of the neutral ground resistor's current rating. These settings improve safety while maintaining mining operations.

There is a compelling public interest in ensuring that miners are safe in the workplace. Miners, their families, mining companies and others will benefit from electrical safety in underground mines. As a result of this proposed rulemaking, the risk of workplace injuries and deaths related to these electric cables will decline. Adopting this proposed rulemaking ensures that operations at underground bituminous coal mine sites are safely conducted and maintained.

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

##### § 208.1. *Definitions*

The following terms are proposed to be added: "cross-cut," "inby" and "working section," which appear in proposed § 208.600 (relating to sensitive ground fault); and "working face," which appears in the proposed definition of "inby."

§ 208.600. *Sensitive ground fault*

This proposed section requires that operators utilize sensitive ground fault devices on circuits that operate three-phase electrically operated equipment operated on a working section in by the last open crosscut; specifies the settings of the sensitive ground fault devices powering various machines; and sets an implementation schedule for utilizing these devices on new, rebuilt and existing power centers.

F. *Benefits, Costs and Compliance*

*Benefits*

This proposed rulemaking enhances cable safety by requiring on certain circuits a sensitive ground fault protective device. Sensitive ground fault protective devices improve cable safety by shutting off electrical power through the circuit when it detects that a current is flowing along an unintended path, thereby reducing the risk of bodily harm from electrocution.

*Compliance costs*

This proposed rulemaking will cost the nine operators approximately \$500,000 over 5 years. This cost reflects the purchase of new power centers equipped with the sensitive ground fault devices and the rebuilding of existing machines to include these devices.

*Paperwork requirements*

This proposed rulemaking does not generate additional paperwork.

G. *Pollution Prevention*

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

H. *Sunset Review*

The Board is not establishing a sunset date for these regulations, since they are needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 3, 2017, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review

criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

J. *Public Comments*

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding this proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by April 17, 2017. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by the Board by April 17, 2017. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final-form rulemaking will be considered.

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

Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>.

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

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

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

PATRICK McDONNELL,  
*Acting Chairperson*

**Fiscal Note:** 7-527. No fiscal impact; (8) recommends adoption.

**Annex A**

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

**Subpart D. ENVIRONMENTAL HEALTH AND SAFETY**

**ARTICLE IV. OCCUPATIONAL HEALTH AND SAFETY**

**CHAPTER 208. UNDERGROUND COAL MINE SAFETY**

**GENERAL PROVISIONS**

**§ 208.1. Definitions.**

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

\* \* \* \* \*

*Certified or registered*—A person certified or registered by the state in which the coal mine is located to perform duties prescribed by 30 CFR Part 77 (relating to mandatory safety standards, surface coal mines and surface work areas of underground coal mines), except that, in a

state where a program of certification or registration is not provided or when the program does not meet at least minimum Federal standards established by the Secretary of the United States Department of Labor, the certification or registration shall be by the Secretary of the United States Department of Labor.

**Crosscut**—A passageway driven between the entry and its parallel air course or air courses for ventilation purposes.

**Flash point**—The minimum temperature at which sufficient vapor is released by a liquid or solid to form a flammable vapor-air mixture at atmospheric pressure.

**Inby**—In the direction of the working face.

**MSHA**—The term as defined in section 104 of the act.  
\* \* \* \* \*

**Underground bituminous coal mine or mine**—The term as defined in section 104 of the act.

**Working face**—Any place in a mine where coal is extracted during a mining cycle.

**Working section**—The area in a mine from the face extending back 1,000 feet.

**CABLE SAFETY**

*(Editor's Note: The following section is new and printed in regular type to enhance readability.)*

**§ 208.600. Sensitive ground fault.**

All three-phase electrically operated equipment operated on a working section inby the last open crosscut must receive power from a circuit equipped with a sensitive ground fault protection as specified in this section.

(1) *Sensitive ground fault.*

(i) A sensitive ground fault protective device must be connected so that the associated circuit will be instantaneously interrupted upon the occurrence of a ground fault which may not exceed 300 milli-amperes nominally.

(ii) A sensitive ground fault protective device on these circuits on equipment utilizing variable speed drives must be connected so that the associated circuit will be instantaneously interrupted upon the occurrence of a ground fault which may not exceed 300 milli-amperes nominally. If nuisance tripping occurs on these circuits, the devices shall be permitted to be adjusted to the minimum setting necessary to prevent nuisance tripping. In no case shall a device be adjusted greater than the lower value of 500 milli-amperes or 1/2 of the neutral ground resistor's current rating.

(iii) The secondary main circuit breaker protecting any sensitive ground fault circuit subject to this section must also provide backup sensitive ground fault protection. Relay settings may include a short time delay (250mS) or a higher current setting, or both, to provide coordination. In no case shall a device be adjusted greater than the lower value of 500 milli-amperes or 1/2 of the neutral ground resistor's current rating.

(2) *Implementation schedule.* This section is effective \_\_\_\_\_, *(Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.)* for load centers that power equipment that operates inby the last open crosscut and that is purchased after \_\_\_\_\_, *(Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.)* and load centers that are rebuilt at new mines after \_\_\_\_\_ *(Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.)* For load centers that power equipment that operates inby the last open crosscut that are located in or at a mine \_\_\_\_\_, *(Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.)* sensitive ground fault protection shall be installed by \_\_\_\_\_ *(Editor's Note: The blank refers to 60 months after the effective date of adoption of this proposed rulemaking.)*

[Pa.B. Doc. No. 17-470. Filed for public inspection March 17, 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 March 7, 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>
2-14-2017	PeoplesBank, A Codorus Valley Company York York County	600 East Main Street Lititz Lancaster County (Limited Service Facility)	Opened
2-24-2017	CNB Bank Clearfield Clearfield County	107 Lamppost Lane Duncansville Blair County (Address changed from 2473 Old Route 220)	Opened
3-2-2017	Northwest Bank Warren Warren County	827 Hopkins Road Williamsville Erie County, NY	Withdrawn
3-2-2017	Northwest Bank Warren Warren County	1219 French Road Depew Erie County, NY	Withdrawn

#### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-27-2017	Mid Penn Bank Millersburg Dauphin County	<i>To:</i> 2148 Market Street Camp Hill Cumberland County  <i>From:</i> 2101 Market Street Camp Hill Cumberland County	Effective

### CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 17-471. Filed for public inspection March 17, 2017, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April 2017

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of April, 2017, is 5 1/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. 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 2.74 to which was added 2.50 percentage points for a total of 5.24 that by law is rounded off to the nearest quarter at 5 1/4%.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 17-472. Filed for public inspection March 17, 2017, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Availability of Draft 2016 Consolidated Plan Annual Performance and Evaluation Report

The Department of Community and Economic Development (Department) is preparing its 2016 Consolidated Annual Performance and Evaluation Report (CAPER) on

the progress and accomplishments made during the 2016 program year in implementing the Commonwealth's Consolidated Plan for Federal Fiscal Years 2014—2018. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing, homelessness and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth has allocated funds under several programs, namely the Community Development Block Grant, the HOME Investment Partnerships Program, the Emergency Solutions Grant Program and the Housing Opportunities for People with AIDS Program. Additionally, this CAPER will detail funding from 2016 under the Neighborhood Stabilization Program and the Community Development Block Grant—Disaster Recovery Program. The CAPER discusses accomplishments in relation to goals and objectives identified in the 2016 Action Plan of the Consolidated Plan.

The CAPER assesses the goals and objectives of this strategic plan; discusses how the Commonwealth is affirmatively furthering fair and affordable housing; reviews the activities of the Continuums of Care; and appraises how well resources in community development, homelessness and housing are being leveraged.

#### *Public Comments*

Individuals or organizations may provide written comments regarding this draft version of the CAPER. This report will be available on March 11, 2017, at <http://dced.pa.gov> or by calling (717) 720-7404. Written comments will be accepted about the CAPER content and the process by which public input is gathered. The Commonwealth encourages public participation in this process.

Written comments will be accepted until 4 p.m. on March 28, 2017, and should be sent to Megan L. Snyder, Department of Community and Economic Development, Center for Compliance, Monitoring and Training, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, RA-DCEDcdbg&home questions@pa.gov.

DENNIS M. DAVIN,  
*Secretary*

[Pa.B. Doc. No. 17-473. Filed for public inspection March 17, 2017, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in



accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
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>
PA0063479 (Sewage)	Village Center At Hamlin 678 Reistertown Road Baltimore, MD 21208	Wayne County Salem Township	Unnamed Tributary to West Branch Wallenpaupack Creek (1-C)	Yes
PA0029432 (Sewage)	Clarks Summit State Hospital 1451 Hillside Drive Clarks Summit, PA 18411-9504	Lackawanna County Newton Township	Falls Creek (4-G)	Yes
PA0029149 (Sewage)	The Inn at Pocono Manor Route 314 P.O. Box 38 Pocono Manor, PA 18349	Monroe County Pocono Township	Swiftwater Creek (01E)	Yes
PA0012149 (Industrial)	Dixon Ticonderoga Route 61 Deer Lake, PA 17961	Schuylkill County West Brunswick Township	Pine Creek (3-A)	Yes

*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>
PA0032352 (Sewage)	Hepburn Lycoming Elementary School 355 State Route 973 East Cogan Station, PA 17728	Lycoming County Hepburn Township	Lycoming Creek (10-A)	Yes

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0046159 (Sewage)	Houtzdale Borough Municipal Sewer Authority Wastewater Treatment Plant PO Box 277 116 Sterling Street Houtzdale, PA 16651-0277	Clearfield County Houtzdale Borough	Beaver Run (8-D)	No

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0209996 (Sewage)	Camp Allegheny 140 Jenkins Circle Ellwood City, PA 26117-7068	Lawrence County Wayne Township	Slippery Rock Creek (20-C)	Yes
PA0222747 (Sewage)	Seagull Cove SFTF 140 Seagull Lane North East, PA 16428	Erie County North East Township	Unnamed Tributary to Lake Erie (15-A)	Yes
PA0101079 (Sewage)	Oak Tree Country Club 60 Clubhouse Drive West Middlesex, PA 16159	Mercer County Shenango Township	Unnamed Tributary to Shenango River (20-A)	Yes

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

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

**PA0021768**, Sewage, SIC Code 4952, **Somerset Borough Municipal Authority**, PO Box 71, Somerset, PA 15501-0071. Facility Name: Somerset Borough STP. This existing facility is located in Somerset Township, **Somerset 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), East Branch Coxes Creek, is located in State Water Plan watershed 19-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.38	XXX	1.23
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	417	625	XXX	25.0	38.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	500	750	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX

<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>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	83.4	XXX	XXX	5.0	7.5	10.0
May 1 - Oct 31	33.4	XXX	XXX	2.0	3.0	4.0
Iron, Total	36.7	XXX	XXX	2.2	4.4	5.5

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

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

The EPA Waiver is not in effect.

**PA0204897**, Industrial, SIC Code 4111, **Port Authority of Allegheny County**, 345 Sixth Avenue, Pittsburgh, PA 15222-2527. Facility Name: Collier Garage. This existing facility is located in Collier Township, **Allegheny County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Manganese	XXX	XXX	XXX	Report	Report	XXX

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 not effect.

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

**PA0053201**, Sewage, SIC Code 5812, **Matthew Smith**, 1318 Route 309, Sellersville, PA 18960. Facility Name: Roy Ann Diner STP. This existing facility is located in West Rockhill Township, **Bucks County**.

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

The receiving stream(s), Threemile Run, is located in State Water Plan watershed 2-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0045 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0045 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.2
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
			XXX			
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000.0
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200.0	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1,000.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	20.0	XXX	40
Nov 1 - Apr 30	XXX	XXX	XXX	10.0	XXX	20
May 1 - Oct 31	XXX	XXX	XXX	0.5	XXX	1
Total Phosphorus	XXX	XXX	XXX	15.0	XXX	30.0
Oil and Grease	XXX	XXX	XXX			

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

- Operation and Maintenance of the plant
- Chlorine Minimization
- Lab Certification

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

The EPA Waiver is in effect.

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

**PA0275964**, Sewage, SIC Code 5812, 5751, **Route 209 LLC**, PO Box 543, Sciota, PA 18354. Facility Name: 5751 Route 209 LLC. This proposed facility is located in Hamilton Township, **Monroe County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0012 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.05
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	20.0	XXX	40
Nov 1 - Apr 30	XXX	XXX	XXX	10.0	XXX	20
May 1 - Oct 31	XXX	XXX	XXX	20.0	XXX	40
Total Suspended Solids	XXX	XXX	XXX	20.0	XXX	40
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	15.0	XXX	30
Nov 1 - Apr 30	XXX	XXX	XXX	5.0	XXX	10
May 1 - Oct 31	XXX	XXX	XXX			

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

The EPA Waiver is in effect.

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

**PA0044911**, Industrial, SIC Code 2023, **Land O Lakes Inc.**, 405 Park Drive, Carlisle, PA 17015-9270. Facility Name: Land O Land O Lakes Inc.—Carlisle Facility. This existing facility is located in South Middleton Township, **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.81 MGD:

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.02
Temperature (deg F) (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	Report	110	XXX
Jul 1 - 31	XXX	XXX	XXX	Report	93	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	67	135	XXX	10.0	20.0	25
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	67	135	XXX	10.0	20.0	25
Nitrate-Nitrite as N	XXX	Report	XXX	XXX	Report	XXX
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	18.7	32	XXX	4.5	9.0	11
May 1 - Oct 31	10	20	XXX	1.5	3.0	3.7
Total Kjeldahl Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Total Phosphorus	6.7	13.5	XXX	1.0	2.0	2.5

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

The EPA Waiver is in effect.

**PA0027189**, Sewage, SIC Code 4952, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428. Facility Name: Lower Allen WWTP. This existing facility is located in Fairview Township, **York County**.

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

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

The proposed effluent limits for Outfall 001 (at the discharge from the facility) are based on a design flow of 7.5 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>	1,564	2,502	XXX	25.0	40.0	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Total Suspended Solids	1,877	2,815 Wkly Avg	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	125	XXX	XXX	2.0	XXX	4.0

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

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

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

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

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

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

The EPA Waiver is not in effect.

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

**Application No. PA0233943 A-2**, Concentrated Animal Feeding Operation (CAFO), **Hoffman Family Farm, LLC**, 243 Healy Road, Shinglehouse, PA 16748-8537.

Hoffman Family Farm LLC has submitted an application for an Individual NPDES permit for an amendment of a CAFO known as Hoffman Family Farm, LLC, located in Hebron Township, **Potter County**.

The CAFO is situated near Unnamed Tributary of Elevenmile Creek in Watershed 16-C, which is classified for High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 1,726.27 animal equivalent units (AEUs) consisting of comprised of 800 milking cows, 85 dry cows, 450 heifers, 450 calves, and approximately 20 cows at any given time in the "Hospital" barn. Manure is stored in two circular concrete manure storages and one rectangular concrete underbarn reception pit. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

**PA0104442**, Sewage, SIC Code 4952, **Breakneck Creek Region Authority**, 1166 Mars-Evans City Road, Mars, PA 16046-1180. Facility Name: Breakneck Creek STP. This existing facility is located in Adams Township, **Butler 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), Breakneck Creek, is located in State Water Plan watershed 20-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 3.0 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	375	575	XXX	15	23	30
May 1 - Oct 31	250	375	XXX	10	15	20
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	751	1,126	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	XXX	Report Avg	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	82.6	XXX	XXX	3.3	XXX	6.6
May 1 - Oct 31	37.5	XXX	XXX	1.5	XXX	3
Total Phosphorus	50	XXX	XXX	2.0	XXX	4
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

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

- Whole Effluent Toxicity (WET)
- 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 814-332-6340.

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 0317400**, Sewage, **Freeport Borough Armstrong County**, 414 Market Street, Freeport, PA 16229-1122.

This proposed facility is located in Freeport Borough, **Armstrong County**.

Description of Proposed Action/Activity: Sewer system improvements to divert overflows away from sensitive stream areas.

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

**WQM Permit No. 3615403**, Sewerage, **Turkey Hill, LP**, 257 Centerville Road, Lancaster, PA 17603.

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

Description of Proposed Action/Activity: Seeking approval for the construction/operation of a pump station to connect Tractor Supply store sewer to the Turkey Hill Wastewater Treatment Plant.

**WQM Permit No. WQG02671701**, Sewerage, **The York Water Company**, 130 East Market Street, York, PA 17401-1219.

This proposed facility is located in Lower Windsor Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the East Maple Street Pumping Station.

**WQM Permit No. 6717403**, Sewerage, **Meadowbrook Mobile Home Park LP**, 710 Myrtle Court, New Cumberland, PA 17070.

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

Description of Proposed Action/Activity: Seeking approval to construct a sewage pumping station and transmission line discharging into municipal sewage manhole.

**WQM Permit No. 3195402**, Sewerage, **Orbisonia/Rockhill Joint Municipal Authority**, PO Box 346, Orbisonia, PA 17243.

This proposed facility is located in Cromwell Township, **Huntingdon County**.

Description of Proposed Action/Activity: Seeking approval to eliminate UV disinfection from their wastewater treatment facility and install chemical feed pumps.

**WQM Permit No. 2216403**, Sewerage, **Lower Paxton Township Sewer Authority**, 425 Prince Street, Suite 139, Harrisburg, PA 17109.

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

Description of Proposed Action/Activity: Seeking approval to modify the Parkchester Pump Station by installing a new raw waste water grinder.

**WQM Permit No. 617401**, Sewerage, **Ephrata Borough Authority**, 124 South State Street, Ephrata, PA 17522.

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

Description of Proposed Action/Activity: Seeking approval to construct pump station for new development and the surrounding industrial area.

**WQM Permit No. 0617403**, Sewerage, **Birdsboro Borough Municipal Authority**, 202 East Main Street, Birdsboro, PA 19508.

This proposed facility is located in Birdsboro Borough, **Berks County**.

Description of Proposed Action/Activity: Seeking approval to upgrade River Road Pump Station.

**WQM Permit No. 0617402**, Sewerage, **Birdsboro Borough Municipal Authority**, 202 East Main Street, Birdsboro, PA 19508.

This proposed facility is located in Birdsboro Borough, **Berks County**.

Description of Proposed Action/Activity: Seeking approval to upgrade Cocalico Road Pump Station.

**WQM Permit No. 2172402**, A2, Sewerage, **South Middleton Township Authority**, 345 Lear Lane, Boiling Springs, PA 17007.

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

Description of Proposed Action/Activity: Seeking approval for re-rating the organic loading of existing wastewater treatment plant based on observed loadings and operating data to properly define the upgraded capacity of treatment process.

**WQM Permit No. 6717402**, Sewerage, **Penn Township**, 1020 Wilson Avenue, Hanover, PA 17331.

This proposed facility is located in Penn Township, **York County**.

Description of Proposed Action/Activity: Seeking approval to install gravity conveyance sanitary sewer to connect the Penn Township Sewage Treatment Plant with existing sewer main at Penn Township's Industrial Park Pump Station.

**WQM Permit No. 0692402**, A3, Sewerage, **Exeter Township**, 4975 DeMoss Road, Reading, PA 19606-9060.

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

Description of Proposed Action/Activity: Seeking approval for replacement of existing influent pumps, force main piping and electrical controls in existing pump station.

**WQM Permit No. 6717401**, Sewerage, **Dover Township**, 2480 West Canal Road, Dover, PA 17315.

This proposed facility is located in Dover Township, **York County**.

Description of Proposed Action/Activity: Seeking approval for the replacement and upgrade of the Collection and Conveyance System.

**WQM Permit No. 3817201**, Industrial Waste, **Keystone Protein Company**, 154 West Main Street, Fredericksburg, PA 17026.

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

Description of Proposed Action/Activity: Seeking approval for construction of pump station and force main for expanded WWTP at Rendering Plant.



**WQM Permit No. 3617402**, Sewerage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603.

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

Description of Proposed Action/Activity: Seeking approval for construction of pump station and force main to replace Coloumbia's wastewater Treatment Plant and divert flows to LASA's Susquehanna Water Pollution Control Facility.

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

**WQM Permit No. 1617402**, Sewage, **Heather Cradit**, 3741 Philip Island Road, West Sacramento, CA 95691.

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

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

**WQM Permit No. 6117401**, Sewage, **Edward Weller**, 2070 Warren Road, Oil City, PA 16301.

This proposed facility is located in Frenchcreek Township, **Venango County**.

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

**WQM Permit No. 2517402**, Sewage, **Richard M Mirth**, 2550 Avis Drive, Harborcreek, PA 16421.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150008	Great Valley Community Organization 19 North Bacton Hill Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAD150016	Sweetbriar Investment Properties, LP 1595 Paoli Pike Suite 201 West Chester, PA 19380	Chester	Kennett Township	Unnamed Tributary to East and West Branch of Red Clay Creeks TSF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390016	DeSales University 2755 Station Ave. Center Valley, PA 18034	Lehigh	Upper Saucon Township	Laurel Run (CWF, MF)
PAD390021	DCT Industrial 10796 Kempwood Dr. Houston, TX 77143	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF)

*Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg, PA 18360-0917.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450016	DEPG Bartonville Route 611 Plaza, LP 580 West Germantown Pike Suite 103 Plymouth Meeting, PA 19462	Monroe	Stroud Township	Wigwam Run (HQ-CWF, MF) Pocono Creek (HQ-CWF, MF)
	DEPG Parcel D LLC 580 West Germantown Pike Suite 103 Plymouth Meeting, PA 19462			

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI-0321-16-011	Dickinson College 5 North Orange Street P.O. Box 1773 Carlisle, PA 17013	Cumberland County	Carlisle Borough	LeTort Spring Run (HQ-CWF)
PAD0310003	William Wingert 5497 Shade Lane Alexandria, PA 16611	Huntingdon County	Porter Township	Frankstown Branch Juniata River (WWF, MF)
PAD500001	DCNR—Bureau of State Parks PO Box 8551 Harrisburg, PA 17105	Perry County	Centre Township Juniata Township	Little Buffalo Creek (HQ-CWF, CWF)

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.*

*Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA 17754, (570) 433-3003.*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD410001	John Grado City Of Williamsport 245 W. 4th St Williamsport, PA 17701	Lycoming	Williamsport City	Lycoming Creek EV, MF

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAD040001	Blackhawk School District 500 Blackhawk Road Beaver Falls, PA 15010	Beaver County	Chippewa Township	North Fork Little Beaver Creek (HQ-CWF)
PAD300001	Southwestern Pennsylvania Water Authority	Greene County	Center Township	UNT to McCourtney Run (HQ-WWF); Hoge Run (HQ-WWF); House Run (HQ-WWF)
PAD300002	Waynesburg DPP, LLC 9010 Overlook Blvd. Brentwood, TN 37027	Greene County	Center Township	South Fork Ten Mile Creek (HQ-WWF)

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

PAG-12 CAFOs

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

*General Permit Type—PAG076103*

*Facility Location:*

Municipality and County	Permit No.	Applicant Name and Address	Site Name & Location	Contact Office & Phone Number
Franklin Township, Westmoreland County	PAG076103	Franklin Township Municipal Sanitary Authority 3001 Meadowbrook Drive Murrysville, PA 15668	Meadowbrook STP, Murrysville, Westmoreland County	DEP—SWRO—Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222

## CAFO Notices of Intent Received

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

**NPDES Permit No. PAG123716, CAFO, Laverne H Rohrer, 118 Bentz Mill Road, Wellsville, PA 17365.**

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

Description of size and scope of existing operation/activity: Poultry (Turkeys): 572.35 AEUs.

The receiving stream, Unnamed Tributary to North Branch Bermudian Creek, is in watershed 7-F and classified for: Warm Water Fishes.

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

**NPDES Permit No. PAG123519**, CAFO, **Monte Edgin**, RR 1 Box 42, Shirleysburg, PA 17260.

This existing facility is located in Cromwell Township, **Huntingdon County**.

Description of size and scope of existing operation/activity: Swine (Finishing): 590.06 AEUs.

The receiving stream, Unnamed Tributary to Aughwick Creek, is in watershed 12-C and classified for: Trout Stocking.

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

**NPDES Permit No. PAG123721**, CAFO, **Denise & Dennis Staub**, 352 Fleshman Mill Road, New Oxford, PA 17350.

This existing facility is located in Reading Township, **Adams County**.

