

PENNSYLVANIA BULLETIN

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Agencies in this issue

The Courts
Department of Agriculture
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Labor and Industry
Department of Revenue
Department of Transportation
Independent Regulatory Review Commission
Insurance Department
Office of Attorney General
Pennsylvania Infrastructure Investment Authority
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Board of Veterinary Medicine
State Conservation Commission

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(Master Transmittal Sheet):**

No. 541, December 2019

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Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published weekly. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. It is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations, Statewide court rules, and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, rescission, repeal or emergency action, must be published in the *Pennsylvania Bulletin*.

The following documents are published in the *Pennsylvania Bulletin*: Governor's Executive Orders; 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 rescind regulations must first publish in the *Pennsylvania Bulletin* a Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The 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. A Final Rulemaking must be published in the *Pennsylvania Bulletin* before the changes can take effect. If the agency wishes to adopt changes to the 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, Statewide court rules and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes when they are adopted. 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.

How to Find Rules and Regulations

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

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

A quarterly List of *Pennsylvania Code* Sections Affected lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

The *Pennsylvania Bulletin* is available at www.pabulletin.com.

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Printing Format

Rules, Regulations and Statements of Policy in Titles 1—107 of the Pennsylvania Code

Text proposed to be added is printed in **underscored bold face**. Text proposed to be deleted is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and sections are printed in regular type to enhance readability. Final rulemakings and statements of policy are printed in regular type.

Ellipses, a series of five asterisks, indicate text that is not amended.

In Proposed Rulemakings and proposed Statements of Policy, existing text corresponds to the official codified text in the *Pennsylvania Code*.

Court Rules in Titles 201—246 of the Pennsylvania Code

Added text in proposed and adopted court rules is printed in **underscored bold face**. Deleted text in proposed and adopted court rules is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and rules are printed in regular type to enhance readability.

Ellipses, a series of five asterisks, indicate text that is not amended.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires the Governor's Budget Office to prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions and authorities receiving money from the State Treasury. The fiscal note states whether the action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions. The fiscal note is required to be published in the *Pennsylvania Bulletin* at the same time as the 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; and (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

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, 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 item (8) the recommendation, if any, made by the Secretary of the Budget is published with the fiscal note. "No fiscal impact" means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended. See 4 Pa. Code Chapter 7, Subchapter R (relating to fiscal notes).

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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 2019.

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THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 40]

Rescission of Rule 4003, Amendment of Rule 4008 and Amendment of the Comments to Rule 4006 and 4007 of the Rules of Judicial Administration; No. 528 Judicial Administration Doc.

Order

Per Curiam:

And Now, this 12th day of December, 2019, the proposal having been published for public comment at 49 Pa.B. 4002 (August 3, 2019), it is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 4003 of the Pennsylvania Rules of Judicial Administration is hereby rescinded, and Rule 4008 and the comments to Rule 4006 and Rule 4007 are amended in the following form.

This Order shall be effective immediately and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration.

Justice Dougherty dissents from the dissolution of the Committee on Court Reporting and Transcripts.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 40. UNIFORM RULES GOVERNING COURT REPORTING AND TRANSCRIPTS

Rule 4003. [Committee on Court Reporting and Transcripts] Rescinded.

[(A) The Committee on Court Reporting and Transcripts shall consist of the following members appointed by the Supreme Court of Pennsylvania, one of whom shall be designated as Chair and one of whom shall be designated as Vice-Chair:

- (1) One representative of the Superior Court of Pennsylvania;
- (2) One representative of the Commonwealth Court of Pennsylvania;
- (3) Two president judges of the courts of common pleas chosen from among the judicial districts of the Commonwealth;
- (4) Two members of the County Commissioners Association of Pennsylvania;
- (5) The district court administrator of the Philadelphia County Court of Common Pleas;
- (6) The district court administrator of the Allegheny County Court of Common Pleas;
- (7) Two district court administrators chosen from among the judicial districts of the Commonwealth other than Philadelphia and Allegheny;
- (8) Two providers of court reporting services representing the various methods currently in usage within Pennsylvania; and
- (9) Two members of the Pennsylvania Bar.

(B) Initial appointments shall be for one-, two- or three-year terms, and these members may serve one additional three-year term. Thereafter appointments shall be for three years and members shall serve no more than two consecutive three-year terms. A replacement appointee shall serve for the balance of the unexpired term.

(C) The Committee shall review current rules and practices, and, upon concurrence of the Court Administrator, recommend revisions to the Uniform Rules Governing Court Reporting and Transcripts as may be necessary to effectuate the policy of these rules.

(D) The Administrative Office shall provide staff support to the Committee.]

Rule 4006. Employment and Duties of Court Reporting Personnel.

* * * * *

Comment

[The Committee recommends that court] Court reporters **should** assure, in the event of unavailability or incapacity, that the court is able to access court reporter notes or work product so that all transcripts can be recovered. [The Committee recommends that each] **Each** court reporter should provide certification every 6 months that at a minimum, the court reporter has provided one of the following methods or mechanisms for recovering transcripts:

* * * * *

Rule 4007. Requests for Transcripts.