Description of size and scope of existing operation/activity: Poultry (Turkeys): 419.63 AEUs.

The receiving stream, Unnamed Tributary to Markel Run, is in watershed 7-F and classified for: Warm Water Fishes.

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

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 0917504** Public Water Supply.

Applicant	<b>Warminster Municipal Authority</b> 415 Gibson Avenue Warminster, PA 18974
Township	Warminster
County	<b>Bucks</b>
Type of Facility	PWS
Consulting Engineer	Charles E. Corey, P.E. CKS Engineers 88 South Main Street Doylestown, PA 18901
Permit to Construct Issued	February 28, 2017

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

**Application No. 5217503**, Public Water Supply.

Applicant	<b>Lake Adventure Community Association</b> 105 Office Way North Milford, PA 18337
Municipality	Dingman Township
County	<b>Pike</b>
Responsible Official	Ray Fitzgerald, Manager
Type of Facility	PWS

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

Application Received February 28, 2017  
Date

Description of Action This application proposes  
construction of a duplex water  
booster pump station, a  
transmission main and other  
improvements to address low  
water pressure conditions along  
Porcupine Court and adjacent  
areas in the Lake Adventure  
recreational community.

**Application No. 5217502MA, Public Water Supply.**

Applicant **PA American Water Company**  
(Saw Creek Tank 7)  
800 W. Hershey Park Drive  
Hershey, PA 17033

[Township or Borough] Lehman Township  
**Pike County**

Responsible Official Mr. David Kaufman  
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Craig Darosh, PE  
PA American Water Company  
4 Wellington Blvd.  
Wyomissing, PA 19610

Application Received 02/27/2017

Description of Action Replacement of Saw Creek Tank  
7 by new 226,410 gallons tank.

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

**Permit No. 2817502 MA, Minor Amendment, Public  
Water Supply.**

Applicant **Greencastle Livestock  
Market**

Municipality Antrim Township

County **Franklin**

Responsible Official Jeff Craig, Owner  
720 Buchanan Trail East  
Greencastle, PA 17225

Type of Facility Public Water Supply

Consulting Engineer Karen C. Pollock, P.E.  
Systems Design Engineering  
1032 James Drive  
Lessport, PA 19533

Application Received: 2/21/2017

Description of Action Installation of facilities for 4-log  
treatment of viruses.

**Permit No. 3617505 MA, Minor Amendment, Public  
Water Supply.**

Applicant **Paradise Elementary School**

Municipality Paradise Township

County **Lancaster**

Responsible Official Jeremy Crum, Dep Operator  
1697 Swamp Pike  
Gilbertsville, PA 19525

Type of Facility Public Water Supply

Consulting Engineer Bruce Rader, P.E.  
Berks Surveying & Engineering,  
Inc.  
311 East Main Street  
Fleetwood, PA 19522

Application Received: 2/27/2017

Description of Action Installation of flow pacing  
chemical feed equipment and a  
bypass for nitrate treatment  
blending.

**Permit No. 3617506 MA, Minor Amendment, Public  
Water Supply.**

Applicant **Turkey Hill Dairy, Inc**

Municipality Manor Township

County **Lancaster**

Responsible Official William P. Gregory, Director of  
Operations Services  
2601 River Road  
Conestoga, PA 17516-9630

Type of Facility Public Water Supply

Consulting Engineer Peter Lusardi, P.E.  
GHD, Inc.  
1240 N. Mountain Rd.  
Harrisburg, PA 17112

Application Received: 3/1/2017

Description of Action Storage Tank repainting.

**Permit No. 3060087, Public Water Supply.**

Applicant **Western Berks Water  
Authority**

Municipality Centre Township

County **Berks**

Responsible Official

Type of Facility Public Water Supply

Consulting Engineer Not Listed

Application Received: 2/15/2017

Description of Action This permit is being issued as a  
comprehensive operation permit.  
It will transfer ownership and  
operation of the public water  
system, PWSID 3060087, from  
Mohrsville Water Association,  
Inc. to Western Berks Water  
Authority and being renamed as  
Western Berks Water  
Authority—Mohrsville District.

*Southwest Region: Safe Drinking Water Program Man-  
ager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 2617503, Public Water Supply.**

Applicant **National Pike Water  
Authority**  
PO Box 10  
Markleysburg, PA 15459

[Township or Borough] Henry Clay Township

Responsible Official Richard Dennis, Chairman  
National Pike Water Authority  
PO Box 10  
Markleysburg, PA 15459

Type of Facility Water system

Consulting Engineer McMillen Engineering, Inc.  
115 Wayland Smith Drive  
Uniontown, PA 15401

Application Received Date February 23, 2017

Description of Action Installation of the Flat Rock  
water storage tank with mixer.

[Township or Borough] Tarentum Borough

Responsible Official Michael Gutonski, Borough  
Manager  
Tarentum Borough  
318 2nd Avenue  
Tarentum, PA 15084

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Application Received Date February 22, 2017

Description of Action Painting of the Tarentum Tank  
# 1.

**MINOR AMENDMENT**

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

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

**Application No. 4813502MA, Minor Amendment.**

Applicant **Hellertown Borough Authority**  
P.O. Box 81  
501 Durham St.  
Hellertown, PA 18055

[Township or Borough] Hellertown Borough  
**Northampton County**

Responsible Official Mr. Glenn B. Higbie,  
Administrator  
Hellertown Borough Authority  
P.O. Box 81  
501 Durham Street  
Hellertown, PA 18055

Type of Facility Public Water Supply

Consulting Engineer N/A

Application Received Date 12/5/2016

Description of Action Removal of Well 3 from PWS  
system.

**Application No. 2400023, Minor Amendment.**

Applicant **Adams and Associates, Keystone Job Corps Center**  
235 West Foothills Dr.  
Drums, PA 18222

[Township or Borough] Butler Township,  
**Luzerne County**

Responsible Official Thomas Pendleton

Type of Facility Public Water Supply

Consulting Engineer N/A

Application Received Date 2/27/2017

Description of Action Transfer of PWS permit 2400023  
for PWS facilities.

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

**Application No. 0217514MA, Minor Amendment.**

Applicant **Tarentum Borough**  
318 2nd Avenue  
Tarentum, PA 15084

**Application No. 0217515MA, Minor Amendment.**

Applicant **Wilkesburg-Penn Joint Water Authority**  
2200 Robinson Boulevard  
Pittsburgh, PA 15221

[Township or Borough] Penn Hills

Responsible Official Nick Bianchi, Executive Director  
Wilkesburg-Penn Joint Water  
Authority  
2200 Robinson Boulevard  
Pittsburgh, PA 15221

Type of Facility Water system

Consulting Engineer Chester Engineers  
1555 Coraopolis Heights Road  
Moon Township, PA 15108

Application Received Date March 2, 2017

Description of Action Painting of the Long Vue (Mark  
Drive) water storage tank.

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

**Application No. 6109503-MA2, Minor Amendment.**

Applicant **Aqua Pennsylvania**

Township or Borough Emlenton

Responsible Official Zach Martin

Type of Facility Public Water Supply

Consulting Engineer Robert Horvat PE

Application Received Date February 14, 2017

Description of Action Recoating 3 existing steel  
process basins at the WTP

**WATER ALLOCATIONS**

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

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

**WA 22-380B, Water Allocations. Gratz Borough Water Revenue Fund (PWS ID No. 7220005), Dauphin County.** The applicant is requesting the right to with-

draw up to a maximum of 30,000 gallons per day (gpd) from Cold Spring and up to a maximum of 35,063 gpd from Bower Spring. Applicant Address: Larry R. Shade, Water System Superintendent, Gratz Borough Municipal Authority, PO Box 305, Gratz, PA 17030. Consulting Engineer: N Peter Fleszar, P.E., Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011. Application Received: 12/21/2016.

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

**WA-697C**, Water Allocations. **Municipal Authority of Buffalo Township**, 707 Sarver Pike Road, Sarver, PA 16055, **Armstrong County**. The applicant is requesting the right to withdraw 1,250,000 gallons of water per day from the Allegheny River.

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

**WA24-37B** Water Allocations. **Ridgway Borough Water Treatment Plant**, Ridgway Borough, **Elk County**. The applicant is requesting the right to withdraw up to 2,110,000 gallons per day from Big Mill Creek.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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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 Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass.*

**Roberto Clemente Middle School**, 3921-3961 North 5th Street, City of Philadelphia, **Philadelphia County**. James Manuel, REPSG Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, Natalie Griffith, RESPG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Walter Troilver, Esperanza, 4261 North 5th Street, Philadelphia, PA 19140 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of inorganics. The future use of the property will remain the same. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on February 10, 2017. PF7816125.

**2358 North Penn Road Site**, 2358 North Penn Road, Hatfield Township, **Montgomery County**. Victoria Long, RT Environmental Services, Inc., 25 West Church Road, Suite 300, King of Prussia, PA 19406, Craig Herr, RT Environmental Services Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of Wendy Kitson, 44 Mauch Chunk Street, Leighton, PA 18325 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the property will remain the same. A Notice of Intent to Remediate was published in the *North Penn Life* on January 29, 2017. PF816016.

#### **DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

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**Application(s) for Determination of Applicability Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and 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**

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

**General Permit Application No. WMGR081, Program I.D. WMGR081NE001, UNICOR Federal Prison Industries**, Route 81 and 901W, Minersville, PA 17954. A

General Permit Determination of Applicability (DOA) for an electronics recycling facility to be located at the Schuylkill Federal Correctional Institute located in Butler Township, **Schuylkill County**. The application for Determination of Applicability was received in the Regional Office on February 1, 2017, and was deemed administratively complete on February 28, 2017.

Persons interested in obtaining more information about the Determination of Applicability 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.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25

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

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

### PLAN APPROVALS

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

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

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

**48-00011A: Martins Creek, LLC** (835 Hamilton Street, Allentown, PA 18101-1179) for the installation of Flue Gas recirculation (FGR) and Separated Over Fired Air (SOFA) equipment on boilers to control nitrogen oxide (NO<sub>x</sub>) emissions at the site located in Lower Mt Bethel Twp., **Northampton County**.

**48-00021B: Northampton Generating Company LP** (1 Horwith Drive, Northampton, PA 18067) for the Plantwide Applicability Limit (PAL) for their existing sources operating at their facility located in Northampton Borough, **Northampton County**.

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

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

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

**13-00008A: KME Corporation** (1 Industrial Complex, Nesquehoning, PA 18204) for their facility in Nesquehoning Borough, **Carbon County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval for KME Corporation (1 Industrial Complex, Nesquehoning, PA 18204) for their facility in Nesquehoning Borough, Carbon County. This Plan Approval No. 13-00008A will be incorporated into a Title V Permit through an administrative amendment at a later date.

Plan Approval No. 13-00008A is for the operation of two (2) baghouse dust collectors to control particulate matter (PM). The main emissions from these sources are PM. The sources will be required to comply with 25 Pa. Code § 123.13 particulate matter standards. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 13-00008A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

**06-03171A: Dengler Funeral Home, Inc.** (144 North Spruce Street, Birdsboro, PA 19508) for construction of a human crematory controlled by an afterburner at the facility in Birdsboro Borough, **Berks County**. The facility has the following potential air emissions: 0.53 tpy of PM, 0.35 tpy of CO, 0.42 tpy of NO<sub>x</sub> and negligible for VOCs. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination source as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. The plan approval and subsequent State-Only operating permit will include emission restrictions, work practice standards, and testing, monitoring, record keeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the source is constructed and operated in compliance with

the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an Operating Permit pursuant the provisions of 25 Pa. Code Chapter 127.

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

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

**10-265E: Iron Mountain Information Management, LLC** (1137 Branchton Road, Boyers, PA 16020), for the proposed construction of 6 new emergency generators and eliminating the current individual engine hour run time limits of 100 hr/engine in Cherry Township, **Butler County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 10-265E is for the proposed construction of 6 new diesel generators, eliminating current individual engine hour runtimes by implementing a site-wide engine hour use cap of 6,345 hours, and removing Sources 105, 106, & 107. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Site Level Requirements:

- All engines (except Source 105, 106, & 107) at the facility shall not exceed 6,345 hours per year combined operation based on a 12-month rolling total.

- Source 101 shall not exceed 225 hours per year based on a 12-month rolling total.

- Source 110, Source 111, & Source 112 shall not exceed 350 hours per year per engine based on a 12-month rolling total.

- The following engines shall not exceed 500 hours per year per engine based on a 12-month rolling total: Source 102, Source 108, Source 109, Source 113, Source 114, Source 115, Source 116, Source 118, Source 119, Source 120, Source 121, Source 122, Source 125, Source 126, Source 127, Source 128, & Source 129.

- Source 117, Source 123, & Source 124 shall not exceed 750 hours per year per engine based on a 12-month rolling total.

- The facility shall maintain the following records:

- Monthly records of the hours of operation for each engine

- 12-month rolling totals of the hours of operation for each engine

- 12-month rolling total of the hours of operation for all engines at the facility

- Source 105, Source 106, & Source 107:

- The permittee shall inform the Department, within 60 days, when the source is removed from service.



- Source 124, Source 125, Source 126, Source 127, Source 128, & Source 129:

- The emissions from the engine shall not exceed the following:

- NO<sub>x</sub>: 6.9 g/bhp-hr
- CO: 2.0 g/bhp-hr
- PM: 0.4 g/bhp-hr
- THC: 1.0 g/bhp-hr

- Visible emissions from diesel engine(s) stacks shall not exceed the following limitations:

- Equal to or greater than 10% for a period or periods aggregating more than three (3) minutes in any one (1) hour; and

- Equal to or greater than 30% at any time.

- Odor emissions in such a manner that the malodors are detectable outside the property of the permittee as specified in 25 Pa. Code § 123.31.

- Vendor guarantees shall be sufficient to determine compliance with emission limitations for Source 124. However, the Department reserves the right to require an additional verification of emission rates which may include source testing in accordance with applicable provisions of 25 Pa. Code Chapter 139 (relating to sampling and testing).

- Within 180 days of construction, the permittee shall perform stack testing in accordance with 25 Pa. Code Chapter 139. This testing shall be for THC, NO<sub>x</sub>, CO, & PM to show compliance for Sources 125, 126, 127, 128, & 129.

- Within 12 months after the initial stack testing, and annually thereafter, the permittee shall perform NO<sub>x</sub> emissions tests upon each of the respective engines using a portable analyzer approved by the Department. The Department may alter the frequency of annual portable analyzer tests based on the results. The Department may also waive all or parts of this requirement if the permittee demonstrates compliance, in lieu of testing, through alternate means satisfactory to the Department. The Department reserves the right to require stack tests in accordance with EPA reference methods should data from the portable analyzer warrant such tests. The purpose of this testing is to demonstrate compliance with the emission limitations required for new engines.

- The permittee shall maintain accurate records, which, at a minimum, shall include:

- The number of hours per calendar year that each engine operated using non-resettable hour meter.

- The amount of fuel used per calendar year in each engine.

- The permittee shall maintain records or report the following:

- Records including a description of testing methods, results, all engine operating data collected during the tests and a copy of the calculations performed to determine compliance with emissions standards.

- Copies of the report that demonstrates that the engines were operating at rated brake horsepower and rated speed conditions during performance testing.

- Submittal of reports in accordance with the requirements and schedules outlined in the testing requirement.

- Records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request. The Department reserves the right to expand the list of required recordkeeping as it may reasonably prescribe pursuant to the provisions of Section 4 of the Pennsylvania Air Pollution Control Act (35 P.S. § 4004), and as it may deem necessary to determine compliance.

- The permittee shall submit the actual manufacturer, model, and bhp rating of each engine constructed if it is different than what was submitted in the application.

- The permittee shall submit a plan approval application if the actual engine being installed has a larger bhp rating than that listed in this plan approval.

- The permittee shall submit a plan approval application if the actual engine being installed has different Subpart IIII requirements than those listed in this plan approval.

- Subject to 40 CFR 60 Subpart IIII

- Subject to 40 CFR 63 Subpart ZZZZ

- Source 120, Source 121, Source 122, & Source 123:

- All conditions from the GP9-10-265D permit issued on April 11, 2016, for this source remain in effect unless modified in this plan approval.

- Source 101, Source 102, Source 105, Source 106, Source 107, Source 108, Source 109, Source 110, Source 111, Source 112, Source 113, Source 114, Source 115, Source 116, Source 117, Source 118, & Source 119:

- All conditions from the facility operating permit revised on September 10, 2015, for this source remain in effect unless modified in this plan approval.

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

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [10-265E] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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

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

### OPERATING PERMITS

#### Intent to Issue Title V Operating Permits 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.*

**23-00043: Sunoco Partners Marketing and Terminals, LP** (# 4 Hog Island Ave., Philadelphia, PA 19153) for renewal of a Title V Operating Permit in Tinicum Township, **Delaware County**. This facility is a major VOC emitting facility. There have been no modifications or source changes at the facility since the operating permit was last issued in 2011. Sources include Tanker Ballasting operations and fugitive emissions. This renewal will establish source level VOC emissions for Tanker Ballasting and fugitive emissions to 1 TPY for each source, thereby exempting the facility from the provisions of Pennsylvania's recently promulgated Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOC, codified under 25 Pa. Code §§ 129.96—129.100, and also commonly referred to as RACT Phase II Requirements. The renewal of this operating permit does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

#### 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.*

**23-00099: Haven Memorial Park** (2500 Concord Road, Chester, PA 19013) for operation of a human crematory in Chester Township, **Delaware County**. The renewal permit is for a non-Title V (State only) facility. The sources of air emissions are 2 two-stage human crematory units, both firing on natural gas. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00247: Universal Concrete Products Corporation**, (400 Old Reading Pike, Stowe, PA 19464) for the renewal of a non-Title V, State Only Operating Permit, Natural Minor for the facility located in West Pottsgrove Township, **Montgomery County**. This facility manufactures pre-cast concrete exteriors used for building architecture. This facility operates a cement batch plant that is operated indoors. Concrete is formed in cement molds (Source ID 111), which are made from resin coatings

containing VOC and HAP. For some client needs, hydroblasting is used to add texture to the concrete. PM emission result from four (4) outdoor silos, each equipped with bin vents, and the hydroblasting operation. Combustion from fifteen (15) kerosene heaters and two (2) natural gas Beck water heaters results in emissions of all criteria pollutants. The following are potential site-wide emissions: PM—less than 15 TPY; SO<sub>x</sub>—less than 3 TPY; NO<sub>x</sub>—less than 2 TPY; CO—less than 1 TPY; VOC—less than 1 TPY; and HAP—less than 1 TPY. Monitoring, record keeping and reporting requirements already exist in the operating permit to address applicable limitations.

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

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

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

**S15-002: Saint Joseph's University** (5600 City Avenue, Philadelphia, PA 19131) for the operation of a university in the City of Philadelphia, **Philadelphia County**. The facility's major air emission source are 2 Boilers rated at 10.3 MMBTU/hr and one Boiler rated at 20.7 MMBTU/hr, 14 emergency generators less than 500 KW each, 39 boilers less than 5 MMBTU/hr each.

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

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

### PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Reilly Plating Company d/b/a Reilly Finishing Technologies** (130 Alden Road, Nanticoke, PA 18634) for their facility located in Nanticoke, **Luzerne County**. This Plan Approval No. 40-00059B will be incorporated into a State Only Permit through an administrative amendment at a later date.

**Plan Approval No. 40-00059B** is for the installation of a new Wet Paint Line with filters and curing oven. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Particulate emissions will not exceed 0.04 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 129.52 for VOC emission limits. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of a dry filters and curing oven. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00059B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

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

**Permit No. 32010110. Alverda Enterprises, Inc.**, P.O. Box 245, Alverda, PA 15710, permit renewal for reclamation only of a bituminous surface mine in Pine Township, **Indiana County**, affecting 78.1 acres. Receiving streams: unnamed tributary to Leonard Run and unnamed tributary to Little Yellow Creek classified for following use: high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 27, 2017.

**Permit Number 56663069. NPDES No. PA0120944 and General Permit GP-12-56663069, Heritage Coal & Natural Resources, LLC**, 550 Beagle Road, Rockwood, PA 15557, revision of an existing bituminous surface mine and auger mine to obtain coverage for coal processing under air quality general permit GP-12 in Elk Lick & Summit Townships, **Somerset County**, affecting 3,040.0 acres. Receiving streams: unnamed tributaries to Casselman River, Casselman River, unnamed tributary to Elk Lick Creek and Elk Lick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 15, 2016.

**Permit Number 05160101. NPDES No. PA0279447 and General Permit GP-12-05160101, J&J Svonavec Excavating, Inc.**, 618 Samuels Road, Somerset, PA 15501, a bituminous coal mining site to obtain coverage for coal processing under air quality general permit GP-12 in Broad Top, Wells & Fulton Townships, **Bedford, Fulton & Huntingdon Counties**, affecting 95.0 acres. Receiving streams: unnamed tributary to/and Great Trough Creek classified for the following use: trout

stocked fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 28, 2017.

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

**61040102. Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215) Revision to an existing bituminous surface mine to change the post-mining land use from forestland and forestland now abandoned surface mine to unmanaged natural habitat on the Neil Atwell property in Irwin Township, **Venango County**. Receiving streams: Two unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 27, 2017.

**61970101. Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215) Revision to an existing bituminous surface mine to change the post-mining land use from forestland and forestland now abandoned surface mine to unmanaged natural habitat on the Glenn H. McFadden property in Irwin Township, **Venango County**. Receiving streams: Four unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 27, 2017.

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

**03120101 and NPDES Permit No. PA0252204. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Revision application for quarrying of incidental sandstone and shale to an existing bituminous surface mine, located in Freeport Borough, **Armstrong County**, affecting 97 acres. Receiving streams: unnamed tributary

to Buffalo Creek and Buffalo Creek, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: February 6, 2017.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 54060103R2. Gale Mining Co.**, (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse disposal operation in Tremont Township, **Schuylkill County** affecting 308.0 acres, receiving stream: Lorberry Creek, classified for the following uses: cold water and migratory fishes. Application received: February 15, 2017.

**Permit No. 54060103C4. Gale Mining Co.**, (1441 Oak Road, Pottsville, PA 17901), correction of an existing anthracite surface mine and coal refuse disposal operation to change the post-mining land use from forestland to unmanaged natural habitat and forestland in Tremont Township, **Schuylkill County** affecting 308.0 acres, receiving stream: Lorberry Creek, classified for the following uses: cold water and migratory fishes. Application received: February 15, 2017.

**Permit No. 54860110R6. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Cass and Foster Townships, **Schuylkill County** affecting 99.0 acres, receiving stream: West Branch Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: February 27, 2017.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**08110302 and NPDES PA0257541. Hanson Aggregates Pennsylvania LLC** (7660 Imperial Way, Allentown, PA 18195). Renewal for an existing NPDES on a large noncoal surface mining site located in Wilmot Township, **Bradford County** affecting 61.11 acres. Receiving stream(s): Unnamed Tributary to Panther Lick Creek to Sugar Run classified for the following use(s): CWF, MF. Application received: February 9, 2017.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 66000812. Herman Birster**, (P.O. Box 275, Nicholson, PA 18446), Stage I & II bond release of a quarry operation in Nicholson Township, **Wyoming County** affecting 1.0 acre on property owned by Herman Birster. Application received: February 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.

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0599352 (Mining Permit No. 4074SM12), New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77 New Enterprise, PA 16664, renewal of an NPDES permit for discharge of water resulting from limestone and sandstone surface mining in Jefferson Township, **Somerset County**, affecting 317 acres. Receiving streams: unnamed tributaries to Kooser Run, classified for the following use: High Quality-Cold Water Fishes. The receiving streams are included in the Casselman River TMDL. Application received: February 17, 2017.

The outfalls listed below discharge to unnamed tributaries to Kooser Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
005	N

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

<i>Outfalls: 005 (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)	1.5	3.0	3.7
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	20.0	40.0	50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units			
Alkalinity must exceed acidity			
<i>Outfalls: 001, 002, 003, &amp; 004</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>(All Weather Conditions)</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/l)	20.0	40.0	50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units			
Alkalinity must exceed acidity			

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**NPDES Permit No. PA0224499 on Surface Mining Permit No. 7774SM3. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc.**, (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), renewal of an NPDES Permit for a limestone quarry operation in Maxatawny Township and Kutztown Borough, **Berks County**, affecting 267.39 acres. Receiving stream: Sacony Creek, classified for the following uses: cold water and warm water fishes. Application received: December 9, 2015.

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

The outfall(s) listed below discharge to Sacony Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Surface and Groundwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instantaneous</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
PCE (Perchloroethylene)	0.005	0.005	0.005	
Discharge	11.52*	11.52*		
(*million gallons per day)				

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

**NPDES Permit No. PA0225649 on Surface Mining Permit No. 7975SM5. KPK Development Corp.**, (1082 Temperance Lane, Richboro, PA 18954), renewal of an NPDES Permit for a sand and gravel quarry operation in Falls Township, **Bucks County**, affecting 110.0 acres. Receiving stream: Martins Creek, classified for the following use: warm water fishes. Application received: January 3, 2017.

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

The outfall(s) listed below discharge to Martins Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
SP01	Yes	Sedimentation Pond

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Turbidity NTU (MDT/Mech Control)		40	80	100
TDS (mg/l)	Monitor and Report			
Discharge (MGD)	Monitor and Report			

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

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

### Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southcentral Region: Waterways & Wetlands Program, 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.**

The applicant proposes 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, 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, 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.

**EA36-044: Lancaster County Solid Waste Management Authority, P.O. Box 4425, 1299 Harrisburg Pike, Lancaster, PA 17604, in Manor Township, Lancaster County, U.S. Army Corps of Engineers Baltimore District.**

To place and maintain fill in 0.16 acre of palustrine emergent wetlands for the purpose of maintaining and enhancing wetlands that were previously impacted by the draining of a manmade pond. To compensate for the impacts, the applicant proposes to re-establish 0.875 acre of palustrine emergent/ palustrine scrub shrub wetland onsite. The project is located along River Road (Latitude: 39° 57' 37" N; Longitude: 76° 26' 33.7" W) in Manor Township, Lancaster County.

**E21-455: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Lower Mifflin Township, Cumberland County, U.S. Army Corps of Engineers Baltimore District.**

To remove the existing structure and to 1) construct and maintain a single-span concrete adjacent box beam bridge, having a total span of 77.0 feet, a width of 30.4 feet, and an underclearance of 5.20 feet, all over Doubling Gap Creek (HQ-CWF, MF), 2) relocate 97.0 linear feet of an unnamed tributary to Doubling Gap Creek (HQ-CWF, MF), and 3) temporarily impact 0.02 acre of PEM/PFO wetland and permanently impact 0.01 acre of PEM/PFO wetland, all along Roxbury Road (SR 0997) in Lower Mifflin Township, Cumberland County (Latitude: 40° 14' 17.6"; Longitude: -77° 26' 42.4"), for the purpose of improving the roadway to current safety standards. The amount of wetland impact is considered de minimus and wetland mitigation is not required.

**E22-633: Susquehanna Township Authority, 1900 Linglestown Road, Harrisburg, PA 17110, Susquehanna Township, Dauphin County, U.S. Army Corps of Engineers Baltimore District.**

Replacement of approximately 14,540 linear feet of existing sanitary sewer and associated manholes within Minibasin 32E to address infrastructure issues. The project involves 6 stream crossings to include 5 stream bank restorations, 1 pond crossing, 3 wetland crossings, and work within the floodway of unnamed tributaries to Paxton Creek (WWF, MF). The project temporarily impacts 0.412 of an acre of palustrine emergent wetlands and permanently impacts 0.008 of an acre of wetland. Stream impacts include 2.03 acres and 0.05 of an acre of temporary and permanent impacts, respectively. The project is located in Susquehanna Township, Dauphin County (Latitude 40° 19' 36.5", Longitude -76° 52' 37.7"). Wetland impacts are de minimis and replacement is not required.

**E06-629 Prologis**, One Meadowlands Plaza, Suite 100, East Rutherford, NJ 07073, ACOE Baltimore District, Bethel Township, **Berks County** (Bethel, PA Quadrangle, Latitude: 40° 29' 3", Longitude: -76° 15' 5").

The applicant proposes to amend the previously issued water obstruction and encroachment permit, permit number E06-629, which authorized the following:

To construct a 1,000,000.0 square foot warehouse facility impacting 0.223 acre of PEM wetlands, and 0.43 acre of PEM/PSS wetlands. To compensate for wetland impacts, the permittee is required to construct 0.66 acre of replacement wetlands onsite. The project is located on the South Side of I-78, between exits 15 (Grimes) and 16 (Midway) (Bethel, PA Quadrangles N: 19.52 inches; W: 0.15 inch; Latitude: 40° 28' 57"; Longitude: 76° 15' 04") in Bethel Township, Berks County.

The applicant is proposing to amend the permit by changing the location of the compensatory wetland mitigation on the site, changing some of the wetland impacts without impacting the wetlands, and newly proposed impacts to a stream all of which now result in the following proposed project:

To construct and maintain a 1,084,156 square foot warehouse facility permanently impacting 0.223 acre of PEM wetlands, and 0.43 acre of PEM/PSS wetlands, and permanently filling and impacting 18 linear feet of a UNT to Little Swatara Creek (CWF, MF). To compensate for wetland and stream impacts, the applicant is proposing to 1) construct 1.19 acre of replacement wetlands while temporarily impacting a PEM/PSS/PFO wetland to facilitate construction, and 2) construct a new 50 feet long stream channel on-site. The project is located on the South Side of I-78, between exits 15 (Grimes) and 16 (Midway) (Bethel, PA Quadrangle, Longitude: 76° 15' 5") in Bethel Township, Berks County.

**E67-927: Brookside, LLC**, 1500 Baltimore Street, Hanover, PA 17061, Penn Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To install a 20-foot by 6-foot pre-cast concrete bridge and 4 utility line crossings of an unnamed tributary to Oil Creek (WWF, MF) for the purpose of providing an access drive within the Brookside Heights Subdivision. The project is located at the end of South Center Street between Meadowview Drive and Brookside Avenue. (Hanover Quadrangle 39° 47' 45.6366" N, 76° 57' 46.4754" W). There are no wetlands located in the project area.

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

**F41-007 Lycoming County**, 48 W. Third Street, Williamsport, PA 17701 Floodplain encroachment demolitions (7) in various municipalities as noted below, **Lycoming County**, US ACOE Baltimore District. Lycoming Borough is seeking authorization to demolish the existing floodplain encroachments (flood damaged structures) and to re-grade the floodplain at the following locations.

217 N. Market Street, Muncy, PA 17756—Muncy Quadrangle, Lat.: 41.209936° N, Long.: 76.787820° W.

170 W. Water Street, Muncy PA 17756—Muncy Quadrangle, Lat.: 41.205880° N, Long.: 76.794057° W.

457 Haleeka Road, Cogan Station, PA 17728—Cogan Station Quadrangle, Lat.: 41. 327883° N, Long.: 77.090303° W.

1395 Cottage Avenue, Williamsport, PA 17701—Cogan Station Quadrangle, Lat.: 41.296818° N, Long.: 77.055782° W.

2791 Creekside Lane, Williamsport, PA 17701—Cogan Station Quadrangle, Lat.: 41.27619° N, Long.: 77.055594° W.

1115 Cottage Avenue, Williamsport, PA 17701—Cogan Station Quadrangle, Lat.: 41.28911° N, Long.: 77.054737° W.

2410 Heshbon Road, Williamsport, PA 17701—Cogan Station Quadrangle, Lat.: 41.268408° N, Long.: 77.049586° W.

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

**E63-700, Ralph J. Opferman Jr.**, 3 Airport Road, Union Township, **Washington County**, Pittsburgh ACOE District.

The applicant proposes to:

Operate and maintain a 48" corrugated metal pipe that is 210 feet long that was previously installed on Ralph Opferman, Jr's property for the purpose of establishing parking on this property. The pipe carries an unnamed tributary of Froman Run (WWF). The pipe is located near the rear of the property which is currently used for office space near the intersection of Airport Road and Lake Drive (Hackett, PA, USGS Topographic Quadrangle; Latitude: 40° 14' 6.90 N", Longitude: -80° 00' 5.82 W", Sub-basin 19C, Army Corp of Engineers Pittsburgh District), in Union Township, Washington County.

#### DAM SAFETY

*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.*

**D59-079. Brian H. Keck**, 2796 Route 328, Millerton, PA 16936. To construct, operate, and maintain Jackson Summit Dam across Hammond Creek (CWF, MF), impacting 200 linear feet of stream, for the purpose of abating the nuisance of periodic flooding mandated by the Court of Common Pleas of **Tioga County**, Pennsylvania Order (No. 933 2009). (Jackson Summit, P.A.-N.Y. Quadrangle Latitude: 41.9446° N; Longitude: 77.01395° W) in Jackson Township, Tioga County.



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**ACTIONS**


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**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.

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**I. NPDES Renewal Permit Actions**


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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032395 (Sewage)	Lakeview MHP STP PO Box 511 Mt Pleasant, PA 15666-0511	Fayette County Perry Township	Virgin Run (19-D)	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>
PA0261963	WG America Co. 2 East Pointe Drive Birdsboro, PA 19508	Cumru Township, Berks County	Schuylkill River in Watershed 3-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222160 (Sewage)	Hemlock MHP PO Box 72158 Thorndale, PA 19372-0158	Mercer County Wolf Creek Township	East Branch Wolf Creek (20-C)	Yes
PA0263842 (Sewage)	Keating Township Farmers Valley STP PO Box 103 East Smethport, PA 16730	McKean County Keating Township	Potato Creek (16-C)	Yes
PA0036994 (Sewage)	Pleasantville Borough STP 114 W State Street PO Box 150 Pleasantville, PA 16341	Venango County Pleasantville Borough	West Pithole Creek (16-E)	Yes
PA0035581 (Sewage)	PA DOT McKean County Maintenance Bldg PO Box 3060 Harrisburg, PA 17105-3060	McKean County Lafayette Township	Unnamed Tributary of Threemile Run (16-B)	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. PAG123843**, CAFO, **Dwayne Nolt**, 58 E Strack Drive, Myerstown, PA 17067-2160.

This proposed facility is located in Jackson Township, **Lebanon County** in Watershed 7-D.

Description of Proposed Action/Activity: Applicant is authorized to operate a Concentrated Animal Feeding Operation (CAFO) located in Jackson Township, Lebanon County in Watershed 7-D, in accordance with all limitations, monitoring, reporting, record-keeping requirements, and other special conditions set forth in Parts A, B, and C of the PAG-12 and this Approval for Coverage. The CAFO contains 554.30 AEUs and the CAFO shall only make changes to the AEUs consistent with this permit and the Nutrient Management Plan (NMP) for the CAFO.

**NPDES Permit No. PAG123839**, CAFO, **Spring Valley Dairy LLC**, 1611 Auction Road, Manheim, PA 17545.

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

Description of Size and Scope of Proposed Operation/Activity: Applicant is hereby authorized to operate a Concentrated Animal Feeding Operation (CAFO) located in Rapho Township, Lancaster County in Watershed 7-G, in accordance with all limitations, monitoring, reporting, record-keeping requirements, and other special conditions set forth in Parts A, B, and C of the PAG-12 and this Approval for Coverage. The CAFO contains 472.06 AEUs and the CAFO shall only make changes to the AEUs consistent with this permit and the Nutrient Management Plan (NMP) for the CAFO.

**NPDES Permit No. PAG123740**, CAFO, **Belview Valley Farms LLC**, 458 Gemmill Road, Delta, PA 17314.

This proposed facility is located in Peach Bottom Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity:

Applicant is authorized to operate a Concentrated Animal Feeding Operation (CAFO) located in Peach Bottom Township, York County in Watershed 7-I, in accordance with all limitations, monitoring, reporting, record-keeping requirements, and other special conditions set forth in Parts A, B, and C of the PAG-12 and this Approval for Coverage. The CAFO contains 632.50 AEUs and the CAFO shall only make changes to the AEUs consistent with this permit and the Nutrient Management Plan (NMP) for the CAFO.

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

**NPDES Permit No. PA0264849**, Sewage, SIC Code 4952, 8800, **Howard Stanford**, 450 Stanford Road, Prospect, PA 16052.

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

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

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

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

**WQM Permit No. 364S19 A-3**, Sewage, **Parker Area Authority**, PO Box 342, Parker, PA 16049.

This existing facility is located in Parker City, **Armstrong County**.

Description of Proposed Action/Activity: Replace gaseous chlorination with sodium hypochlorite solution system.

**WQM Permit No. 0216407**, Sewage, SIC Code 8800, **Riviera Land Partners LP**, 2585 Washington Road, Pittsburgh, PA 15241.

This proposed facility is located in Pine Township, **Allegheny County**.

Description of Proposed Action/Activity: construction and operation of sanitary sewers and a low pressure sewer system.  
*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 6616402**, Sewage, SIC Code 7032, **Camp Morasha Inc.**, 1118 Avenue J, Brooklin, NY 11230.

This proposed facility is located in Buckingham Township, **Wayne County**.

Description of Proposed Action/Activity: Improvements to an existing Lagoon System to meet new effluent limits.  
*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 3811404 A-1**, Sewerage, **Fredericksburg S&W Authority**, 113 East Main Street, Fredericksburg, PA 17026-0161.

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

Description of Proposed Action/Activity:

Propose project covers the purchase and implementation of a Trailer Mounted Volute Press for the dewatering of sludge at the Authority's, WWTP. Fredericksburg S&W Authority

**WQM Permit No. 3804404 A-1**, Sewerage, **Fredericksburg S&W Authority**, 113 East Main Street, Fredericksburg, PA 17026-0161.

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

Description of Proposed Action/Activity:

Propose project covers the purchase and implementation of a Trailer Mounted Volute Press for the dewatering of sludge at the Authority's, WWTP.

**WQM Permit No. 2189419 A-2**, Sewerage, **Silver Spring Township Authority**, 5 Willow Mill Park Road, Suite 3, Mechanicsburg, PA 17050-8238.

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

Description of Proposed Action/Activity:

Upgrade to Treatment Plant Headworks Screening.

**WQM Permit No. 0616407**, Sewerage, **Bally Borough**, 425 Chestnut Street, PO Box 217, Borough of Bally, PA 19503.

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

Description of Proposed Action/Activity:

The construction of an 8" relief sewer to operate in parallel with existing conveyance lines to reduce the existing hydraulic overloading in the Bally Borough collection and conveyance system. The new relief sewer will run between from the NW corner of South 5th and Main St., generally follow the course of the southern bank of the UNT West Branch Perkiomen Creek, and connect into existing MH # 7 on the west side of Pine St.

**WQM Permit No. 0692406 A-2**, Sewerage, **Hamburg Borough Municipal Authority**, 61 North 3rd Street, Hamburg, PA 19626.

This proposed facility is located in Hamburg Borough, **Berks County**.

Description of Proposed Action/Activity:

The upgrade of the existing pumping station with two new Smith and Loveless, vertical shafted, non-clog drywell sewage pumps outfitted with 10 1/8" impellers and rated at 340 gpm at 98 ft TDH. Additional work on the station includes upgrading and relocating the pump control panel and the installation of VFDs for each pump.

**WQM Permit No. 3816202**, CAFO, **Dwayne Nolt**, 58 E Strack Drive, Myerstown, PA 17067-2160.

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

Description of Proposed Action/Activity:

This permit approves the construction/operation of manure storage facilities consisting of:

The existing swine operation will add one new building. A new 406' x 78' Finisher Barn will be built with a 8' deep concrete underbarn manure storage that will store about 1,733,846 gallons at a 0.5' freeboard. The building will have a leak detection system with an observation well, shut off valves within the wells on the inlets and outlets, and animal guards on the outlets

**WQM Permit No. 0188402**, Sewerage, **Tyrone Township**, 5280 Old Harrisburg Road, York Springs, PA 17372.

This proposed facility is located Tyrone Township, **Adams County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

Construction of a mechanical screening unit to be installed upstream of the equalization tank at the Tyrone Township Wastewater Treatment Facility.

**WQM Permit No. 3197403**, Sewerage, **Mapleton Borough Area Joint Municipal Authority**, 13343 Smith Valley Road, PO Box 415, Mapleton Depot, PA 17052-0415.

This proposed facility is located Union Township, **Huntingdon County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

A 14' diameter; 12' SWD mechanical scraped clarifier and a Duplex Return Activated Sludge/Waste Activated Sludge (RAS/WAS) pump station to be used in addition to the existing clarifiers. The new clarifier is designed to handle an average flow of 0.05 MGD and a peak hourly flow of 0.125 MGD with a recirculation flow of 0.05 MGD. The RAS/WAS pumps are 2 centrifugal pumps each rated at 40 gpm at 10 TDH.

**WQM Permit No. 6716201**, CAFO, **Gemmill Eric E**, 458 Gemmill Road, Delta, PA 17314.

This proposed facility is located in Peach Bottom Township, **York County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

The construction of an additional new concrete manure storage structure for a second additional swine finisher barn consisting of an 81' x 258' x 8' deep pit under barn manure storage facility. The new concrete under barn manure storage structure will be located parallel to and next to the existing swine barn constructed off the western side of the existing barn, and will provide 1,065,233 gallons of usable storage capacity at a 6-inch freeboard. This permit shall also include the existing swine barn which has an 81'-6" x 246' x 6' deep pit under barn manure storage facility will provide 738,327 gallons of usable storage capacity at a 6-inch freeboard. Both the new and existing storages will not receive any direct or indirect rainfall runoff.

The new manure storage facility will consist of a concrete in-ground under barn storage structure with 8-inch thick concrete steel reinforced walls, and a 5-inch thick concrete steel reinforced floor using 4,000 psi concrete. All manure and wash down water will enter the manure storage facility via precast half heavy open grate slats.

The total estimated annual manure generated per year for the existing barn is estimated to be 816,270 gal./yr. allowing for 11 months of continuous storage and the new barn is estimated to be 1,019,850 gal./yr. allowing for 12.7 months of continuous storage, in which both more than exceed any required winter storage retention.

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

**WQM Permit No. 1016409**, Sewage, **Howard Stanford**, 450 Stanford Road, Prospect, PA 16052.

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

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

**WQM Permit No. WQG01431701**, Sewage, **Todd Corner**, 210 N Liberty Road, Grove City, PA 16127.

This proposed facility is located in Liberty Township, **Mercer 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.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150025	Chester County Fund, Inc. 615 Willowbrook Lane West Chester, PA 19382	Chester	East Whiteland Township	Valley Creek EV

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

<i>ESCGP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG02000160001	Tennessee Gas Pipeline Company, LLC 1001 Louisiana Street Houston, TX 77002-5089	Wayne County and Pike County	Berlin Township Palmyra Township Texas Township Lackawaxen Township	UNT to Indian Orchard Brook (HQ-CWF, MF) UNT to Swamp Brook (HQ-CWF, MF) UNT to Rattlesnake Creek (HQ-CWF, MF) Swamp Brook (HQ-CWF, MF) EV Wetlands UNT to Rattlesnake Creek (HQ-CWF, MF) UNT to Tinkwig Creek (HQ-CWF, MF) Tinkwig Creek (HQ-CWF, MF) UNT to West Falls Creek (HQ-CWF, MF) West Falls Creek (HQ-CWF, MF) UNT to Westcolang Creek (HQ-CWF, MF) UNT to O'Donnell Creek (HQ-CWF, MF) O'Donnell Creek (HQ-CWF, MF) UNT to Lackawaxen River (HQ-TSF, MF) Lackawaxen River (HQ-TSF, MF) UNT to Lords Creek (HQ-CWF, MF) Lords Creek (HQ-CWF, MF) UNT to Delaware River (HQ-CWF, MF) UNT to Mast Hope Creek (HQ-CWF, MF) EV Wetlands
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390007	Charles Broll Nestle Waters North America, Inc. 900 Long Ridge Road Building 2 Stamford, CT 06902	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF) UNT to Little Lehigh Creek (HQ-CWF, MF)
PAD450012	RPM Realty Company c/o Mr. Ray Price III 505 Fawn Road East Stroudsburg, PA 18301	Monroe	Hamilton Township	McMichael Creek (HQ-CWF, MF)
PAI023916014	Triple Net Investment X, LP c/o George Reeves 171 Route 173 Suite 201 Asbury, NJ 08802-1365	Lehigh	Upper Macungie	Iron Run (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032116006 Issued	Donald E. Diehl 4 East High Street Carlisle, PA 17013	Cumberland County	South Middleton Township	Yellow Breeches Creek (HQ-CWF, MF) Hogestown Run (CWF, MF)
PAI033616009 Issued	Clair Burkholder 1050 Oregon Hollow Road Drumore, PA 17518	Lancaster County	Drumore Township	UNT McFarlands Run (HQ-CWF) EV Wetlands

*Bureau of Clean Water: NPDES Permitting Division, Environmental Program Manager, 400 Market Street, PO Box 8774, Harrisburg, PA 17105-8774, Telephone: 717.787.5017.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360001	206 Rohrerstown Road LP 2450 Marietta Avenue Lancaster, PA 17601	Lancaster	East Hempfield Township	Brubaker Run (WWF, MF)

## **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>
Upper Southampton Township Bucks County	PAC090027	JRAP, LLC 1003 Street Road Southampton, PA 18966	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Richland Township Bucks County	PAC090039	Ian Jeffrey 1301 Watercress Lane Quakertown, PA 18951	Morgan Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<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>
Newtown Township Bucks County	PAC090030	Newtown Township 100 Municipal Drive Newtown, PA 18940	Newtown Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAC090017	Morrisville DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Delaware Canal WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAG02000903046R(6)	Keystone Turf Club & Bensalem Racing Association DBA Philadelphia Park 3001 Street Road Bensalem, PA 19020	Unnamed Tributary to Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warminster Township Bucks County	PAC090019	Lidl US Operations, LLC 2005 Market Street Suite 1010 Plumsteadville, PA 19103	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Britain Township Bucks County	PAC090023	Maxine M. Eagono 241 Cottage Avenue Horsham, PA 19044	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bristol Township Bucks County	PAC090040	Republic Bank 50 South 16th Street Suite 2400 Philadelphia, PA 19103	Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bristol Borough Bucks County	PAC090006	Lenape Valley Associates 500 North Main Street Doylestown, PA 18901	Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAC460020	Upper Merion Area School District 435 Crossfield Road King of Prussia, PA 19406	Crow Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAC460062	Montgomery Crossing Associates c/o Goodman Properties 636 Old York Road 2nd Floor Jenkintown, PA 19046	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG02004616060	Upper Moreland Middle School 2900 Terwood Road Willow Grove, PA 19090	Unnamed Tributary to Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Abington Township Montgomery County	PAC460011	PennDot 7000 Geerdes Boulevard King of Prussia, PA 19406	Sandy Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Ridley Township Delaware County	PAC230006	Township of Ridley 100 East MacDade Boulevard Folson, PA 19033	Little Crum Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717-705-4802.*

<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>
Franklin Township Adams County Issued	PAC010004	David Jaray, President, National Propane Buyers Coop P.O. Box 323 Boyd's, MD 20841	UNT Marsh Creek (CWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
City of Reading Berks County Issued	PAC060045	Russell DiGiallorenzo, RP Developers, LP 401 Old Wyomissing Road Reading, PA 19611	Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Amity Township Berks County Issued	PAC060007	Barry Shirey 244 Scholl Road Winfield, PA 17889	Monocacy Creek (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Logan Township Blair County Issued	PAC070010	Altoona Area School District Dr. Charles Prijateli 2407 Sixth Avenue Altoona, PA 16602	Kettle Creek (WWF, CWF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877 x5
Greenfield Township Blair County Issued	PAC070006	Sheetz, Inc. Richard J. Cyman 242 Sheetz Way Claysburg, PA 16625	Beaverdam Creek (CWF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877 x5
Hopewell Township Cumberland County Issued	PAC210027	Walter Nolt 996 Ridge Road Shippensburg, PA 17257	UNT Newburg and Peebles Run (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Mercersburg Township Franklin County Issued	PAC280010	Herbrucks Harry Herbruck/Herbruck Poultry Ranch, Inc. 6425 West Grand River Avenue Saranac, MI 48881	UNT Licking Creek (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County Issued	PAC280003	Chambersburg Public Pool Jeffery Stonehill/Borough of Chambersburg 100 S. Main Street Chambersburg, PA 17201	UNT Falling Springs (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg Franklin County Issued	PAC280013	Progress Square Townhomes Shannon Smith 1730 Edgewood Hill Circle Hagerstown, MD 21740	UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC290005	Luther Ridge Joseph Sabol Spiri Trust Lutheran 1050 Pennsylvania Avenue York, PA 17404	UNT Conococheague Creek UNT Phillaman Run (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499



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<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>
Greene Township Franklin County Issued	PAC280011	LIDA Lot 3-89-9 John Van Horn LIDA 5540 Coffey Avenue Chambersburg, PA 17201	UNT Conococheague Creek Rocky Springs (TSF, CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280020	Gordon Single Lot Christopher Gordon 12627 Wagon Trail Road Waynesboro, PA 17268	UNT Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Hamilton Township Franklin County Issued	PAG02002814037	WalMart Mark Goldsmith WalMart Stores East LP 2001 SE 10th St. Mail Stop 5570 Bentonville, AR 72716	UNT Back Creek (TSF) UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
East Cocalico Township Lancaster County Issued	PAC360069	Bill Hartman 5 Industrial Way Denver, PA 17517	Stony Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Manheim Township Lancaster County Issued	PAG02003616084	TCCC-Lancaster Holdings, LP 1853 William Penn Way Lancaster, PA 17601	Little Conestoga Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Providence Townships Lancaster County Issued	PAC360006	Jacob Stoltzfus 2 Oak Bottom Road Quarryville, PA 17566	Big Beaver Creek South Fork (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Mountville Borough Lancaster County Issued	PAC360027	David Bitner 53 West James Street Suite 101 Lancaster, PA 17603	Strickler Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
West Hempfield Township Lancaster County Issued	PAC360040	West Hempfield Township 3401 Marietta Avenue Lancaster, PA 17601	UNT Chickies Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Mount Joy Township Lancaster County Issued	PAC360053	Jeff Heisey 20 Christy Court Elizabeth, PA 17022	Little Chickies Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
Conoy Townships Lancaster County Issued	PAC360055	George Longridge 600 East High Street Elizabeth, PA 17022	Susquehanna River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5

<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>
Ephrata Township Lancaster County Issued	PAC360057	Andrew Bollinger 340 W. Meadow Valley Road Lititz, PA 17543	Middle Creek (WWF, MF) Cocalico Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 x5
South Annville Township Lebanon County Issued	PAC380010	Roy Weaver 321 Horseshoe Pike Lebanon, PA 17042	Beck Creek (TSF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Lebanon Township Lebanon County Issued	PAC380011	Jay N. Crouse 13 Evergreen Road Lebanon, PA 17042	UNT Snitz Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Lebanon Township Issued	PAC380008	James G. Loser, Sr. 1800 South 5th Avenue Lebanon, PA 17042	UNT Quittapahilla Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
<i>Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>				
<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>
Ferguson Twp, Centre Cnty	PAC140002	State College AL Investors, LLC 4423 Pheasant Ridge Rd. S.W. Suite 301 Roanoke, VA 24014	UNT-Spring Creek CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Patton Twp, Centre Cnty	PAG02001408004R	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	UNT-Big Hollow Run CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
North Centre Twp, Columbia Cnty	PAC190003	Steven Wright Adele Stevens 103 Horse Farm Rd Bloomsburg, PA 17815	Briar Creek—West Branch	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
Ralpho Twp, Northumberland Cnty	PAC490009	Elysburg Sheetz Rebuild Sheetz, Inc. c/o Brent Brubaker 351 Sheetz Way Claysburg, PA 16625	UNT Shamokin Creek CWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
Rockefeller Twp, Northumberland Cnty	PAC490011	Ethan Witmer Poultry Barn 1094 Plum Creek Road Sunbury, PA 17801	Plum Creek CWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
Kelly Twp, Union Cnty	PAC600008	Charles Zaleski 758 Moores School Road Lewisburg, PA 17837	West Branch of the Susquehanna River WWF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

## NOTICES

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*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Kittanning Township; Manor Township	PAC030002	PennDOT District 10-0, 2550 Oakland Avenue PO Box 420 Indiana, PA 15701	Rupp Run (WWF); Mill Run (WWF)	Armstrong County Conservation District Armsdale Administration Building 124 Armsdale Road Kittanning, PA 16201-3738
Manor Township	PAC030006	Independence Excavating, Inc. 3826 Saxonburg Boulevard Cheswick, PA 15024	UNT to Cowanshannock Creek (WWF); UNT to Rupp Run (WWF)	Armstrong County Conservation District Armsdale Administration Building 124 Armsdale Road Kittanning, PA 16201-3738
Cambria Township	PAC110003	DLP Conemaugh Memorial Medical Center 1086 Franklin Street Johnstown, PA 15905	UNT to South Branch Blacklick Creek (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Cambria Township	PAC110005	Top Fuel Holdings, LLC 625 Fourteenth Street Northern Cambria, PA 15714	UNT to Howell's Run (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Allegheny Township	PAC110007	E. J. Holtz Land, Inc. 633 South Logan Boulevard Altoona, PA 16602	Clearfield Creek (WWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Center Township; Homer City Borough	PAC320002	Chestnut Ridge Mulch, LLC 684 Old Farm Road Blairsville, PA 15717	UNT to Weirs Run (CWF)	Indiana County Conservation District 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 289-1506
Robinson Township	PAC630004	Rivendale Farms Pittsburgh, LLC 1357 Valleyview Road Bulger, PA 15019	UNT to Little Raccoon Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>Facility Location: Municipality &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>
Franklin Township, Butler County	PAC100016	Fossil Rock Services, LLC 102 Kotchey Lane Harmony, PA 16037	Semiconon Run/CWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001-6501
Connoquenessing Township	PAC100009	# 1 Cochran Automotive 4520 William Penn Highway Monroeville, PA 15146	Little Connoquenessing Creek/CWF and Connoquenessing Creek/WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001-6501
Middlesex Township Butler County	PAC100022	Frozen Pond Management Co. Inc., LLC 118 Sylvan Spring Lane Valencia, PA 16059	UNT to South Branch Glad Run	Butler County Conservation District 122 McCune Drive Butler, PA 16001-6501

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
College Township Centre County	PAG034842	Advanced Disposal Service Inc. 2560 Clyde Avenue State College, PA 16801-7507	Unnamed Tributary of Spring Creek—9-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Wattsburg Borough Erie County	PAG038344	Durham School Service LP 10795 Hill Road Wattsburg, PA 16442	Unnamed Tributary of East Branch LeBoeuf Creek— 16-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Liberty Township Mercer County	PAG041219	Corner Todd 210 N Liberty Road Grove City, PA 16127	Unnamed Tributary of Wolf Creek—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-7*

<i>Facility Location &amp; County/ Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Blue Plains Advance (WWTF) Biosolids Proc Fac 5000 Overlook Ave., SW Washington, D.C. 20032 Washington, D.C./ Washington, D.C.	PAG079603	DC Water & Sewer Authority 5000 Overlook Ave., SW Washington, D.C. 20032	Blue Plains Advance (WWTF) 5000 Overlook Ave., SW Washington, D.C. 20032	DEP—Bureau of Clean Water 400 Market Street PO Box 8774 Harrisburg, PA 17105-8774 Telephone: 717-705-4090
Synagro Baltimore, LLC Patapsco Pelletizer 3501 Asiatic Ave. Baltimore, MD 21226 Baltimore/Baltimore	PAG079910	Synagro-WWT, Inc. 435 Williams Court Suite 100 Baltimore, MD 21220	Synagro Baltimore, LLC Patapsco Pelletizer 3501 Asiatic Ave. Baltimore, MD 21226	DEP—Bureau of Clean Water 400 Market Street PO Box 8774 Harrisburg, PA 17105-8774 Telephone: 717-787-4090

*General Permit Type—PAG-8*

<i>Facility Location &amp; County/ Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
City of Frederick, Maryland 100 Treatment Road Frederick, MD 21701 Frederick/Frederick	PAG089904	City of Frederick, Maryland 101 North Court Street Frederick, MD 21701	City of Frederick, Maryland 100 Treatment Road Frederick, MD 21701	DEP—Bureau of Clean Water 400 Market Street PO Box 8774 Harrisburg, PA 17105-8774 Telephone: 717-705-4090

*General Permit Type—PAG-9*

<i>Facility Location &amp; County/ Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Shirley Township/ Huntingdon County	PAG093537	Lake Septic Tank Cleaning 17164 Croghan Pike Shirleysburg, PA 17260	Lake Septic Tank Cleaning 17164 Croghan Pike Shirleysburg, PA 17260	DEP—SCRO— Clean Water 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-10*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Brooklyn Township Susquehanna County	PAG102350	Williams Field Service Co. LLC 310 State Road 29 North Tunkannock, PA 18657	Unnamed Tributary to Dry Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-12*

<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>
Granville Township Bradford County	PAG124823	Heimbach Keith 129 Don Packard Road Granville Summit, PA 16926-9231	Unnamed Tributary to North Branch Towanda Creek—4-C	DEP Northcentral 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>
Collett Farms, LLC 1118 Luxemburg Rd. Lykens, PA 17048	Dauphin	6.5	1,449 3.1 0.8	Poultry Sheep Cattle	N/A	Approval

## 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

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

**Permit No. 4617501, Construction, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Whitemarsh
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	D.L. Howell & Associates, Inc. 1250 Wrights Lane West Chester, PA 19380
Permit to Construct Issued	March 1, 2017

**Operations Permit # 4617505** issued to: **Horsham Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044, [(PWSID)] Horsham Township, **Montgomery County** on March 7, 2017.

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

**Permit No. 3480038, Operations Permit, Public Water Supply.**

Applicant	<b>Pennsylvania American Water Company</b> 800 West Hershey Park Dr. Hershey, PA 17033
[Borough or Township]	Upper Mt. Bethel Township
County	<b>Northampton</b>
Type of Facility	PWS
Consulting Engineer	Craig Darosh, PE Pennsylvania American Water Co. 4 Wellington Blvd., Suite 2 Wyomissing, PA 19610
Permit to Operate Issued	2/17/2017

**Permit No. 4016516, Public Water Supply.**

Applicant	<b>3 Springs Water Company, Inc.</b> 1800 Pine Run Rd. Laurel Run, PA 18702
[Borough or Township]	Laurel Run Borough,
County	<b>Luzerne County</b>
Type of Facility	Mr. Joe Sokolowski 3 Springs Water Co., Inc. 1800 Pine Run Rd. Laurel Run, PA 18702
Consulting Engineer	BVRB Thomas Pullar, PE Earth Res PO Box 468 Pipersville, PA 18947
Permit to Construct Issued	2/10/17

**Permit No. 2450034, Public Water Supply.**

Applicant	<b>Brodhead Creek Regional Authority</b> 410 Mill Creek Road East Stroudsburg, PA 18301
[Township or Borough]	Stroud Township,
Responsible Official	<b>Monroe County</b> Kenneth R. Brown 410 Mill Creek Road East Stroudsburg, PA 18301
Type of Facility	PWS
Consulting Engineer	Russell D. Scott IV, PE RKR HESS 112 North Courtland Street East Stroudsburg, PA 18301
Operation Permit Issued Date	01/27/2017

**Permit No. 4516508**, Public Water Supply.  
 Applicant **Brodhead Creek Regional Authority**  
 410 Mill Creek Road  
 East Stroudsburg, PA 18301  
 [Township or Borough] **Stroud Township, Monroe County**  
 Responsible Official **Kenneth R. Brown**  
 410 Mill Creek Road  
 East Stroudsburg, PA 18301  
 Type of Facility **PWS**  
 Consulting Engineer **Russell D. Scott IV, PE**  
**RKR HESS**  
 112 North Courtland Street  
 East Stroudsburg, PA 18301  
 Construction Permit Issued Date **02/27/2017**

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

**Permit No. 5016505, Minor Amendment**, Public Water Supply.

Applicant **Pfautz Rentals, LP**  
 Municipality **Penn Township**  
 County **Perry**  
 Responsible Official **Suzanne H. Hammaker, Partner**  
 10 Dicken Drive  
 Marysville, PA 17053  
 Type of Facility **Installation of treatment facilities to enhance arsenic removal.**  
 Consulting Engineer **Charles A. Kehew II, P.E.**  
**James R. Holley & Associates, Inc.**  
 18 South George Street  
 York, PA 17401  
 Permit to Construct Issued **2/15/2017**

**Permit No. 2816503 MA, Minor Amendment**, Public Water Supply.

Applicant **Quincy Township**  
 Municipality **Quincy Township**  
 County **Franklin**  
 Responsible Official **Robert Gunder, Chairman, Board of Supervisors**  
 7575 Mentzer Gap Road  
 Waynesboro, PA 17268  
 Type of Facility **Waterline extension to the PSL water system.**  
 Consulting Engineer **John M. High, P.E.**  
**William A. Brindle Associates Inc.**  
 336 Lincoln Way East  
 Chambersburg, PA 17201  
 Permit to Construct Issued **2/15/2017**

**Permit No. 3616516 MA**, Public Water Supply.

Applicant **Western Heights Water Authority**  
 Municipality **Earl Township**

County **Lancaster**  
 Responsible Official **Fred Wissler, Chairman**  
 517 North Railroad Avenue  
 New Holland, PA 17557  
 Type of Facility **Replacement of an existing booster pump with a three-pump system operating with a VFD.**  
 Consulting Engineer **Mark L. Homan, P.E.**  
**Becker Engineering LLC**  
 111 Millersville Road  
 Lancaster, PA 17603  
 Permit to Construct Issued **2/15/2017**

**Permit No. 3817501 MA, Minor Amendment**, Public Water Supply.

Applicant **Harper's Tavern**  
 Municipality **East Hanover Township**  
 County **Lebanon**  
 Responsible Official **Joey L. Straw, Owner**  
 10486 Jonestown Rd  
 Annville, PA 17003  
 Type of Facility **Installation of a sodium hypochlorite feed system with 6, 80-gallon Clack retention tanks to achieve 4-Log treatment of viruses.**  
 Consulting Engineer **Bryon Killian, P.E.**  
**Entech Engineering Inc**  
 201 Penn Street  
 Reading, PA 19602  
 Permit to Construct Issued **1/19/2017**

**Permit No. 2117502 MA, Minor Amendment**, Public Water Supply.

Applicant **Pennsylvania-American Water Company**  
 Municipality **Silver Spring Township**  
 County **Cumberland**  
 Responsible Official **David R. Kauffman**  
 800 West Hershey Park Drive  
 Hershey, PA 17033  
 Type of Facility **Blasting and repainting of the interior and exterior of the 0.5 MG Silver Spring water storage tank.**  
 Consulting Engineer **Scott M. Thomas, P.E.**  
**Pennsylvania American Water**  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Permit to Construct Issued **2/28/2017**

**Permit No. 0617501 MA, Minor Amendment**, Public Water Supply.

Applicant **Pennsylvania-American Water Company**  
 Municipality **Exeter Township**  
 County **Berks**

Responsible Official W. Joseph Duckworth, President  
100 W. Lancaster Avenue  
Suite 102  
Wayne, PA 19087

Type of Facility Blasting and repainting of the  
interior and exterior of the 0.25  
MG Neversink Tank No. 2.

Consulting Engineer Scott M. Thomas, P.E.  
Pennsylvania American Water  
852 Wesley Drive  
Mechanicsburg, PA 17055

Permit to Construct 3/2/2017  
Issued

**Permit No. 2217502 MA, Minor Amendment, Public Water Supply.**

Applicant **Pennsylvania American Water**

Municipality South Hanover Township  
County **Dauphin**

Responsible Official David R. Kaufman, Vice  
President—Engineering  
852 Wesley Drive  
Mechanicsburg, PA 17055

Type of Facility Replacement of the existing  
sodium hydroxide feed system  
Schedule 80 PVC plumbing with  
welded stainless steel and the  
replacement of the existing  
diaphragm chemical pumps with  
peristaltic pumps.

Consulting Engineer Scott M. Thomas, P.E.  
Pennsylvania American Water  
852 Wesley Drive  
Mechanicsburg, PA 17055

Permit to Construct 3/2/2017  
Issued

**Comprehensive Operation Permit No. 2216506** issued to: **Topstar, Inc. (PWS ID No. 7220930)**, Londonderry Township, **Dauphin County** on 2/28/2017 for the operation of facilities at Topstar Express Middletown approved under Construction Permit No. 2216506.

**Comprehensive Operation Permit No. 4290005** issued to: **McConnellsburg Borough Municipal Authority (PWS ID No. 4290005)**, Todd Township, **Fulton County** on 3/2/2017 for the operation of facilities approved under Construction Permit No. 2916501 MA.

**Transferred Comprehensive Operation Permit No. 7360072** issued to: **United Zion Retirement Community (PWS ID No. 7360072)**, Warwick Township, **Lancaster County** on 2/15/2017. Action is for a Change in Ownership for the operation of facilities previously issued to Peifer Brothers.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. 4916504-MA—Construction—Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**

Township/Borough Coal Township  
County **Northumberland**

Responsible Official Patrick R. Burke  
Director of Operations  
204 East Sunbury St.  
Shamokin, PA 17872

Type of Facility Public Water Supply

Consulting Engineer Jonathan Morris, P.E.  
GHD  
326 E. 2nd St.  
Bloomsburg, PA 17815

Permit Issued February 28, 2017

Description of Action Authorizes repair and repaint  
2.5 million gallon Natalie water  
storage tank while using two  
existing, lined and covered  
reservoirs to provide  
approximately 1 million gallons  
and a booster pump station to  
increase water pressure.

**Permit Nos. 1996502-T1, MA-T1, MA-GWR-T1—Transfer/Operation—Public Water Supply.**

Applicant **LP Bloomsburg LLC d/b/a Signature Healthcare of Bloomsburg Rehab and Wellness Center**

Township/Borough Scott Township  
County **Columbia**

Responsible Official Thomas Kase  
329 Ridge Rd.  
Bloomsburg, PA 17815

Type of Facility Public Water Supply

Consulting Engineer John L. Bauer  
JLB Systems  
250 Riverview Ave.  
Bloomsburg, PA 17815

Permit Issued February 28, 2017

Description of Action Transfer of permits from Boone  
Nursing Home Inc., Gethsemane  
Retirement and Rehab Center,  
and Senior Care Operations  
LLC.

**Permit No. 1416506—Operation—Public Water Supply.**

Applicant **PA Department of Corrections, Rockview State Correctional Institution**

Township/Borough Benner Township  
County **Centre**

Responsible Official Mark Garman  
Superintendent  
1 Rockview Place  
PO Box A  
Bellefonte, PA 16823

Type of Facility Public Water Supply

Consulting Engineer Carol A. Piontkowski, P.E.  
Department of Corrections  
1920 Technology Parkway  
Mechanicsburg, PA 17050

Permit Issued February 28, 2017



Description of Action Permit authorizes addition of sodium bicarbonate to pre-filtration and post-filtration water and addition of powdered activated carbon known as Aqua Nuchar® to pre-filtration water from McBride Gap Reservoir at the water treatment plant.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Perry Township	680 Moselem Springs Road Shoemakersville, PA 19555	Berks

*Plan Description:* Approval is granted for an update to the Official Plan of Perry Township, Berks County. The project is known as the Perry Township Municipal Authority, Water Street Pump Station Replacement Special Study (DEP Code No. E1-06951-ACT). The plan provides for the abandonment of the existing pump station, and the installation of a low pressure sewer system to serve four existing single-family residential units. The new low pressure sewer system will be owned and maintained by the Perry Township Municipal Authority. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Tyrone Township	P.O. Box 116 Landisburg, PA 17040	Perry

*Plan Description:* Approval is granted for an update to the Official Plan of Tyrone Township, Perry County. The project is known as the Tyrone Township Act 537 Plan Amendment Special Study for Loysville Village Municipal Authority (DEP Code No. A1-50928-ACT). The plan provides for the upgrade of the existing Loysville Village Wastewater Treatment Plant to an ICEAS SBR with augmented aerobic digestion. The effluent discharge line will also be relocated just downstream of the existing discharge line as part of the upgrade. The plan also provides for the Weavers Mill Road interceptor replacement and Ernest Road sewer extension with new pump station. Other collection and conveyance system improvements scheduled here include replacement and rehabilitation, in addition to a gravity sewer extension for Hickory Alley. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Colebrookdale Township	765 W. Philadelphia Ave. Boyertown, PA 19512	Berks

*Plan Description:* Approval of a revision to the official plan of Colebrookdale Township, Berks County. The project is known as the Fred Curtis Proposal. The plan provides for the use of a small-flow treatment facility to abate the malfunctioning onlot sewage disposal system that currently serves a single family residence. Proposed sewage flows are 400 gallons per day to be discharged to an unnamed tributary to Swamp Creek. The project is located on the west side of Weisstown Road, north of the junction with Orchard Lane. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06927-176-3S and the APS Id is 930302. Any permits must be obtained in the name of the property owner.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Alsace Township	65 Woodside Ave. Temple, PA 19560	Berks

*Plan Description:* Approval of a revision to the official plan of Alsace Township, Berks County. The project is known as the John Wickstrom Proposal. The plan provides for the construction of a new small flow treatment facility to replace the substandard onlot sewage disposal system that currently serves a single family dwelling. Proposed sewage flows are 400 gallons per day to be discharged to an unnamed tributary of Antietam Creek. The project is located on the east side of Petsch Road, south of the junction with Bingaman Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06916-081-3S and the APS Id is 922289. Any permits must be obtained in the name of the property owner.

**HAZARDOUS SITES CLEAN-UP  
UNDER THE ACT OF  
OCTOBER 18, 1988  
Notice of Interim Response  
Former TP Corporation Site  
Duryea Borough, Luzerne County**

The Department, under the authority of the Hazardous Sites Cleanup Act, 35 P.S. § 6020.101 et seq. ("HSCA"), has proposed an interim response action at the Former TP Corporation Site ("Site"). This response will be undertaken pursuant to Sections 505(b) and (c) of HSCA, 35 P.S. § 6020.505(b) and (c). The Site is located at 620 Foote Ave. in Duryea Borough, Luzerne County, Pennsylvania.

TP Corporation coated and printed designs onto fabric materials utilizing adhesives and flock material and ceased operation in 2006. However, many of the chemicals and solvents remained at the facility. Caren Cembalest is the former owner of the building. She declared bankruptcy and the building/property has been abandoned.

On February 9, 2011, the Department conducted a Site visit to evaluate the building and abandoned chemicals.

Approximately 250—350 containers of varying sizes (55-gallon drums, 35-gallon drums and 5-gallon containers) were observed and classified as being either flammable solids/liquids, acids, potassium hydroxide, paint and acetone.

Phase I of the investigation included the sampling, characterization and consolidation of the materials in preparation for disposal. The consolidated materials were then either reused, recycled or disposed of at Department-approved facilities.

Phase II of the investigation, conducted in October 2012, determined that some soil samples exceeded the Pennsylvania Statewide Health Standard (SHS), Non-Residential Soil to Groundwater standards for toluene, trichloroethylene (TCE), 1,2,4-trimethylbenzene (1,2,4-TMB), 1,3,5-trimethylbenzene (1,3,5-TMB), dichloromethane (DCM), ethylbenzene, and tetrachloroethylene (PCE).

Phase III of the investigation, conducted in 2013, consisted of the installation of three (3) monitoring wells, groundwater sampling, and offsite soil sampling. None of the groundwater samples had detections of any of the constituents. Based on the results, it appeared there was no impact to the groundwater and no constituents have migrated off-site. Indoor air sampling was conducted inside the building in October 2013. None of the vapor sample results exceeded the SHS.

The results of on-Site sampling have identified the contaminants of concern (COC) as toluene, TCE, 1,2,4-TMB, 1,3,5-TMB, DCM, ethylbenzene, and PCE. These COCs were present in the materials used while the plant was printing and coating fabric. Direct contact with the soils on Site, via dermal contact and/or direct ingestion, is the primary concern.

The Department considered eight alternatives to address the threats at the Site: 1) No Action; 2) Soil Removal and off-Site Disposal/Treatment (Exterior of Building) and Deed Restrictions or Environmental Covenant; 3) Soil Vapor Extraction (SVE); 4) In-situ Chemical Oxidation (ISCO); 5) Enhanced Bioremediation; 6) Bioventing; 7) Monitored Natural Attenuation (MNA); and 8) Excavation with ISCO.

The Department has chosen the following actions because they are in compliance with applicable or relevant and appropriate requirements (ARARs) and are cost effective:

- Soil removal and off-site disposal/treatment; and
- Implementation of environmental covenants to restrict future land uses and remove the potential for harm to the implemented remedy.

Based upon the fact that a release of a hazardous substance as defined by HSCA has occurred and that the threat of a release of hazardous substances exists and that an ongoing release is likely if no actions are taken, the Department is authorized to undertake a response action at this Site under Section 501(a) of HSCA, 35 P.S. § 6020.501(a).

This notice is being provided pursuant to Section 506(b) of HSCA. The Administrative Record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment at the DEP's Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA, and at the Duryea Borough Building, 315 Main Street, Duryea, PA. It is available for review at the Regional Office Monday

through Friday from 8 a.m. to 4 p.m., and at the Borough Building Office of the Borough Manager, Monday through Friday from 8 a.m. to 4 p.m.

The Administrative Record will be open for comment through June 16, 2017. Persons may submit written comments into the Record during this time only, by sending them to Jonathan Ulanoski, Project Officer, at the DEP's Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701, or by delivering them to that office in person.

In addition, persons may present oral comments on the response action, for inclusion in the Administrative Record, at a public hearing scheduled for May 3, 2017, at 10:00 a.m. at the Duryea Borough Building, Council Room or Library. Persons wishing to present testimony at the hearing should register with Jonathan Ulanoski before April 26, 2017, by telephone at (570) 826-5546, or in writing to Jonathan Ulanoski at the DEP's Northeast Regional Office. The testimony at the public hearing will be limited to the proposed interim response. If no person registers to present oral comments by the date specified above, the hearing will not be held.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should contact Jonathan Ulanoski or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in

the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Lois E. Whisler Property/Miller Chemical Fire**, 539 Oxford Avenue, Hanover, PA 17331, Conewago Township, **Adams County**. Ramboll Environ US Corporation, 4350 North Fairfax Drive, Suite 300, Arlington, VA 22203, on behalf of Miller Chemical and Fertilizer, LLC, 120 Radio Road, Hanover, PA 17332, and Glendon Whisler, 100 Chancellor's Ridge Court, Cary, NC 27513 submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with inorganics and fertilizers. The report is intended to document remediation of the site to meet the Site Specific and Residential Statewide Health Standards.

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

**Former Robin Hill Compressor Station**, 721 Washington Road, Bulger, Robinson Township, **Washington County**. Moody and Associates, Inc., 11548 Cotton Road, Meadville, PA 16335 on behalf of Williams Northeast Gathering & Processing Laurel Mountain Midstream, Park Place 2, 2000 Commerce Drive, Pittsburgh, PA 16276 has submitted a Final Report concerning the remediation of site soils contaminated with petroleum type lubricants.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**608 Grant Street**, 608 Grant Street, Borough of Pottstown, **Bucks County**. Patrick Crawford, Crawford Environmental Service, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, William F. E. Johns-Villa, Crawford Environmental Service, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, William Morrison, Jerome H. Rhoads, Inc., 6234 South Prince Street, Lancaster, PA 17603 on behalf of Brian Cooper, 608 Grant Street, Pottstown, PA 19464 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF813030.

**Preparatory Chapter High School**, 1928 Point Breeze Avenue, City of Philadelphia, **Philadelphia County**. Andrew Bashoar, P.G., TTI Environmental, 1253 North Church Street, Moorestown, NJ 08057 on behalf of Charles M. Pearshall, II, Friends of the Preparatory Charter School, 1928 Point Breeze Avenue, Philadelphia, PA 19145 has submitted a Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF812033.

**Philadelphia Naval Business Center**, 1109, 1113, 1117, 1121 and 1123 Admiral Pear Way, 110 Flagship Drive, 4501 and 5001 League Island Boulevard, City of Philadelphia, **Philadelphia County**. John Cattuso, Lib-

erty Property/Synterra LP, Eight Penn Center 1628 John F. Kennedy Blvd, Suite 1100, Philadelphia, PA 19103-2805, Prema Gupta, Philadelphia Industrial Development Corporation, 4747 South Broad Street, Building 101, Suite 120, Philadelphia, PA 19112 has submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with vocs, svocs and meals. The report is intended to document remediation of the site to meet the Special Industrial Area. PF619603 (activity # 50137).

**Philadelphia Naval Business Center AKA the Navy Yard**, Building 664, 351 Rouse Boulevard, City of Philadelphia, **Philadelphia County**. John Cattuso, Liberty Property/Synterra LP, Eight Penn Center 1628 John F. Kennedy Blvd, Suite 1100, Philadelphia, PA 19103-2805, Prema Gupta, Philadelphia Industrial Development Corporation, 4747 South Broad Street, Building 101, Suite 120, Philadelphia, PA 19112 has submitted a Baseline Environmental Report concerning remediation of site soil contaminated with pcbs. The report is intended to document remediation of the site to meet the Special Industrial Area. PF619603 (activity # 5759).

**49th Terminal**, 1633 South 49th Street, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, Duffield Associates, Inc., 211 North 13th Street, Suite 704, Philadelphia, PA 19107 on behalf of Monica Trudeau, P.E., Philadelphia Authority for Industrial Development, 2600 Center Square West, 1500 Market Street, Philadelphia, PA 19102 has submitted a Final Report concerning remediation of site soil contaminated with vocs, pahs and lead. The report is intended to document remediation of the site to meet the Site Specific Standard. PF73476.

**Station Park Lot B**, 330 South Warminster Road, Hatboro Borough, **Montgomery County**. Max Ryan, Alliance HSP Station Park, LP, 40 Morris Avenue, Suite 230, Bryn Mawr, PA 19010, Mark Fortna, DelVal Soil & Environmental Consultants, Inc., Sky Run, II, Suite A, 4050 Skyron Drive, Doylestown, PA 18902 on behalf of Michael Nice, Toll Brothers, Inc., 250 Gibraltar Road, Horsham, PA 19044 has submitted a Final Report concerning remediation of site soil contaminated with pesticides. The report is intended to document remediation of the site to meet the Background and Statewide Health Standard. PF814953.

**Lockheed Martin Corporation**, 230 Mall Boulevard, Upper Merion Township, **Montgomery County**. Mark Eschbacher, Haines & Kibblehouse, Inc., 2052 Lucon Road, Skippack, PA 19474, Peter Charrington, Stantec, 400 David Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of Edward Novak, Lockheed Martin Information System and Global Services, 23 Mall Boulevard, King of Prussia, PA 19406 has submitted a Remedial Investigation and Risk Assessment Report concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standard. PF778937.

**2358 North Penn Road Site**, 2358 North Penn Road Hatfield Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of Wendy Kitson, 44 Mauch Chuck Road, Leighton, PA 18235 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF816016.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Clapper Property**, 951 Stump Pond Road, New Milford Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of CB Excavating and Logging LLC, 2108 Lakeview Road, Susquehanna, PA 18847, submitted a

Final Report concerning the remediation of site soils contaminated with benzene, naphthalene, toluene, ethylbenzene, cumene, MTBE, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 6, 2017.

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

**Former Fiore Mitsubishi-Isuzu Dealership/Logan Medical Center**, 800 South Logan Boulevard, Altoona, PA 16602, Allegheny Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of UPMC Altoona, 620 Howard Avenue, Altoona, PA 16601, submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The Final Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on February 28, 2017.

**PA Turnpike I-76 Mile Marker 283-WB**, Denver, PA 17517, Denver Borough, **Lancaster County**. HDR Engineering, 4900 Ritter Road, Suite 240, Mechanicsburg, PA 17055-4807, on behalf of the FedEx Ground, 1000 FedEx Drive, Moon Township, PA 15108, and PA Turnpike Commission, 700 South Eisenhower Boulevard, Middletown, PA 17057, submitted a Final Report concerning site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Non-Residential Statewide Health Standard, and was approved by the Department on February 28, 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 Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganics and SVOCs. The Report and Plan were disapproved by the Department on March 2, 2017.

**Doughty & Garrett Property**, 1607 Main Street, East Earl, PA 17519, East Earl Township, **Lancaster County**. Liberty Environmental, 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Tim Kauffman, 1562 Briertown Road, East Earl, PA 17519, and Adam Doughty and Lisa Garrett, 1607 Main Street, East Earl, PA 17519, submitted a Final Report concerning remediation of site soil and groundwater contaminated with kerosene. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on March 2, 2017.

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

**Intransit Logistics Accident Route 15 N**, Liberty Township, **Tioga County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Intransit Logistics, 14413 Import Road, Laredo, TX 78045, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 28, 2017.

**Shama Express LLC Project**, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Shama Express, LLC, 1013 Commerce Drive, Grafton, OH 44044, has

submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 6, 2017.

**Estes Express Lines I80 E MM 203 Accident Cleanup**, White Deer Township, **Union County**. Northridge Group, Inc., PO Box 231, Northumberland, PA 17857, on behalf of Estes Express Lines, 6848 Mount Herman Road, Morrisville, NC 27560, has submitted a Final report concerning remediation of site soils contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 6, 2017.

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

**Former Monro Muffler Brake, Inc.**, 5525 Penn Ave., Pittsburgh, **Allegheny County**. Elliott Engineering Solutions, 540 Packets Landing, Fairport, NY 14450 on behalf of Monro Brake Muffler, Inc., 200 Holleder Parkway, Rochester, NY 14615 has submitted a Remedial Investigation Report and Final Report concerning the remediation of soil contaminated with Arsenic, Benzo(a)pyrene and PCE and groundwater contaminated with Lead and PCE. The Plans were approved by the Department on February 24, 2017 demonstrated attainment of residential Statewide Health Standard for Benzo(a)pyrene and PCE in Soils, a non-residential Statewide Health Standard for arsenic soils, a residential Statewide Health Standard for PCE in groundwater and a site-specific standard for Lead in groundwater.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.*

**Martino Muffler**, 674 North Main Street, Doylestown Township, **Bucks County**. Sean M. Damon, P.G., LSRP, Senior Associates/VP, Langan Engineering & Environmental Services, 2700 Kelly Road, Suite 20, Warrington, PA 18976-3653 on behalf of Daniel Flagler, Flagler Properties Inc., 674 North Main Street, Doylestown, PA 18901 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 23, 2017. PF620391.

**Ashbourne Meadows**, 1100 Ashbourne Road, Cheltenham Township, **Montgomery County**. Michael Potts, Ramboll Environ US Corporation, 101 Carnegie Center, Princeton, NJ 08540 on behalf of Kenneth Griffin, Matrix Ashbourne Associates, L.P., Forsgate Drive, CN 400, Cranbury, NY 08512 has submitted a Risk Assessment/Remedial Investigation and Cleanup Plan concerning the remediation of site soil contaminated with arsenic, lead, mercury and chlordane. The Risk Assessment/Remedial Investigation and Cleanup Plan was issued a letter of technical deficiency by the Department on February 28, 2017. PF784188.

**Preserved Open Space Cheltenham Township**, 1100 Ashbourne Road, Cheltenham Township, **Montgomery County**. Michael Potts, Ramboll Environ US Corporation, 101 Carnegie Center, Princeton, NJ 08540 on behalf of Kenneth Griffin, Matrix Ashbourne Associates, L.P., Forsgate Drive, CN 400, Cranbury, NY 08512 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with other organ-

ics. The Final report was issued a letter of technical deficiency by the Department on February 28, 2017. PF813019.

**Woodward Residence**, 2557 Anthony Drive, Hatfield Township, **Montgomery County**. Staci Cottone, J&J Environmental, P.O. Box 370, Blue Bell, PA 19422 on behalf of Wendy Woodward, 2557 Antony Drive, Colmar, PA 18915 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 28, 2017. PF814902.

**Overbrook Plaza**, 5610 Lancaster Avenue, City of Philadelphia, **Philadelphia County**. Vincent Pappalardo, Eikon Planning and Design, LLC, 221 High Street, Hackettstown, NJ 07840 on behalf of Jack Friedler, 5610 Associates, LLC, 2076 Flatbush Avenue, Marine Park, NY 11234 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with heating oil, vocs and pah. The Remedial Investigation/Final Report was approved by the Department on January 26, 2017. PF619631.

**Harvard Seven LLC Lot 1**, Harvard and Columbia Road, Haverford Township, **Delaware County**. Thomas Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin Hillsinger, Harvard Seven, LLC, 1305 Catfish Lane, Audubon, PA 19403 has submitted a Remedial Investigation/Cleanup Plan/Risk Assessment and Final Report concerning the remediation of site soil contaminated with 1,2,4, and no. 6 fuel oil. The Remedial Investigation/Cleanup Plan/Risk Assessment and Final Report was approved by the Department on January 12, 2017. PF811568.

**North Penn Art**, 720 South Broad Street, Upper Gwynedd Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsylvania, PA 18073, Bill Kunsch, J&J Environmental Company, P.O. Box 370, Blue Bell, PA 19422 on behalf of Paul Kraynak, 720 South Broad Street, Lansdale, PA 19446 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 31, 2017. PF814952.

**Locker Room Storage**, 4415 Aramingo Avenue, City of Philadelphia, **Philadelphia County**. David B. Farrington, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Randy Feinberg, Locker Room Storage, Inc., P.O. Box 8, Haverford, PA 19041 on behalf of Robert Moser, Prime Aramingo LLC, 83085 Railroad Place, Sarasota Springs, NY 12866 has submitted a Final Report concerning the remediation of site groundwater contaminated with dissolved lead. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 15, 2017. PF809665.

**217-219 East State Street**, Kennett Square Borough, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Russell Richardson, Richardson Properties Corporation, P.O. Box 546, 15 Smithbridge Road, Chester Heights, PA 19017 has submitted a 90-day Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 15, 2017. PF815033.

**123-125 West Hillendale**, 123-125 West Hillendale, Kennett Township, **Chester County**. Paul A. Hagerty, Hagerty Environmental, LLC, 415 McFarlan Road, Suite 216, Kennett Square, PA 19348, John Lynch, T.I. Hillendale, L.P., 337 Barn Hill Road, West Chester, PA 19382 on behalf of James A. Guthrie, 125 West Hillendale Road, Kennett Square, PA 19348 has submitted a Final Report concerning the remediation of site soil contaminated with arsenic. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 26, 2017. PF814342.

**Andress Residence**, 444 Wellington Road, West Goshen Township, **Chester County**. Staci Cottone, J&J Environmental, P.O. Box 370, Blue Bell, PA 1942 on behalf of Estate of Mildred Andress c/o Amy Stout, DNB First Wealth Management, 410 Exton, Square Parkway, Exton, PA 19341 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 16, 2017. PF814955.

**Transmontaigne and US Gypsum Sites**, 58th Street and the Schuylkill River, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, P.G., Duffield Associates, Inc., 211 North 13th Street, Suite 704, Philadelphia, PA 19107 on behalf of Monica Trudeau, P.E, PAID/PIDC, 1500 Market Street, Suite 2600 West, Philadelphia, PA 19102 has submitted a Final Report concerning the remediation of site groundwater contaminated with voc's, svoc. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on January 5, 2017. PF738660.

**227 Krams Avenue**, 227 Krams Avenue, City of Philadelphia, **Philadelphia County**. Craig Herr, P.G., RT Environmental Services, Inc., 215 West Church Road, Suite 30, King of Prussia, PA 19406 on behalf of Jason Dempsey, 227 Krams DP Partners, LP, 967 East Swedesford Road, Suite 400, Exton, PA 19341 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 23, 2017. PF815030.

#### 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 Reissued*

**Nexeo Solutions, LLC**, 415 South 1st Street, Lufkin, TX 75901. License No. PA-AH 0783. Effective Mar 06, 2017.

**Nortru, LLC**, 515 Lycaste Street, Detroit, MI 48214. License No. PA-AH 0451. Effective Mar 07, 2017.

**WRS Environmental Services, Inc.**, 17 Old Dock Rd, Yaphank, NY 11980. License No. PA-AH 0805. Effective Mar 07, 2017.

#### *New Applications Withdrawn*

**Evergreen Environmental Services, LLC**, PO Box 2078, Deer Park, TX 77536. License No. PA-AH 0839. Effective Mar 14, 2016.

#### *Renewal Applications Received*

**Nexeo Solutions, LLC**, 415 South 1st Street, Lufkin, TX 75901. License No. PA-AH 0783. Effective Mar 06, 2017.

**Nortru, LLC**, 515 Lycaste, Detroit, MI 48214. License No. PA-AH 0451. Effective Mar 07, 2017.

**WRS Environmental Services, Inc.**, 17 Old Dock Rd, Yaphank, NY 11980. License No. PA-AH 0805. Effective Mar 07, 2017.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

**Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and the act of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.*

*Regulated Medical and Chemotherapeutic Waste Transporter Reissued*

**Moran Environmental Recovery, LLC**, 75D York Avenue, Randolph, MA 02368. License No. PA-HC 0250. Effective Mar 07, 2017.

**Secured Med Waste LLC**, P.O. Box 786, Finksburg, MD 21048. License No. PA-HC 0241. Effective Mar 02, 2017.

#### *Renewal Applications Received*

**Moran Environmental Recovery, LLC**, 75D York Avenue, Randolph, MA 02368. License No. PA-HC 0250. Effective Mar 07, 2017.

**Secured Med Waste LLC**, P.O. Box 786, Finksburg, MD 21048. License No. PA-HC 0241. Effective Mar 02, 2017.

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

**Permit(s) issued under the Solid Waste Management Act and regulations to operate a hazardous waste treatment, storage or disposal facility.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. PAD000797548, Fielding Environmental, LLC**. Freedom facility, 150 West Fourth Avenue, Freedom, PA 15042. Operation of a hazardous waste container storage facility located in Freedom Borough, **Beaver County**. A minor permit modification approving the transfer of the hazardous waste permit from Nexeo Solutions, LLC to Fielding Environmental, LLC was issued by the Regional Office on March 3, 2017.

### MUNICIPAL WASTE GENERAL PERMITS

**Permit(s) Issued 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 Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

*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. WMGM056. Ecorich, LLC**, 13 Spencer Court, Morris Plains, NJ 07950-2723 This permit is for the beneficial use of compost generated from the captive use of a purchased, self-contained, mechanical, wet waste recycling machine used in food service facilities. The general permit was issued on March 2, 2017.

Persons interested in reviewing the general permit may contact Ali Tarquino Morris, Chief, 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.

### RESIDUAL WASTE GENERAL PERMITS

**Permit(s) issued 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.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.*

**General Permit No. WMGR123SW010. Greene County Water Treatment, LLC**, 401 Jefferson Road, Waynesburg, PA 15370. A modification of a general permit registration to add additional processing units at an existing treatment facility for the processing and beneficial use of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well in Franklin Township, **Greene County** was issued by the Regional Office on March 7, 2017.

### AIR QUALITY

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

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

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

**GP5-41-735: NFG Midstream Trout Run, LLC** (6363 Main Street, Williamsville, NY 14221) on February 27, 2017, authorize the construction and operation of the

Trout Run Mountain Compressor Station pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP5) located in Lewis Township, **Lycoming 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.*

**GP5-63-01006: Columbia Gibraltar Gathering, LLC** (300 Woodcliff Dr., Canonsburg, PA 15317) on February 14, 2017, for construction and/or operation of sources and controls associated with a natural gas compression facility at its Gibraltar Compressor Station located in Donegal Township, **Washington County**.

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

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

**GP13-25-929A: Russell Standard Corporation** (PO Box 86, Union City, PA 16438) on March 2, 2017, for the authority to install a replacement burner and baghouse (Gencor Ultra 2, Gencor CFS-151) (BAQ-GPS/GP13) located at their facility in Millcreek Township, **Erie County**.

**GP2-62-017H: United Refining Co.** (PO Box 780, Warren, PA 16365) on March 3, 2017, for the authority to construct and/or operate One (1) VOC Containing storage tank, Tank ID 337A, non-pressurized with an internal floating roof, 95,000 BBL capacity (BAQ-GPS/GP2) located at their facility in the City of Warren, **Warren County**.

**GP4-43-385B: Cronimet Specialty Metals USA-Greenville** (209 Reynolds Industrial Park Rd., Greenville, PA 16125) on March 2, 2017, for the authority to construct and/or operate a new Controlled Pyrolysis Furnace manufactured by Pollution Control Products model ARC-287, and an existing Controlled Pyrolysis Furnace manufactured by Pollution Control Products model ARC-287. (BAQ-GPS/GP4) located at their facility in Fairview Township, **Mercer County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*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.*

**36-05152E: Kellogg USA, Inc.** (2050 State Road, Lancaster, PA 17604) on February 28, 2017, for the installation of a syrup concentrator, drying oven, drying oven cooler, two (2) coating reels, four (4) vibratory scalpers and conveyors and two (2) rotoclones and baghouse to control the emissions from the new equipment at the East Hempfield Facility located in East Hempfield 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.*

**63-01003A: EQT Gathering, LLC** (625 Liberty Ave., Suite 1700, Pittsburgh, PA 15222) plan approval effective on March 6, 2017, for construction and temporary operation of sources and controls at its McIntosh Compressor Station, a proposed natural gas gathering station to be located in Union Township, **Washington County**.

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**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.**

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

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

**46-0166C: Harleysville Materials, LLC** (PO Box 619, 427 Whitehorse Pike, Berlin, NJ 08009-0619) On February 28, 2017 to operate a diesel-fired 1,017 BHP electric generator engine, increase hours of operation on a 350 bhp jaw crusher, and limit No. 2 Fuel Oil usage in the hot mix asphalt plant at their facility in Lower Salford Township, **Montgomery 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.*

**06-05002L: Lehigh Cement Company, LLC** (Evansville Cement Plant and Quarry), (537 Evansville Road, Fleetwood, PA 19522-8541) on March 2, 2017, to install a mercury emission control system at their facility in Maiden Creek Township, **Berks County**. Plan Approval No. 06-05002L is for the installation of two (2) new mercury emission control systems on Kiln Nos. 1 & 2 (Source Ids 121 & 122). The mercury emission control systems include dust shuttling and activated carbon injection (ACI) and are part of the facility's compliance strategy with regard to the February 12, 2013 amended 40 CFR Part 63, Subpart LLL—National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry mercury emission limit. The plan approval was extended.

**06-05069Z: East Penn Manufacturing Co., Inc.** (PO Box 147, Lyon Station, PA 19536) on March 2, 2017, for the installation in the Industrial Building of six formation (battery charging) systems controlled by mist eliminators and the installation of four battery finishing lines, to support battery production in the A-3 Building, at the lead-acid battery manufacturing facility in Richmond Township, **Berks County**. The plan approval was extended.

**36-05107E: Pepperidge Farm, Inc.** (2195 N. Reading Road, Denver, PA 17517-9112) on March 3, 2017, to install a bread line controlled by a catalytic oxidizer at the Pepperidge Farm, Inc. bakery located in East Cocalico Township, **Lancaster County**. The plan approval was extended.

**34-03009A: D & S Shavings, LLC** (504 Pine Grove Drive, Mifflintown, PA 17059) on March 3, 2017, for a log shaver operation located in Fermanagh Township,

**Juniata County**. This plan approval addresses the following existing equipment: three log shavers, two 12 mmBTU/hr dryers, and shakers/screens, controlled by cyclones. The plan approval was extended.

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

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

**63-00969A: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) Extension effective February 28, 2017, to extend the period of temporary operation of eight rich-burn natural gas-fired compressor engines rated at 1,980 bhp each and controlled by three-way catalysts authorized under PA-63-00969A at the Three Brothers Compressor Station located in Smith Township, **Washington County**.

**65-00839B: Texas Eastern Transmission, L.P.** (PO Box 1642, Houston, TX 77251) Extension effective February 28, 2017, to extend the period of temporary operation of the Solar Titan 250 turbine rated at 30,000 HP and controlled by an oxidation catalyst authorized under PA-65-00839B the Delmont Compressor Station located in Salem Township, **Westmoreland County**.

**26-00588A: Laurel Mountain Midstream Operating, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Extension effective February 28, 2017, to extend the period of temporary operation of the new dehydrator and emergency generator authorized under plan approval PA-26-00588A at Shamrock Compressor Station located in German Township, **Fayette County**. One Solar Titan 130 turbine rated at 19,553 HP and originally authorized to be installed at this facility under PA-26-00588A is no longer authorized as the 18-month period to commence construction specified under 25 Pa. Code § 127.13(b) has passed.

**26-00588: Laurel Mountain Midstream Operating, LLC** (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) Extension effective February 28, 2017, to extend the period of temporary operation of the three Caterpillar G3516B natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, and a Solar Mars 100 gas-fired turbine rated at 15,525 bhp authorized under plan approval PA-26-00588 at Shamrock Compressor Station located in German Township, **Fayette County**.

**32-00055I: NRG Homer City Services LLC** (1750 Power Plant Rd., Homer City, PA 15748) Extension effective February 28, 2017, to allow continued temporary operation of the boiler Unit 1 & 2 Novel Integrated Desulfurization ("NID") systems to control SO<sub>2</sub> emissions at Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**.

**32-00055H: NRG Homer City Services LLC** (1750 Power Plant Rd., Homer City, PA 15748) Extension effective February 28, 2017, to allow continued temporary operation of the boiler Unit 1 & 2 Novel Integrated Desulfurization ("NID") systems to control SO<sub>2</sub> emissions at Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**.

**32-00230B: Texas Eastern Transmission, L.P.** (PO Box 1642, Houston, TX 77251) plan approval extension effective on February 28, 2017, with expiration on August 28, 2017, for continued temporary operation of air contamination sources and controls at its Armagh Compressor Station located in West Wheatfield Township, **Indiana County**.



**30-00072E: Consol Pennsylvania Coal Company, LLC** (1000 Consol Energy Drive, Canonsburg, PA 15317) plan approval extension effective on February 28, 2017, with expiration on August 28, 2017, for continued temporary operation of air contamination sources and controls associated with the Crabapple Overland Conveyor located in Richhill Township, **Greene County**.

**30-00194B: EQM Gathering Opco, LLC** (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) plan approval extension effective on February 28, 2017, with expiration on August 28, 2017, for continued temporary operation of air contamination sources and controls at the Callisto Compressor Station located in Morris Township, **Greene County**.

**30-00195A: Equitrans, LP** (625 Liberty Avenue, Suite 1700 EQT Plaza, Pittsburgh, PA 15222) Plan Approval Extension effective on February 28, 2017, with expiration on August 28, 2017, for continued temporary operation of air contamination sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**.

**65-00983A: Dominion Transmission, Inc.** (5000 Dominion Boulevard, Glenn Allen, VA 23060) plan approval extension effective on February 28, 2017, with expiration on August 28, 2017, for continued temporary operation of air contamination sources and controls at the Rock Springs Compressor Station located in Salem Township, **Westmoreland County**.

**03-00975C: Armstrong Power, LLC** (2313 State Route 156, Shelocta, PA 15774-3005) plan approval extension effective on February 28, 2017, with expiration on August 28, 2017, for continued temporary operation of air contamination sources and controls at the Armstrong Power Electric Generating Station, located in South Bend Township, **Armstrong County**.

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

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

**25-923A: Erie Power LLC** (10915 Ackerman Lane, North East, PA 16428) on March 2, 2017, effective March 31, 2017, has issued a plan approval extension for the installation of a 1,000 kW (1,341 bhp) diesel-fired emergency generator in North East Township, **Erie County**. This is a TV or State Only facility.

**43-182C: Wheatland Tube Co., Council Ave. Plant** (PO Box 608, Wheatland, PA 16161) on February 28, 2017, effective February 28, 2017, has issued a plan approval extension for the installation of a cyclone and baghouse in Wheatland Borough, **Mercer County**. This is a Title V facility.

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#### **Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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

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

**48-00071: Green Knight Economic Development Corporation/Plainfield** (2147 Pen Argyl Road, Pen Argyl, PA 18702). On March 2, 2017, the Department issued a renewal of the Title V Operating Permit for an electric generating plant in Plainfield Township, **Northampton County**. As a major source, the facility is

subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G.

The main sources at this facility are three (3) combustion turbines that are fueled by LFG from the Grand Central Sanitary Landfill and which produce electricity to a local grid. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

**14-00003: Pennsylvania State University** (101P Physical Plant Bldg, University Park, PA 16802) on March 3, 2017, was issued a revised Title V operating permit for their facility located in College Township and State College Borough, **Centre County** to incorporate the terms and conditions of Plan Approval 14-00003H for the construction of three emergency generators at the University Park Campus' Data Center. The revised Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**TV-65-00693 USA Valley Landfill:** (625 Cherrington Parkway, Moon Township, PA 15108) on March 1, 2017, a Title V Operating Permit renewal to USA Valley Landfill, Inc. for their facility located in Penn Township, **Westmoreland County**.

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#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**15-00152: Sunoco Pipeline LP** (525 Fritztown Road, Sinking Spring, PA 19608) On March 3, 2017, for an initial State Only Operating Permit for a Natural Gas Liquids pumping station located in Upper Uwchlan Township, **Chester County**.

**15-00153: Sunoco Pipeline LP** (525 Fritztown Road, Sinking Spring, PA 19608) On March 3, 2017, for an initial State Only Operating Permit for a Natural Gas Liquids pumping station located in West Goshen Township, **Chester County**.

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

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

**35-00023: United Gilsonite Laboratories** (P.O. Box 70, Scranton, PA 18501-0070) issued on 2/28/17 a State-Only Operating Permit for the operation of a paint/coating manufacturing facility in Dunmore Borough, **Lackawanna County**. The source includes two (2) boil-

ers, eight (8) space heaters, and various mixers, dispersers, and agitators. Emissions are controlled by dust collectors and baghouses. The operating permit includes emission limitations, work practice standards, testing, monitoring, recordkeeping and reporting requirements used to verify facility compliance with applicable Federal and State air pollution regulations.

**40-00130: EBC Holdings, LLC.** (159 George Ave, Wilkes-Barre, PA 18705) issued on 2/28/17 a State-Only Operating Permit for operation of a crematory in Dupont Borough, **Luzerne County**. The source includes one (1) cremator. The operating permit includes emission limitations, work practice standards, testing, monitoring, recordkeeping and reporting requirements used to verify facility compliance with applicable Federal and State air pollution regulations.

*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.*

**67-03070: Lower Allen Township Authority** (120 Limekiln Road, New Cumberland, PA 17070-2427) on February 28, 2017, for the Lower Allen Township Wastewater Treatment Plant located in Fairview Township, **York 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.*

**49-00041: New Enterprise Stone and Lime Co., Inc.** (3724 Crescent Court West, Suite 200, Whitehall, PA 18052) on March 3, 2017, for operation of its Shamokin Plant facility located in Coal Township, **Northumberland County**.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**09-00124: Fairless Energy, LLC** (50 Energy Drive, Fairless Hills, PA 19030) located in Falls Township, **Bucks County**. The operating permit was amended to incorporate data substitution requirements as part of the facility's RACT II monitoring and averaging plan, as specified in 25 Pa. Code § 129.98. This requirement was inadvertently omitted from the facility's Title V Operating Permit when it was modified in December 2016. The Administrative Amendment is issued in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

**49-00019: Sunoco Partners Marketing & Terminals, L.P.** (1314 Point Township Drive, Northumberland, PA 17857), issued a revised operating permit, on February 13, 2017, for their Northumberland Terminal located in Point Township, **Northumberland County**. This revision is to update the name of the responsible official in accordance with the provision of 25 Pa. Code § 127.450. The name of the responsible official has been updated from Mr. Terry Wolfe to Mr. Steven Kutney. The State Only operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable regulatory requirements.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.*

**61-00228: AM Stabilizers Corporation** (240 Two Mile Run Road, Franklin, PA 16323) for its facility located in Sugarcreek Borough, **Venango County**. The De minimis emission increase is for the proposed daily production of commercial batches of a reformulated intermediate using existing equipment (Sources 115 & 117). In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on January 12, 2017.

Date	Source	PM <sub>10</sub> (tons)	SO <sub>x</sub> (tons)	NO <sub>x</sub> (tons)	VOC (tons)	CO (tons)
3-3-17	Reformulated intermediate production				0.65	
Total Reported Increases					0.65	
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

## ACTIONS ON 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.*

**03841302 and NPDES No. PA0214132. Canterbury Coal Company,** (46226 National Road, St. Clairsville, OH 43950). To renew the permit for the David/DiAnne Mine in Kiskiminetas Township, **Armstrong County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on June 10, 2003. Application received May 20, 2003. Permit issued March 1, 2017.

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

**Permit No. 11110102 and NPDES No. PA0263249, Laurel Sand & Stone, Inc.,** P.O. Box 556, 210 E. Main Street, Ligonier, PA 15658, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jackson Township, **Cambria County**, affecting 225.1 acres. Receiving streams: unnamed tributaries to/and Bracken Run and unnamed tributary to South Branch Blacklick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 29, 2016.

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

**17110102 and NPDES PA0257583. Swisher Contracting, Inc.** (P.O. Box 1223, Clearfield, PA 16830). Permit renewal for reclamation only of a bituminous surface and auger mine located in Goshen Township, **Clearfield County** affecting 113.2 acres. Receiving stream(s): Surveyor Run classified for the following use(s): CWF and MF; Little Trout Run classified for the following use(s): HQ-CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: January 18, 2017. Permit issued: February 28, 2017.

**17110103 and NPDES PA0257605. RES Coal LLC** (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Transfer of an existing bituminous surface and auger coal mine from Rosebud Mining Company located in Girard Township, **Clearfield County** affecting 257.0 acres. Receiving stream(s): Unnamed Tributaries to Bald Hill Run and Bald Hill Run classified for the following use(s):

CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: October 13, 2016. Permit issued: March 1, 2017.

**17110105 and NPDES PA0257630. RES Coal LLC** (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Transfer of an existing bituminous surface and auger coal mine from Rosebud Mining Company located in Girard Township, **Clearfield County** affecting 233.9 acres. Receiving stream(s): Unnamed Tributaries to Bald Hill Run and Bald Hill Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: October 13, 2016. Permit issued: March 1, 2017.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 540201010R3. Summit Anthracite, Inc.,** (196 Vista Road, Klingerstown, PA 17941), renewal of an existing anthracite surface mine operation in Porter Township, **Schuylkill County** affecting 325.5 acres, receiving stream: Rausch Creek. Application received: November 4, 2016. Renewal issued: March 1, 2017.

**Permit No. PAM113025R. Summit Anthracite, Inc.,** (196 Vista Road, Klingerstown, PA 17941), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54020101 in Porter Township, **Schuylkill County**, receiving stream: Rausch Creek. Application received: November 4, 2016. Renewal issued: March 1, 2017.

### *Noncoal Permits Issued*

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

**10162803. Ben Hal Mining, Inc.** (389 Irishtown Road, Grove City, PA 16127) Commencement, operation and restoration of a small industrial minerals mine in Marion Township, **Butler County**, affecting 2.0 acres. Receiving streams: Unnamed tributary to Blacks Creek and unnamed tributaries to North Branch Slippery Rock Creek. Application received: September 29, 2016. Permit Issued: February 22, 2017.

**PAM616014. Ben Hal Mining, Inc.** (389 Irishtown Road, Grove City, PA 16127) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 10162803 in Marion Township, **Butler County**. Receiving streams: Unnamed tributary to Blacks Creek and unnamed tributaries to North Branch Slippery Rock Creek. Application received: September 29, 2016. Permit Issued: February 22, 2017.

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

**08110307. Bronson Construction Company, Inc.** (464 Bronson Road, Troy, PA 16947). Transfer of an existing large noncoal surface mine from Glenn O. Hawbaker, Inc. located in North Towanda Township, **Bradford County** affecting 36.8 acres. Receiving stream(s): Sugar Run to Susquehanna River classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: July 14, 2016. Permit issued: February 23, 2017.

**PAM216016. Bronson Construction Company, Inc.** (464 Bronson Road, Troy, PA 16947), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with Permit 08110307 to the following surface water(s) in North Towanda Town-

ship, **Bradford County**. Receiving stream(s): Sugar Run to Susquehanna River. Application received: July 14, 2016. Permit Issued: February 23, 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*

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

**26174001. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the Earth Movers Philips Mine Fire, located in Uniontown Township, **Fayette County** with an expiration date of December 31, 2018. Blasting permit issued: March 6, 2017.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

**Permit No. 06174103. J Roy's, Inc.**, (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Willow Glen Lot 99 in Ontelaunee Township, **Berks County** with an expiration date of February 28, 2018. Permit issued: March 1, 2017.

**Permit No. 22174101. M & J Explosives, LLC**, (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Stray Winds 3C in Susquehanna Township, **Dauphin County** with an expiration date of February 27, 2018. Permit issued: March 1, 2017.

**Permit No. 09174102. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Hidden Meadow in Perkasio Borough and Hilltown Township, **Bucks County** with an expiration date of March 1, 2018. Permit issued: March 6, 2017.

**Permit No. 36174104. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Stonehenge Drive in Manheim Township, **Lancaster County** with an expiration date of February 22, 2018. Permit issued: March 6, 2017.

**Permit No. 36174105. J Roy's, Inc.**, (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Earl Township Waste Water Treatment Plant in Earl Township, **Lancaster County** with an expiration date of February 28, 2018. Permit issued: March 6, 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

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E07-461: Pennsylvania Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, Antis Township, **Blair County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a single span bridge with a timber deck on steel beams set on reinforced concrete abutments crossing an unnamed tributary to Bells Gap Run (TSF, MF) with bridge dimensions of a 30-foot clear span and a 26-foot normal span to the abutments with an out-to-out bridge width of 14-foot and includes minor fill to the approaches in the floodway/floodplain of the unnamed tributary to Bells Gap Run. The project is located on an existing access road on State Game Lands Number 108 (Latitude: 40° 38' 34"; Longitude: -78° 24' 15") approximately 0.5 mile west of its intersection with State Route 0865 in Antis Township, Blair County.

**E06-704: PennDOT Engineering District 5-0**, 1002 Hamilton Street, Allentown, PA 17101, Centre Township, **Berks County**, U.S. Army Corps of Engineers, Baltimore District.

To (1) remove existing culvert in Leshar Run (WWF, MF); (2) install and maintain a 29-foot long by 16-foot wide by × 5-foot box culvert with 1 foot uniform depression with scour protection in Leshar Run (WWF, MF); (3) relocate and maintain 90-linear feet of Leshar Run (WWF,

MF), (4) reconstruct SR 4015 over and in the floodplain of Leshner Run (WWF, MF), and (5) to place fill within 0.03 acre of PEM and PSS wetlands, all for the purpose of improving transportation safety and roadway standards. The project proposes to have a total of 141 linear feet of permanent stream impact and 66 linear feet of temporary impacts, 0.03 acre of permanent wetland impacts and 0.02 acre of temporary wetland impacts, and 0.08 acre of permanent and 0.015 acre of temporary floodplain impacts. The project is located on SR 4015 Section 01B in Centre Township, Berks County (Latitude: 40° 29' 44"; Longitude: -76° 03' 03.9").

#### 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.*

**D52-061EA. Anthony Paone**, The Girl Scouts of Eastern Pennsylvania, 100 Juliette Low Way, Valley Forge, PA 19482, Lehman Township, **Pike County**, USACOE Philadelphia District.

Project proposes to remove the Gorson Dam for the purpose of eliminating a threat to public safety and restoring approximately 1,620 feet of stream channel to a free-flowing condition. The project is located across a tributary to the Delaware River (HQ-CWF, MF) (Lake Maskenozha, PA Quadrangle, Latitude: 41.1808; Longitude: -74.9346).

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-2 # ESX16-059-0017  
Applicant Name Rice Drilling B, LLC  
Contact Person Joseph C. Mallow  
Address 400 Woodcliff Drive  
City, State, Zip Canonsburg, PA 15317

County Greene County  
Township(s) Springhill and Aleppo Townships  
Receiving Stream(s) and Classification(s) UNTs to Harts Run (WWF), UNTs to Wagonroad Run (WWF),  
Secondary—Harts Run and Wagonroad Run

ESCGP-2 # ESX16-125-0056  
Applicant Name EQT Production Co  
Contact Person Todd Klaner  
Address 2400 Ansys Dr, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington  
Township(s) E Finley  
Receiving Stream(s) and Classification(s) UNT to Templeton Fork (TSF)  
Secondary—Templeton Fork

ESCGP-2 # ESX16-125-0030  
Applicant Name Todd Klaner  
Contact Person EQT Production Co  
Address 2400 Ansys Dr, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington  
Township(s) West Bethlehem  
Receiving Stream(s) and Classification(s) Ten Mile Ck (TSF)  
Secondary—Monongahela River (WWF)

ESCGP-2 # ESG16-125-0057  
Applicant Name EQT Production Co  
Contact Person Todd Klaner  
Address 2400 Ansys Dr, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington  
Township(s) East Finley  
Receiving Stream(s) and Classification(s) UNT to Buffalo Ck (HQ-WWF)  
Secondary—Buffalo Ck

ESCGP-2 # ESX14-059-0079  
Applicant Name Rice Poseidon Midstream LLC  
Contact Person Kyle Shirey  
Address 2200 Rice Dr  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Jefferson  
Receiving Stream(s) and Classification(s) UNTs to South Fork Ten Mile Ck (WWF)  
Secondary—South Fork Ten Mile Ck (WWF)

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESG29-117-16-0040  
Applicant Name Lance Ridall  
Contact Person Repsol Oil and Gas USA LLC  
Address 337 Daniel Zenker Dr  
City, State, Zip Horseheads, NY 14845  
County Tioga  
Township(s) Hamilton & Liberty  
Receiving Stream(s) and Classification(s) Long Run (CWF); Johnson Ck (CWF)

ESCGP-2 # ESG29-081-17-0001  
Applicant Name Anadarko Marcellus Midstream LLC  
Contact Person Stephen Barondeau  
Address 33 W Third St, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Watson  
Receiving Stream(s) and Classification(s) North Fork Tombs Run (HQ-CWF); UNT to Tombs Run (HQ-CWF)  
Secondary—Tombs Run (HQ-CWF)

ESCGP-2 # ESX29-015-17-0006  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Brian Davis  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford  
 Township(s) Wilmot  
 Receiving Stream(s) and Classification(s) UNT to North  
 Branch Mehoopany Ck (CWF)  
 Secondary—North Branch Mehoopany Ck  
 ESCGP-2 # ESG29-117-16-0042  
 Applicant Name HEP Tioga Gathering LLC  
 Contact Person Kevin Williams  
 Address 17806 IH-10 West, Suite 210

City, State, Zip San Antonio, TX 78257  
 County Lycoming  
 Township(s) Jackson  
 Receiving Stream(s) and Classification(s) Blacks Ck  
 (CWF)

ESCGP-2 # ESG29-117-16-0043  
 Applicant Name SWEPI LP  
 Contact Person Jason Shoemaker  
 Address 150 N Dairy Ashford, E1296-E  
 City, State, Zip Houston, TX 77079  
 County Tioga  
 Township(s) Delmar  
 Receiving Stream(s) and Classification(s) West Branch  
 Stony Fork (EV)

## STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
17-51-027	Philadelphia Energy Solutions Refining and Marketing LLC 3144 Passyunk Avenue Philadelphia, PA 19145-5299 Attn: Mark O. Brandon	Philadelphia	City of Philadelphia	2 ASTs storing benzene	949,200 gallons total
17-15-006	Shannon Chemical Corporation 311 Commerce Drive Exton, PA 19341 Attn: Daniel C. Flynn	Chester	West Whiteland Township	20 ASTs storing hazardous substances	117,000 gallons total

## SPECIAL NOTICES

### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of February 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>
Brian Bacchus	125 Twin Oaks Drive Wexford, PA 15090	Mitigation
Jason Bancroft	PO Box 261 Gilbertsville, PA 19525	Testing
Bernard Catanzareti	1177 Dewalt Drive Easton, PA 18040	Testing
Shavaun Cotter Partner Assessment Corporation	362 Fifth Avenue, Ste. 501 New York, NY 10001	Testing
Jason D'Amato	2222 Route 115 Brodheads ville, PA 18322	Testing
Scott Ferguson	756 Burnley Circle Springfield, PA 19064	Testing
John Fordyce	7844 Old Route 56 Highway W Indiana, PA 15701	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Albert Gallucci	44 Country Club Road West Northampton, PA 18067	Mitigation
Elliott Hoffman	PO Box 91 Akron, PA 17501	Mitigation
Daniel Jenkins	1489 Turk Road Warrington, PA 18976	Testing
E. Patrick Joseph	561 Vanderbilt Road Connellsville, PA 15425	Testing
Edward Moran	940 Port Carbon Street Pottsville, PA 17901	Testing
James Mulvehill	126 Furnari Avenue Johnstown, PA 15905	Testing
Joshua Mulvehill	126 Furnari Avenue Johnstown, PA 15905	Testing
Nyveldt Enterprises, LLC	27 Mount Carmel Street Roseto, PA 18013	Testing
Pro-Lab	1675 North Commerce Parkway Weston, FL 33326	Laboratory Analysis
Real Estate Inspections	675 Featherbed Lane Garnet Valley, PA 19060	Testing
Benjamin Rice	59 Sams Trail Lane Dalton, PA 18414	Testing
Gregory Scheer	474 McCollum Road Montrose, PA 18801	Testing & Mitigation
William Staniland	706 Russett Meadow Court Cranberry Township, PA 16066	Testing
Milan Stanojevic	541 Glowood Drive Pittsburgh, PA 15227	Testing
Edward Szczesniak	8 Mohawk Drive Richboro, PA 18954	Testing
Todd Tuvell	17 Crestpoint Drive New Castle, PA 19720	Testing
David Wotring	1389 Waterview Drive Scotrun, PA 18355	Testing
Jeffrey Zappel Healthy Environments, LLC	60 Progress Avenue Cranberry Township, PA 16066	Testing

**Invitation for Bids to Perform Mine Reclamation under Act 181 of 1984**

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

Under Act 181 of 1984, the Department of Environmental Protection is soliciting interest/reclamation proposals from landowners, licensed mine operators, and/or eligible reclamation contractors for the reclamation of the following abandoned strip mine:

<i>Project 17100107.1</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
C.M.T. Energy, Inc. K&J Operation SMP 17100107	Chest Township	Clearfield	24

A pre-proposal site meeting is scheduled for Thursday, March 30, 2017 at 9:00 a.m. on site to tour the reclamation area with all interested parties.

Preregistration is necessary via a letter of interest or verbal confirmation through Aaron Pontzer, Mining Permit and Compliance Specialist, Moshannon District Office, Department of Environmental Protection, 186 Enterprise Drive, Philipsburg, PA 16866, no later than 3:30 p.m., March 28, 2017. Telephone inquiries shall be directed to Aaron Pontzer at 814-342-8200. Proposal documents package will be provided at meeting.

Only proposals from those in attendance will be considered for this contract.

*Project Overview:* Reclamation of site consists of removing and properly disposing of abandoned heavy equipment and trash; clearing and grubbing vegetated areas; dewatering, backfilling and major re-grading of pit areas; completing the backfilling of the highwall cut in the AML area; relocation of 0.35 acre of wetlands plants and soils; transporting, grading, and placing topsoil to remove spoil and topsoil piles; reclaiming and grading to remove treatment ponds; preserving and reconditioning portions of the haul-road; minor re-grading as necessary; revegetation of all reclaimed and disturbed areas;

implementation of E&S controls and removal of those controls when stabilization is achieved. Contractor shall operate as to avoid existing gas well, and will avoid operating in the immediate vicinity of utility poles in the work area, leaving the poles at their existing locations.

[Pa.B. Doc. No. 17-474. Filed for public inspection March 17, 2017, 9:00 a.m.]

### **Alternative Fuel Vehicle Rebate Program; Revisions**

The Department of Environmental Protection (Department) announces the continued availability of grants to Commonwealth residents under the Alternative Fuel Vehicle Rebate Program (Program). The Program, administered by the Department through the Alternative Fuels Incentive Grant Program, provides rebates to Commonwealth residents to assist individuals with the incremental costs of purchasing an alternative fuel vehicle.

As of March 18, 2017, all alternative fuel vehicle rebates will be submitted online using the eGrants system. Submit an application at <https://www.esa.dced.state.pa.us/Login.aspx>.

In addition, beginning on March 18, 2017, the Department will be altering the rebate amounts for battery electric vehicles (BEV) and plug-in hybrid electric vehicles (PHEV) to be supported by the Program. The Department will deploy a three-tier rebate system for these vehicle types.

- o A \$1,750 rebate for BEV and PHEV with a battery capacity greater than or equal to 20 kWh
- o A \$1,000 rebate for BEV and PHEV with a battery capacity between 10 kWh and 20 kWh
- o A \$750 rebate for BEV and PHEV with a battery capacity less than 10 kWh

There are no changes in rebate amounts for compressed natural gas, liquefied petroleum gas, hydrogen, fuel cell or electric motorcycle, scooters, ATVs or low speed electric vehicles.

There are a limited number of rebates available at \$1,750. The Program offered will be reassessed upon payment of the first 250 rebates at \$1,750 or June 30, 2017, whichever occurs first.

The Program will continue to accept rebate applications by the current paper application format until March 17, 2017, in accordance with the current guidelines.

The Program guidelines and application instructions as well as an up-to-date listing of rebate availability can be accessed at <http://www.dep.pa.gov> (select "Citizens," then "Grants, Loans and Rebates," then "Alternative Fuels Incentive Grant," then "Alternative Fuel Vehicles").

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-475. Filed for public inspection March 17, 2017, 9:00 a.m.]

### **Mine Families First Response and Communication Advisory Council Meeting**

The Mine Families First Response and Communication Advisory Council will meet on April 18, 2017, at 10 a.m. in the Department of Environmental Protection, Fayette Room, New Stanton Office, 131 Broadview Road, New Stanton, PA 15672.

Questions concerning the meeting can be directed to Allison Gaida at (724) 404-3147 or [agaida@pa.gov](mailto:agaida@pa.gov). The agenda and meeting materials for the meetings are available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mine Families First Response and Communications Advisory Council").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allison Gaida at (724) 404-3147 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-476. Filed for public inspection March 17, 2017, 9:00 a.m.]

### **Mining and Reclamation Advisory Board; Regulatory, Legislative and Technical Committee Meeting**

The Mining and Reclamation Advisory Board's Regulatory, Legislative and Technical Committee (Committee) will meet on March 30, 2017, from 10 a.m. to 12 p.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals interested in participating in the meeting by WebEx should visit the Committee's web site as follows for additional instructions.

Questions concerning the meeting can be directed to Daniel E. Snowden at (717) 783-8846 or [dsnowden@pa.gov](mailto:dsnowden@pa.gov). The agenda and meeting materials for the meetings are available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mining and Reclamation Advisory Board (MRAB)").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-477. Filed for public inspection March 17, 2017, 9:00 a.m.]



## Rescission of Technical Guidance

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

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

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

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

### *Changes to Technical Guidance Documents*

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

This is a request to rescind two technical documents by publishing notice in the *Pennsylvania Bulletin*.

### *Rescission of Technical Guidance*

**DEP ID:** 391-3200-003. **Title:** Cause/Effect Surveys. **Description:** Established procedures to conduct stream cause/effect surveys. The contents of this guidance were updated and published as part of the Assessment and Listing Methodology, as Federally required. This guidance is now obsolete, as the information is available to the public in the Assessment and Listing Methodology.

**Contact:** Questions regarding this action should be directed to Gary Walters at (717) 783-7964 or [gawalters@pa.gov](mailto:gawalters@pa.gov).

**Effective Date:** March 18, 2017

**DEP ID:** 391-3200-007. **Title:** Stream Enrichment Risk Analysis. **Description:** This document established procedures to conduct stream enrichment risk analysis surveys relative to phosphorous. The procedures outlined in this document are obsolete and no longer used by the Department.

**Contact:** Questions regarding this action should be directed to Gary Walters at (717) 783-7964 or [gawalters@pa.gov](mailto:gawalters@pa.gov).

**Effective Date:** March 18, 2017

PATRICK McDONNELL,  
*Acting Secretary*

[Pa.B. Doc. No. 17-478. Filed for public inspection March 17, 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 § 201.3 (relating to definitions), specifically the definition of "nurse aide":

Watsonstown Nursing and Rehabilitation Center  
245 East Eight Street  
Watsonstown, PA 17777  
FAC ID # 110702

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.17 (relating to location):

Silvercare Nursing and Rehabilitation  
130 Fairvies Road  
Crumlynn, PA 19022  
FAC ID # 24650201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.23 (relating to location of bedrooms):

Rolling Hills Healthcare and Rehabilitation Center  
17350 Old Turnpike Road  
Millmont, PA 17845  
FAC ID # 320202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Green Valley Skilled Nursing and Rehabilitation Center  
200 Taylorsville Mountain Road  
Pitman, PA 17964  
FAC ID # 061502

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@pa.gov](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 address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 17-479. Filed for public inspection March 17, 2017, 9:00 a.m.]

**Nursing Home Patient Safety Trust Fund Surcharge for Fiscal Year 2016-2017 as Provided for under the Medical Care Availability and Reduction of Error (MCARE) Act**

Sections 401—411 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. §§ 1303.401—1303.411) require nursing homes to electronically report health care-associated infection (HAI) data to the Department of Health (Department) and the Patient Safety Authority (Authority). Mandatory reporting of nursing home HAIs was implemented in June 2009.

Section 409 of the MCARE Act states that every fiscal year, beginning July 1, 2008, each nursing home shall pay the Department a surcharge on its licensing fee to provide sufficient revenues for the Authority to perform its responsibilities related to the MCARE Act. The base amount of \$1 million for Fiscal Year (FY) 2008-2009 has the potential to be increased no more than the Consumer Price Index in each succeeding fiscal year.

The FY 2015-2016 surcharge was \$1.08 million. The Authority has recommended that the FY 2016-2017 surcharge assessment total \$1.11 million.

To assess the surcharge in an equitable manner, the number of licensed nursing home beds as of December 31, 2016, was totaled and that amount was divided into \$1.11 million. The total number of licensed beds is 86,779. This equates to a surcharge of \$12.791 per bed.

To obtain a copy of the assessment for all facilities, send an e-mail to [paexcept@pa.gov](mailto:paexcept@pa.gov) and request the FY 2016-2017 MCARE surcharge assessment list for nursing care facilities. Each facility will receive notification from the Department setting forth the amount due, date due, the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a nursing care facility has any questions concerning this notice, a representative from that facility should contact Susan Williamson, Director, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 787-1816.

Persons with a disability who require an alternative format of this document (for example, large print, audio-tape or Braille) should contact Susan Williamson at the address or telephone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
*Secretary*

[Pa.B. Doc. No. 17-480. Filed for public inspection March 17, 2017, 9:00 a.m.]

**Patient Safety Trust Fund Surcharge for Fiscal Year 2016-2017 as Provided for under the Medical Care Availability and Reduction of Error (MCARE) Act**

On March 20, 2002, the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. §§ 1303.101—1303.910) was enacted. Among other provisions, the MCARE Act established the Patient Safety

Authority (Authority) to collect, analyze and evaluate data regarding reports of serious events and incidents occurring in certain medical facilities and to make recommendations to those facilities regarding changes, trends and improvements in health care practices and procedures for the purpose of reducing the number and severity of serious events and incidents.

Section 305(a) of the MCARE Act (40 P.S. § 1303.305(a)) authorizes the establishment of a Patient Safety Trust Fund (Fund) for the operations of the Authority. Section 305(c) of the MCARE Act states that beginning July 1, 2002, and for every fiscal year thereafter, each medical facility covered by the MCARE Act shall pay the Department of Health (Department) a surcharge on its licensing fee as necessary to provide sufficient revenues for the Authority to operate. Section 305(c) of the MCARE Act also states that the total assessment amount for Fiscal Year (FY) 2002-2003 shall not exceed \$5 million and that the Department shall transfer the total assessment amount to the Fund within 30 days of receipt. Section 305(d) of the MCARE Act provides that for each succeeding calendar year, the Department shall determine and assess each medical facility a proportionate share of the Authority's budget. The base amount of \$5 million provided for in FY 2002-2003 shall be increased no more than the Consumer Price Index in each succeeding fiscal year.

Initially, the surcharge was assessed on ambulatory surgical facilities (ASF), birth centers and hospitals. Subsequently, the MCARE Act was amended and abortion facilities were also required to pay the surcharge.

With the cooperation of hospitals, birthing centers, abortion facilities and ASFs in this Commonwealth, the surcharge has been implemented and has provided resources for the implementation of the web-based Pennsylvania Patient Safety Reporting System and the operation of the Authority.

This notice sets forth the procedure that the Department will follow in assessing and collecting the surcharge for FY 2016-2017. The Authority FY 2016-2017 surcharge assessment is \$6.675 million. The MCARE Act states that the surcharge shall be collected from medical facilities, which are defined as ASFs, birth centers and hospitals licensed under either the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b) or Article X of the Human Services Code (62 P.S. §§ 1001—1088). Also included, as of May 1, 2006, are abortion facilities which are defined in 18 Pa.C.S. § 3203 (relating to definitions). Nursing homes, which are assessed under sections 401—411 of the MCARE Act (40 P.S. §§ 1303.401—1303.411), receive a separate assessment notification.

To assess the surcharge in an equitable manner, the Department continues to use a common denominator in these facilities. For ASFs, birth centers and abortion facilities, the Department has chosen the number of operating and procedure rooms. For hospitals, the Department has chosen the number of beds contained on the license of each hospital, whether by the Department (general and special acute care hospitals) or the Department of Human Services (privately-owned psychiatric hospitals). It was also necessary to pick a point in time to make this assessment; the Department has chosen December 31, 2016.

The number of operating/procedure rooms (for ASFs, birth centers and abortion facilities) and the number of licensed beds (for hospitals) was totaled and that number was divided into \$6.675 million to arrive at a charge per unit for the assessment. The total number of units

(operating rooms, procedure rooms and licensed beds) is 42,135. Dividing this number into \$6.675 million results in a per unit assessment for each installment of approximately \$158.42. The assessment is payable by May 31, 2017.

To obtain a copy of the assessment for all facilities, send an e-mail to [paexcept@pa.gov](mailto:paexcept@pa.gov) and request the FY 2016-2017 MCARE surcharge assessment lists.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a facility has any questions concerning this notice, a representative from that facility should contact Garrison E. Gladfelter, Jr., Chief, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 783-8980.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape or Braille) should contact Garrison E. Gladfelter, Jr. at the previously listed address or telephone number, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,  
Secretary

[Pa.B. Doc. No. 17-481. Filed for public inspection March 17, 2017, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania 5X Instant Lottery Game 1275

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

1. *Name:* The name of the game is Pennsylvania 5X (hereinafter “5X”). The game number is PA-1275.

2. *Price:* The price of a 5X instant lottery game ticket is \$1.

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

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: FREE

(TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$500, \$1,000 and \$10,000. A player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the 5X instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$125.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

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

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$25.

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

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 5X (5TIMES) symbol, and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the “Prize” area to the right of that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbol and a prize symbol of FREE (TICKET) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one 5X instant lottery game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

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

*When Any Of Your Numbers Match Either Winning Number, Win Prize Shown To The Right Of The Matching Number. Win With:*

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets
FREE	FREE \$1 TICKET	9.68	1,116,000
\$1 × 2	\$2	33.33	324,000
\$2	\$2	33.33	324,000
\$1 × 4	\$4	300	36,000
\$2 × 2	\$4	300	36,000
\$4	\$4	300	36,000
\$1 w/ 5X	\$5	42.86	252,000
\$5	\$5	750	14,400
\$5 × 2	\$10	600	18,000
\$2 w/ 5X	\$10	150	72,000
\$10	\$10	600	18,000
\$5 × 4	\$20	1,500	7,200
\$10 × 2	\$20	3,000	3,600
(\$2 w/ 5X) × 2	\$20	1,500	7,200
\$4 w/ 5X	\$20	750	14,400
\$20	\$20	3,000	3,600
(\$10 × 2) + (\$1 w/ 5X)	\$25	12,000	900
\$5 w/ 5X	\$25	12,000	900
\$25	\$25	12,000	900

*When Any Of Your Numbers Match Either Winning Number, Win Prize Shown To The Right Of The Matching Number. Win With:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
\$25 × 2	\$50	8,000	1,350
(\$5 w/ 5X) × 2	\$50	4,800	2,250
\$10 w/ 5X	\$50	8,000	1,350
\$50	\$50	4,800	2,250
\$25 × 4	\$100	24,000	450
\$50 × 2	\$100	24,000	450
(\$5 w/ 5X) × 4	\$100	12,000	900
(\$10 w/ 5X) × 2	\$100	12,000	900
\$20 w/ 5X	\$100	8,000	1,350
\$100	\$100	24,000	450
(\$25 w/ 5X) × 4	\$500	240,000	45
(\$50 w/ 5X) × 2	\$500	240,000	45
\$100 w/ 5X	\$500	240,000	45
\$500	\$500	240,000	45
\$500 × 2	\$1,000	1,080,000	10
(\$100 w/ 5X) × 2	\$1,000	1,080,000	10
\$1,000	\$1,000	1,080,000	10
\$10,000	\$10,000	2,160,000	5

Reveal a “5X” (5TIMES) symbol, win 5 times the prize shown to the right of that symbol!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 5X instant lottery game tickets.

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

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of 5X, prize money from winning 5X instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the 5X instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote 5X or through normal communications methods.

EILEEN H. McNULTY,  
*Secretary*

[Pa.B. Doc. No. 17-482. Filed for public inspection March 17, 2017, 9:00 a.m.]

**Pennsylvania Bank on It Instant Lottery Game 1271**

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

1. *Name:* The name of the game is Pennsylvania Bank on It (hereinafter “Bank on It”). The game number is PA-1271.

2. *Price:* The price of a Bank on It instant lottery game ticket is \$10.

3. *Play Symbols:* Each Bank on It instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “FAST CASH” area. The “FAST CASH” area is played separately. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31

(THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Safe (SAFE) symbol and a Bank (WINALL) symbol. The play symbols and their captions in the "FAST CASH" area are: Chest (TRY AGAIN) symbol, Four Leaf Clover (NO BONUS) symbol, Gold Bar (TRY AGAIN) symbol, Key (NO BONUS) symbol, Pot of Gold (TRY AGAIN) symbol, Wallet (NO BONUS) symbol, Wishbone (TRY AGAIN) symbol and a Stack of Coins (COINS) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$30,000 (TRY THO) and \$300,000 (THRHUNTHO). The prize symbols and their captions located in the "FAST CASH" area are: \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$30, \$40, \$50, \$100, \$150, \$200, \$400, \$500, \$1,000, \$10,000, \$30,000 and \$300,000. The prizes that can be won in the "FAST CASH" area are: \$10, \$15, \$20, \$50, \$100, \$150, \$200, \$500 and \$1,000. The player can win up to 16 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Bank on It instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30,000 (TRY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

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

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bank (WINALL) symbol, and a prize symbol of \$1,000 (ONE THO) appears in five of the "prize" areas and a prize symbol of \$500 (FIV HUN) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

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

(h) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the "FAST CASH" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bank (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

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

(l) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the "FAST CASH" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bank (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in three of the "prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bank (WINALL) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

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

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe (SAFE)

symbol, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Safe (SAFE) symbol, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bank (WINALL) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bank (WINALL) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$250.

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

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

(u) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the “FAST CASH” area, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bank (WINALL) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bank (WINALL) symbol, and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in ten of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$150 (ONEHUNFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$150.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Safe (SAFE) symbol, and a prize symbol of \$150 (ONEHUNFTY) appears in the “prize” area under that Safe (SAFE) symbol, on a single ticket, shall be entitled to a prize of \$150.

(z) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the “FAST CASH” area, and a prize symbol of \$150 (ONEHUNFTY) appears in the “prize” area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$150.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Bank (WINALL) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears

in all fifteen of the “prize” areas, on a single ticket, shall be entitled to a prize of \$150.

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

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

(dd) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the “FAST CASH” area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$100.

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

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

(gg) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the “FAST CASH” area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$50.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

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

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

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

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

(mm) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the “FAST CASH” area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize”

area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$20.

(nn) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15.<sup>00</sup> (FIFTN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(oo) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe (SAFE) symbol, and a prize symbol of \$15.<sup>00</sup> (FIFTN) appears in the "prize" area under that Safe (SAFE) symbol, on a single ticket, shall be entitled to a prize of \$15.

(pp) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the "FAST CASH" area, and a prize symbol of \$15.<sup>00</sup> (FIFTN) appears in the "prize" area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$15.

(qq) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(rr) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Safe (SAFE) symbol, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "prize" area under that Safe (SAFE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(ss) Holders of tickets upon which a Stack of Coins (COINS) symbol appears in the "FAST CASH" area, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "prize" area to the right of that Stack of Coins (COINS) symbol, on a single ticket, shall be entitled to a prize of \$10.

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

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Fast Cash:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets</i>
\$10 w/ SAFE		\$10	13.33	540,000
\$10		\$10	13.33	540,000
\$15 w/ SAFE		\$15	60	120,000
\$15		\$15	60	120,000
\$10	\$10 w/ STACK OF COINS	\$20	30	240,000
\$20 w/ SAFE		\$20	40	180,000
\$20		\$20	60	120,000
\$10 x 2	\$10 w/ STACK OF COINS	\$30	200	36,000
\$15	\$15 w/ STACK OF COINS	\$30	200	36,000
(\$10 w/ SAFE) x 3		\$30	600	12,000
(\$15 w/ SAFE) x 2		\$30	600	12,000
\$30 w/ SAFE		\$30	600	12,000
\$30		\$30	600	12,000
\$10 x 4	\$10 w/ STACK OF COINS	\$50	300	24,000
\$15 x 2	\$20 w/ STACK OF COINS	\$50	300	24,000
\$20 x 2	\$10 w/ STACK OF COINS	\$50	300	24,000
(\$10 w/ SAFE) x 5		\$50	300	24,000
\$50 w/ SAFE		\$50	600	12,000
\$50		\$50	600	12,000
\$10 x 10		\$100	600	12,000
\$20 x 4	\$20 w/ STACK OF COINS	\$100	600	12,000
\$50 x 2		\$100	600	12,000
\$100 w/ SAFE		\$100	600	12,000
\$100		\$100	600	12,000
BANK w/ (\$10 x 15)		\$150	1,091	6,600
\$15 x 10		\$150	6,000	1,200
\$20 x 5	\$50 w/ STACK OF COINS	\$150	2,400	3,000
\$30 x 5		\$150	6,000	1,200
\$50 x 3		\$150	6,000	1,200
\$150 w/ SAFE		\$150	6,000	1,200
\$150		\$150	6,000	1,200
BANK w/ ((\$15 x 10) + (\$10 x 5))		\$200	4,000	1,800
BANK w/ ((\$20 x 5) + (\$10 x 10))		\$200	2,400	3,000
BANK w/ (\$10 x 15)	\$50 w/ STACK OF COINS	\$200	4,000	1,800
\$20 x 9	\$20 w/ STACK OF COINS	\$200	6,000	1,200
\$40 x 5		\$200	12,000	600
\$50 x 3	\$50 w/ STACK OF COINS	\$200	12,000	600
(\$100 w/ SAFE) x 2		\$200	12,000	600
\$200 w/ SAFE		\$200	12,000	600
\$200		\$200	24,000	300
BANK w/ ((\$40 x 5) + (\$20 x 10))		\$400	12,000	600



<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Fast Cash:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets</i>
BANK w/ (( $\$20 \times 10$ ) + ( $\$10 \times 5$ ))	\$150 w/ STACK OF COINS	\$400	24,000	300
BANK w/ (( $\$20 \times 5$ ) + ( $\$10 \times 10$ ))	\$200 w/ STACK OF COINS	\$400	24,000	300
\$100 $\times$ 4		\$400	24,000	300
\$150 $\times$ 2	\$100 w/ STACK OF COINS	\$400	24,000	300
\$400 w/ SAFE		\$400	24,000	300
\$400		\$400	24,000	300
BANK w/ (( $\$40 \times 10$ ) + ( $\$20 \times 5$ ))		\$500	24,000	300
BANK w/ (( $\$100 \times 3$ ) + ( $\$50 \times 2$ ) + ( $\$10 \times 10$ ))		\$500	24,000	300
BANK w/ (( $\$40 \times 5$ ) + ( $\$20 \times 10$ ))	\$100 w/ STACK OF COINS	\$500	24,000	300
\$50 $\times$ 10		\$500	24,000	300
\$100 $\times$ 4	\$100 w/ STACK OF COINS	\$500	24,000	300
\$500 w/ SAFE		\$500	24,000	300
\$500		\$500	24,000	300
BANK w/ (( $\$100 \times 5$ ) + ( $\$50 \times 10$ ))		\$1,000	24,000	300
BANK w/ (( $\$40 \times 10$ ) + ( $\$20 \times 5$ ))	\$500 w/ STACK OF COINS	\$1,000	24,000	300
\$100 $\times$ 10		\$1,000	24,000	300
\$200 $\times$ 4	\$200 w/ STACK OF COINS	\$1,000	24,000	300
\$1,000 w/ SAFE		\$1,000	24,000	300
\$1,000		\$1,000	24,000	300
BANK w/ (( $\$1,000 \times 5$ ) + ( $\$500 \times 10$ ))		\$10,000	1,440,000	5
\$1,000 $\times$ 9	\$1,000 w/ STACK OF COINS	\$10,000	1,440,000	5
\$10,000 w/ SAFE		\$10,000	1,440,000	5
\$10,000		\$10,000	1,440,000	5
\$10,000 $\times$ 3		\$30,000	1,440,000	5
\$30,000		\$30,000	1,440,000	5
\$300,000		\$300,000	720,000	10

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

Reveal a "BANK" (WINALL) symbol, win all 15 prizes shown!

FAST CASH: Reveal a "STACK OF COINS" (COINS) symbol, win prize shown to the right of that symbol. FAST CASH is played separately.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Bank on It instant lottery game tickets.

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

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

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

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

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

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

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 17-483. Filed for public inspection March 17, 2017, 9:00 a.m.]

## Pennsylvania Big Money Instant Lottery Game 1272

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

1. *Name:* The name of the game is Pennsylvania Big Money (hereinafter “Big Money”). The game number is PA-1272.

2. *Price:* The price of a Big Money instant lottery game ticket is \$5.

3. *Play Symbols:* Each Big Money instant game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BONUS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), and 30 (THIRTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), \$100 (WIN100) symbol, and a \$500 (WIN500) symbol. The play symbols and their captions located in the “BONUS” area are: Bank (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Piggy Bank (TRY AGAIN) symbol, Wallet (NO BONUS) symbol, Gold Bar (TRY AGAIN) symbol, Safe (NO BONUS) symbol, and a BIG MONEY (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000, \$10,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Big Money instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

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

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

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

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$500 (WIN500) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that \$500 (WIN500) symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets with a BIG MONEY (WINALL) symbol in the “BONUS” area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

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

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$100 (WIN100) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that \$100 (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with a BIG MONEY (WINALL) symbol in the “BONUS” area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets with a BIG MONEY (WINALL) symbol in the “BONUS” area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the

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

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

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

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

*When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$5	\$5	8.33	1,152,000
\$5 × 2	\$10	30	320,000
\$10	\$10	30	320,000
\$5 × 4	\$20	150	64,000
\$10 × 2	\$20	150	64,000
\$20	\$20	150	64,000
\$5 × 8	\$40	600	16,000
\$10 × 4	\$40	600	16,000
\$20 × 2	\$40	600	16,000
\$40	\$40	300	32,000
\$5 × 10	\$50	600	16,000
\$10 × 5	\$50	600	16,000
(\$20 × 2) + (\$5 × 2)	\$50	600	16,000
\$50	\$50	300	32,000
BIG MONEY w/ ((\$10 × 8) + (\$5 × 4))	\$100	1,200	8,000
BIG MONEY w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	923.08	10,400
\$10 × 10	\$100	4,000	2,400
\$20 × 5	\$100	6,000	1,600
\$100 w/ \$100 SYMBOL	\$100	600	16,000
\$100	\$100	4,000	2,400
BIG MONEY w/ ((\$50 × 2) + (\$40 × 10))	\$500	12,000	800
(\$100 w/ \$100 SYMBOL) × 5	\$500	24,000	400
\$500 w/ \$500 SYMBOL	\$500	1,000	9,600
\$500	\$500	24,000	400
(\$100 w/ \$100 SYMBOL) × 10	\$1,000	960,000	10
(\$500 w/ \$500 SYMBOL) × 2	\$1,000	960,000	10
\$1,000	\$1,000	960,000	10
\$1,000 × 10	\$10,000	960,000	10
\$10,000	\$10,000	960,000	10
\$100,000	\$100,000	960,000	10

Reveal a “\$100” (WIN100) symbol, win \$100 instantly!

Reveal a “\$500” (WIN500) symbol, win \$500 instantly!

BONUS: Reveal a “BIG MONEY” (WINALL) symbol, win all prizes shown in the play area below.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Big Money instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant

lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a

winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

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

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

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

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 17-484. Filed for public inspection March 17, 2017, 9:00 a.m.]

### Pennsylvania Diamond Dazzler Instant Lottery Game 1274

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

1. *Name:* The name of the game is Pennsylvania Diamond Dazzler (hereinafter “Diamond Dazzler”). The game number is PA-1274.

2. *Price:* The price of a Diamond Dazzler instant lottery game ticket is \$2.

3. *Play Symbols:* Each Diamond Dazzler instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17

(SVNTN), 18 (EGHTN), 19 (NINTN), and 20 (TWENT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Ring (RING) symbol and a Diamond (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$400, \$1,000 and \$50,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Diamond Dazzler instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$50,000 (FTY THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

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

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (WINALL) symbol and a prize symbol of \$100 (ONE HUN) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

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

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

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (WINALL) symbol and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

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

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

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (WINALL) symbol and a prize symbol of \$20.00 (TWENTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

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

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (WINALL) symbol and a prize symbol of \$10.00 (TEN DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.00 (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Ring (RING) symbol and a prize symbol of \$50.00 (FIFTY) appears in the “prize” area under that Ring (RING) symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (WINALL) symbol and a prize symbol of \$5.00 (FIV DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.00 (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Ring (RING) symbol and a prize symbol of \$40.00 (FORTY) appears in the “prize” area under that Ring (RING) symbol, on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (WINALL) symbol and a prize symbol of \$4.00 (FOR DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Ring (RING) symbol and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under that Ring (RING) symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Diamond (WINALL) symbol and a prize symbol of \$2.00 (TWO DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Ring (RING) symbol and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under that Ring (RING) symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Ring (RING) symbol and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under that Ring (RING) symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.00 (FOR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Ring (RING) symbol and a prize symbol of \$4.00 (FOR DOL) appears in the “prize” area under that Ring (RING) symbol, on a single ticket, shall be entitled to a prize of \$4.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Ring (RING) symbol and a prize symbol of \$2.00 (TWO DOL) appears in the “prize” area under that Ring (RING) symbol, on a single ticket, shall be entitled to a prize of \$2.

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

When Any Of Your Numbers  
Match Either Winning Number,  
Win Prize Shown Under The  
Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets:
\$2 w/ RING	\$2	18.75	320,000
\$2	\$2	18.75	320,000
\$2 × 2	\$4	60	100,000
(\$2 w/ RING) × 2	\$4	60	100,000
\$4 w/ RING	\$4	60	100,000
\$4	\$4	60	100,000
\$5 w/ RING	\$5	150	40,000
\$5	\$5	75	80,000
\$2 × 5	\$10	300	20,000
\$5 × 2	\$10	300	20,000
\$10 w/ RING	\$10	150	40,000
\$10	\$10	300	20,000
DIAMOND w/ (\$2 × 10)	\$20	166.67	36,000
\$4 × 5	\$20	1,500	4,000
\$5 × 4	\$20	1,500	4,000
\$10 × 2	\$20	1,500	4,000
((2 w/ RING) × 5) + (\$5 × 2)	\$20	1,500	4,000
\$20 w/ RING	\$20	1,500	4,000
\$20	\$20	1,500	4,000
DIAMOND w/ (\$4 × 10)	\$40	1,091	5,500
\$5 × 8	\$40	6,000	1,000
\$10 × 4	\$40	6,000	1,000
\$20 × 2	\$40	6,000	1,000
(\$4 w/ RING) × 10	\$40	4,000	1,500
\$40 w/ RING	\$40	4,000	1,500
\$40	\$40	6,000	1,000
DIAMOND w/ (\$5 × 10)	\$50	800	7,500
\$10 × 5	\$50	12,000	500
(\$10 × 2) + (\$5 × 6)	\$50	12,000	500
(\$10 w/ RING) + (\$20 × 2)	\$50	12,000	500
\$50 w/ RING	\$50	12,000	500
\$50	\$50	12,000	500
DIAMOND w/ (\$10 × 10)	\$100	4,000	1,500
\$20 × 5	\$100	12,000	500
\$50 × 2	\$100	12,000	500
((40 w/ RING) × 2) + (\$10 × 2)	\$100	12,000	500
\$100 w/ RING	\$100	12,000	500
\$100	\$100	12,000	500
DIAMOND w/ (\$20 × 10)	\$200	24,000	250
\$40 × 5	\$200	24,000	250
\$50 × 4	\$200	24,000	250
\$100 × 2	\$200	24,000	250
\$200 w/ RING	\$200	40,000	150
\$200	\$200	60,000	100
DIAMOND w/ (\$40 × 10)	\$400	120,000	50
\$50 × 8	\$400	600,000	10
\$200 × 2	\$400	600,000	10
((100 w/ RING) × 2) + (\$100 × 2)	\$400	600,000	10
\$400 w/ RING	\$400	600,000	10
\$400	\$400	600,000	10
DIAMOND w/ (\$100 × 10)	\$1,000	300,000	20
\$200 × 5	\$1,000	600,000	10
\$1,000 w/ RING	\$1,000	600,000	10
\$1,000	\$1,000	600,000	10
\$50,000	\$50,000	600,000	10

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

Reveal a "DIAMOND" (WINALL) symbol, win all 10 prizes shown!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Diamond Dazzler instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket

that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

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

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

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

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 17-485. Filed for public inspection March 17, 2017, 9:00 a.m.]

## Pennsylvania Mother's Day Instant Lottery Game 1273

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

1. *Name*: The name of the game is Pennsylvania Mother's Day (hereinafter "Mother's Day"). The game number is PA-1273.

2. *Price*: The price of a Mother's Day instant lottery game ticket is \$5.

3. *Play Symbols*: Each Mother's Day instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the

"WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Butterflies (DOUBLE) symbol and a MOM (WINALL) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$25<sup>00</sup> (TWY FIV), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$60<sup>00</sup> (SIXTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes*: The prizes that can be won in this game are: \$5, \$10, 15, \$25, \$30, \$50, \$60, \$100, \$200, \$500, \$1,000 and \$50,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 4,800,000 tickets will be printed for the Mother's Day instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (WINALL) symbol and a prize symbol of \$200 (TWO HUN) appears in four of the "prize" areas and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in eight of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (WINALL) symbol and a prize symbol of \$200 (TWO HUN) appears in two of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a MOM (WINALL) symbol and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$400.

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

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a MOM (WINALL) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in four of the “prize” areas, a prize symbol of \$15<sup>00</sup> (FIFTN) appears in four of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

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

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a MOM (WINALL) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$60<sup>00</sup> (SIXTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$60.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$60.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a MOM (WINALL)

symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in all twelve of the “prize” areas, on a single ticket, shall be entitled to a prize of \$60.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$50.

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

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$30.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15<sup>00</sup> (FIFTN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Butterflies (DOUBLE) symbol and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that Butterflies (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

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



When Any Of Your Numbers  
Match Any Winning Number,  
Win Prize Shown Under The  
Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
\$5	\$5	10	480,000
\$5 × 2	\$10	200	24,000
\$5 w/ BUTTERFLIES	\$10	17.14	280,000
\$10	\$10	300	16,000
\$5 × 3	\$15	300	16,000
\$10 + \$5	\$15	600	8,000
(\$5 w/ BUTTERFLIES) + \$5	\$15	40	120,000
\$15	\$15	300	16,000
\$5 × 5	\$25	300	16,000
(\$10 × 2) + \$5	\$25	300	16,000
(\$10 w/ BUTTERFLIES) + \$5	\$25	120	40,000
\$25	\$25	600	8,000
\$5 × 6	\$30	300	16,000
\$10 × 3	\$30	600	8,000
(\$5 w/ BUTTERFLIES) × 3	\$30	200	24,000
\$15 w/ BUTTERFLIES	\$30	300	16,000
\$30	\$30	300	16,000
MOM w/ (\$5 × 12)	\$60	300	16,000
\$10 × 6	\$60	1,200	4,000
\$15 × 4	\$60	2,400	2,000
\$30 × 2	\$60	2,400	2,000
(\$15 w/ BUTTERFLIES) × 2	\$60	1,200	4,000
\$30 w/ BUTTERFLIES	\$60	2,400	2,000
\$60	\$60	2,400	2,000
MOM w/ ((\$10 × 8) + (\$5 × 4))	\$100	480	10,000
\$10 × 10	\$100	4,000	1,200
\$25 × 4	\$100	4,000	1,200
(\$30 w/ BUTTERFLIES) + (\$10 × 4)	\$100	4,000	1,200
\$50 w/ BUTTERFLIES	\$100	4,000	1,200
\$100	\$100	4,000	1,200
MOM w/ ((\$25 × 4) + (\$15 × 4) + (\$10 × 4))	\$200	6,000	800
\$25 × 8	\$200	12,000	400
\$100 × 2	\$200	24,000	200
(\$25 w/ BUTTERFLIES) × 4	\$200	12,000	400
\$100 w/ BUTTERFLIES	\$200	12,000	400
\$200	\$200	24,000	200
MOM w/ ((\$100 × 2) + (\$30 × 10))	\$500	120,000	40
MOM w/ ((\$200 × 2) + (\$10 × 10))	\$500	120,000	40
\$100 × 5	\$500	120,000	40
(\$200 w/ BUTTERFLIES) + (\$25 × 4)	\$500	120,000	40
\$500	\$500	120,000	40
MOM w/ ((\$200 × 4) + (\$25 × 8))	\$1,000	240,000	20
\$100 × 10	\$1,000	960,000	5
\$200 × 5	\$1,000	960,000	5
\$500 w/ BUTTERFLIES	\$1,000	960,000	5
\$1,000	\$1,000	960,000	5
\$50,000	\$50,000	480,000	10

Reveal a "BUTTERFLIES" (DOUBLE) symbol, win double the prize shown under that symbol.

Reveal a "MOM" (WINALL) symbol, win all 12 prizes shown!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Mother's Day instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

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

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

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

13. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Mother's Day or through normal communications methods.

EILEEN H. McNULTY,  
Secretary

[Pa.B. Doc. No. 17-486. Filed for public inspection March 17, 2017, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Watercraft Trailer Forfeiture; Maximum Amount

Chapter 73, Subchapter B of 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to or less than the maximum amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). Section 7321(c) of 75 Pa.C.S. provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. Section 7321(c) of 75 Pa.C.S. further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c)(3), the Department has fixed the maximum amount for 2017 as \$1,230.

LESLIE S. RICHARDS,  
Secretary

[Pa.B. Doc. No. 17-487. Filed for public inspection March 17, 2017, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Mentored Youth Fishing Day Program; Trout

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director has designated March 25, and April 8, 2017, as Mentored Youth Fishing Days for trout, beginning at 8 a.m. and ending at 7:30 p.m., in stocked trout waters designated under 58 Pa. Code § 63.3 (relating to fishing in stocked trout waters) and the waters identified as follows that are normally closed to trout fishing on those dates. This designation under 58 Pa. Code § 65.20 will be effective upon publication of this notice in the *Pennsylvania Bulletin*.

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and current trout/salmon permit and be accompanied by a youth (less than 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Fish and Boat Commission (Commission). Youth anglers must obtain a 2017 mentored youth permit or a voluntary youth license from the Commission and be accompanied by a licensed adult angler to participate.

Although waters included in the Mentored Youth Fishing Day Program (Program) will be open to adult anglers, only youth anglers with a 2017 voluntary youth license or mentored youth permit may possess a total of two trout (combined species) with a minimum length of 7 inches. Adult anglers are prohibited from possessing trout. Other Commonwealth inland regulations will apply. It is unlawful to fish in waters designated as part of the Program except in compliance with the requirements of 58 Pa. Code § 65.20 when participating in the Program.

The waters included in the Program on March 25, 2017, are those stocked trout waters in 18 southeastern counties and 2 waters crossing from those counties that are regulated under 58 Pa. Code § 65.12 (relating to regional opening day of trout season). The waters included in the Program on April 8, 2017, are the stocked trout waters in the remaining counties. Special regulation areas are not included in the Program. A listing of stocked trout waters is published in the Commission's "Summary of Fishing Regulations and Laws" available from the Commission at P.O. Box 67000, Harrisburg, PA 17106-7000. The listing is also available at <http://pfbc.pa.gov/fishpub/summaryad/troutwaters.html>.

In addition, the Executive Director has identified the following water as being included in the Program on March 25, 2017:

County	Water
Adams	Orrtanna Pond # 1

The Executive Director has identified the following waters as being included in the Program on April 8, 2017:

<i>County</i>	<i>Water</i>
Centre	Little Sandy Run and Ponds (headwaters at State Line Road, downstream to Lower Adult Pond)
Centre	Wolf Run (sections 1, 2 and 3—headwaters to mouth)
Elk	Blue Valley Pond

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 17-488. Filed for public inspection March 17, 2017, 9:00 a.m.]

**Proposed Special Regulation Designations and Redesignations**

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 April 24 and 25, 2017, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2018:

*58 Pa. Code § 65.18. Brood stock lakes*

The Commission will consider designating the following lake as a brood stock lake:

<i>County</i>	<i>Lake</i>
Mercer	Lake Wilhelm

The Commission will consider removing the designation as a brood stock lake from the following lakes:

<i>County</i>	<i>Lake</i>
Erie	Union City Reservoir
Pike	Lake Wallenpaupack
Wayne	Duck Harbor Pond
Wayne	Miller Pond

At this time, the Commission is soliciting public input concerning the previous designations and redesignations. Persons with comments, objections or suggestions concerning the designations and redesignations 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/reg](http://www.fishandboat.com/reg) comments. 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. 17-489. Filed for public inspection March 17, 2017, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application for Approval to Acquire Control of Vibra Health Plan, Inc.**

Capital Blue Cross, a Pennsylvania domiciled hospital plan corporation, has filed an application to acquire control of Vibra Health Plan, Inc., a Pennsylvania domiciled risk assuming preferred provider organization. The filing was received on February 15, 2017, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov). Comments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-490. Filed for public inspection March 17, 2017, 9:00 a.m.]

**Application for Designation as a Certified Reinsurer**

TransRe London Limited has applied for designation as a certified reinsurer in this Commonwealth. The application was received on February 21, 2017, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts

to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-491. Filed for public inspection March 17, 2017, 9:00 a.m.]

### Health Maintenance Organization Certificate of Authority Application Filed by Humana Wisconsin Health Organization Insurance Corporation

On December 5, 2016, Humana Wisconsin Health Organization Insurance Corporation filed an application with the Department of Health and the Insurance Department for a certificate of authority to establish, operate and maintain a health maintenance organization (HMO) under the Health Maintenance Organization Act (40 P.S. §§ 1551—1567), Department of Health HMO regulations (28 Pa. Code §§ 9.631—9.654) and the Insurance Department HMO regulations (31 Pa. Code §§ 301.1—301.204).

The proposed service areas of the applicant are Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Lackawanna, Lancaster, Lawrence, Lehigh, Luzerne, Mercer, Montgomery, Northampton, Perry, Philadelphia and Wyoming Counties.

A copy of the application is available for public inspection, by appointment only, at the following locations:

Department of Health  
Bureau of Managed Care  
Room 912, Health and Welfare Building  
Harrisburg, PA 17109-0900  
(717) 787-5193

Insurance Department  
Company Licensing Division  
1345 Strawberry Square  
Harrisburg, PA 17120  
(717) 787-2735

Interested parties are invited to submit written comments to William Wiegmann, Department of Health or Cressinda Bybee, Insurance Department at the previously listed addresses. Persons who wish to submit written comments regarding the application may do so within 21 days of publication of this notice in the *Pennsylvania Bulletin*. Persons with disabilities may submit information and comments through alternative formats, such as audio tape, Braille or using the Department of Health TDD, (717) 783-6514. Persons with a disability requesting alternative forms may contact William Wiegmann to make the necessary arrangements.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-492. Filed for public inspection March 17, 2017, 9:00 a.m.]

### Sirius America Insurance Company; Rate Filing

Sirius America Insurance Company submitted a Student Health Insurance Plan rate filing to offer student health insurance to students enrolled in colleges in this Commonwealth. The filing is effective for the 2017-2018 school year.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over "Consumers" tab, then select "Other Health Rate Filings").

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 15 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 17-493. Filed for public inspection March 17, 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-17-001, Dated February 3, 2017. Authorizes the side letter of agreement between the Commonwealth of Pennsylvania and Service Employees International Union, Healthcare Pennsylvania. The side letter authorizes implementation of certain articles in advance of a formal signing of the Agreement.

Resolution No. CB-17-002, Dated February 3, 2017. Authorizes the side letter of agreement between the Commonwealth of Pennsylvania and Federation of State Cultural and Educational Professionals (FOSCEP). The side letter authorizes implementation of certain articles in advance of a formal signing of the Agreement.

Resolution No. CB-17-003, Dated February 3, 2017. Authorizes the side letter of agreement between the Commonwealth of Pennsylvania and Federation of State Cultural and Educational Professionals (FOSCEP). The side letter authorizes implementation of certain recommendations in advance of a formal signing of the Memorandum of Understanding.

Resolution No. CB-17-004, Dated February 22, 2017. Authorizes the side letter with AFSCME for the 2016—2019 Master Agreement and Memorandum of Understanding. The side letter authorizes the implementation of certain articles and provisions of the 2016—2019 AFSCME Master Agreement and Memorandum of Understanding effective July 1, 2016.

Resolution No. CB-17-005, Dated February 22, 2017. Authorizes the interest arbitration award between the Commonwealth and the PSRA on January 25, 2017, covering the period July 1, 2015, through June 30, 2019.

*Governor's Office*

Administrative Circular No. 17-03—Closing Instruction No. 1, Fiscal Year 2016-17; Submission of Purchasing Documents, Dated February 24, 2017.

LAURA CAMPBELL,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 17-494. Filed for public inspection March 17, 2017, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 3, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2017-2590784. La Mexicana Express Service, LLC** (500 South 15th Street, Reading, Berks County, PA 19602) for the right to begin to transport, as a common carrier, by motor vehicle, persons upon call or demand, between points in Berks County. *Attorney:* Kenneth A. Olsen, Esquire, 33 Philhower Road, Lebanon, NJ 08833.

**A-2017-2592033. Jacob S. Stoltzfus** (4987 Brush Valley Road, Rebersburg, Centre County, PA 16872) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

**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-2017-2590011. Centurions Movers, LLC** (341 York Road, Willow Grove, Montgomery County, PA 19090) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

**Applications of the following for approval to begin operating as contract carriers for transportation of persons as described under each application.**

**A-2017-2583391. SMR Transportation, LLC** (4425 Rising Sun Avenue, Philadelphia, PA 19140) for Camp Concepts, LLC, between points in Pennsylvania. *Attorney:* Mark Feinman, 8171 Castor Avenue, Philadelphia, PA 19103.

**A-2017-2587104. Oscar Transportation, Inc.** (39 East Hemlock Street, Hazleton, Luzerne County, PA 18201) for Hollander Sleep Products, LLC, from points in Luzerne County, to points in Pennsylvania, and return.

**Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.**

**A-2017-2591600. National Medtrans, LLC** (992 South 2nd Street, Ronkonkoma, Suffolk County, NY 11779) for a brokerage license, evidencing the Commission's approval of the right and privilege to operate as a broker to arrange for the transportation of passengers for health care and social determinant transportation services between points in Pennsylvania. *Attorney:* Kenneth R. Stark, Esquire, McNees, Wallace & Nurick, LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-495. Filed for public inspection March 17, 2017, 9:00 a.m.]

### Telecommunications

**A-2017-2591560. South Canaan Telephone Company, Inc. and Level 3 Communications, LLC.** Joint petition of South Canaan Telephone Company, Inc. and Level 3 Communications, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

South Canaan Telephone Company, Inc. and Level 3 Communications, LLC, by their counsel, filed on March 3, 2017, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. Copies of the South Canaan Telephone

Company, Inc. and Level 3 Communications, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-496. Filed for public inspection March 17, 2017, 9:00 a.m.]

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## PHILADELPHIA PARKING AUTHORITY

### Taxicab Rate Review; Request for Public Comment; Public Comment Hearing; Doc. No. P-17-02-01

On February 22, 2017, a Petition for Rate Change (Petition) was filed with the Philadelphia Parking Authority's (Authority) Taxicab and Limousine Division (TLD) requesting a change to the existing rates charged by taxicabs operating in Philadelphia.

The Petition requests, among other things, that:

- 1) The Authority re-establish boundaries of all taxicab trips within the airport flat-rate zone.
- 2) The minimum fare originating from the Philadelphia International airport be increased from \$11 to \$20, which includes the \$1.50 egress fee.
- 3) A convenience fee of \$1 be charged to a taxicab customer using a credit card or; in the alternative, a 5% convenience fee be charged to a taxicab customer using a credit card.
- 4) The mileage and waiting time increments be increased from \$0.23 to \$0.25.
- 5) A \$0.50 per trip "rush hour" surcharge be added to all taxicab fares between 6 a.m. to 9 a.m. and between 4 p.m. to 8 p.m.; and
- 6) Taxicab drivers be provided the option of charging a \$35 cleaning fee to a taxicab passenger that vomits or intentionally causes a defect to the inside of a taxicab from the use of other riders.

The TLD will formally request to the Authority on March 24, 2017, to approve the reopening of a rate investigation. Contingent upon the Authority's approval, the TLD is now seeking information and comment from the public-at-large, members of the taxicab, limousine

and dispatcher industry, prospective and current technology vendors, and any other interested parties regarding the Petition.

The TLD will hold a public comment hearing concerning the Petition on Thursday, March 30, 2017, from 10:30 a.m. to 1 p.m. at the Independence Visitor Center, Liberty View Ballroom, 2nd Floor, 1 North Independence Mall West, 6th and Market Streets, Philadelphia, PA 19106.

The TLD requests that all comments that are to be presented at the public comment hearing also be submitted in writing either before or at the hearing to the attention of Christine Kirlin, Esq., Administrative Counsel, at ckirlin@philapark.org or by mail to her attention at Philadelphia Parking Authority, Taxicab and Limousine Division, 2415 South Swanson Street, Philadelphia, PA 19148-4113.

The TLD appreciates input concerning this matter.

CLARENA TOLSON,  
*Executive Director*

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## STATE ETHICS COMMISSION

### Public Meeting

Under 65 Pa.C.S. §§ 1101—1113 (relating to Public Official and Employee Ethics Act) (act) the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and organizations who represent any individual subject to the provisions of the act and from other interested parties.

The Commission will conduct a public meeting in Room 307, Finance Building, Harrisburg, PA on March 29, 2017, at 9 a.m. for purposes of receiving input and for the conduct of other Commission business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present any statement, information or other comments in relation to the act, the regulations of the Commission or agency operations should contact Joyce Tomasko at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of the meeting.

ROBERT P. CARUSO,  
*Executive Director*

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