* * * * *

Comment

* * * * *

It is anticipated that court reporters shall continue to be compensated for the preparation of transcripts pursuant to local rule or practice. It is not contemplated that this rule shall interfere with or otherwise limit the income of court reporters. In this regard, [the Committee recognizes that] in certain jurisdictions, court reporters earn a substantial portion of their income through the preparation of transcripts. It shall remain the duty of the president judge and district court administrator to assure that the implementation of these rules does not unfairly limit the ability of court reporters to be properly compensated for their professional services.

* * * * *

Rule 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.

* * * * *

(F) *Requests for Rate Increases*

The president judge of a judicial district may request an increase in the rates prescribed in subdivision (A) or (D) by submitting a written request to the [Committee on Court Reporting and Transcripts] Court Administrator. **Prior to submission, notice of the proposed increase shall be published for public comment for at least thirty days. Any comments received must**

be forwarded to the Court Administrator with the request. The request shall only be approved where it is established that the judicial district faces an economic hardship caused by the current rates and that the requested rates are reasonable. **[If the Committee approves the request by majority vote, it shall be forwarded to the Court Administrator for review.]** If the Court Administrator determines that the increase is necessary, the request shall be forwarded to the Supreme Court.

* * * * *

[Pa.B. Doc. No. 19-1935. Filed for public inspection December 27, 2019, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM
GENERAL PROVISIONS**

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

Amendment of Rules 501, 503, 504, 512, 514, 521 and 531 of the Pennsylvania Rules of Disciplinary Enforcement; No. 191 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 9th day of December, 2019, upon the recommendation of the Board of the Pennsylvania Lawyers Fund for Client Security; the proposal having been published for public comment at 49 Pa.B. 4542 (August 17, 2019):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 501, 503, 504, 512, 514, 521, and 531 of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter E. PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY

GENERAL PROVISIONS

Rule 501. Definitions.

The following words and phrases, when used in this subchapter shall have, unless the context clearly indicates otherwise, the meaning given to them in this section:

“*Board.*” The Pennsylvania Lawyers Fund for Client Security Board **of Trustees.**

* * * * *

Rule 503. Pennsylvania Lawyers Fund for Client Security Board.

(a) *General Rule.* The Supreme Court shall appoint a board to be known as the “Pennsylvania Lawyers Fund for Client Security Board **of Trustees**” (the “**Board**”) which shall consist of five members of the bar of this Commonwealth and two non-lawyer public members. One of the members shall be designated by the Court as Chair and another as Vice-Chair. A majority of the members of the Board shall designate a member of the Board to act as Treasurer.

* * * * *

(d) *Powers.* The Board shall have the power and duty:

* * * * *

(4) To determine in **[January of each year] conjunction with the meeting of the Lawyer Assessment Committee**, and to report to the Supreme Court, whether the Fund is of sufficient amount to pay adjudicated claims and other anticipated claims.

* * * * *

Rule 504. Confidentiality.

(a) All claims filed with the Fund shall be confidential and shall not be disclosed. This confidentiality requirement extends to all documents and things made and/or obtained, and all investigations and proceedings conducted and/or held by the Fund in connection with the filing of a claim.

(b) Notwithstanding subsection (a), the Fund, after an award is approved, may disclose the following information:

(1) the name of the Claimant (if Claimant has granted **written permission to disclose or has independently publically disclosed the filing of a claim with the Fund;**

(2) the name of the Covered Attorney;

(3) the amount claimed;

(4) the amount awarded; and

(5) a summary of the claim.

* * * * *

DISHONEST CONDUCT OF ATTORNEY

Rule 512. Covered [attorney] Attorney.

This subchapter covers conduct of a member of the bar of the Supreme Court, including attorneys admitted pro hac vice and formerly admitted attorneys whose clients reasonably believed the former attorney to be licensed to practice when the Dishonest Conduct occurred, an active foreign legal consultant, an active military attorney, **an active attorney who is the spouse of an active-duty service member of the United States Uniformed Services,** or a person holding an active Limited In-House Corporate Counsel License, which conduct forms the basis of the application to the Board. The conduct complained of need not have taken place in this Commonwealth for application to the Board to be considered by the Board and an award granted, except that an award shall not be granted with respect to conduct outside of this Commonwealth of a foreign legal consultant, military attorney, **an attorney who is the spouse of an active-duty service member of the United States Uniformed Services,** or person holding a Limited In-House Corporate Counsel License unless the conduct related to the provision of legal services to a resident of this Commonwealth.

Rule 514. Reimbursable [**losses**] **Losses.**

(a) *General Rule.* For the purposes of this subchapter reimbursable losses consist of those losses of money, property or other things of value which meet all of the following requirements:

(1) The loss;

(i) was caused by the Dishonest Conduct of a Covered Attorney when acting:

[i] (A) as an attorney-at-law;

[ii] (B) in a fiduciary capacity customary to the practice of law, such as administrator, executor, trustee of an express trust, guardian or conservator; **or**

[iii] (C) as an escrow agent or other fiduciary, having been designated as such by a client in the matter in which the loss arose or having been so selected as a result of a client-attorney relationship[.]; **or**

(ii) is in the nature of unearned, unrefunded fees paid to a lawyer who, without completing the engagement, died, was transferred to inactive disability status, or cannot be located.

(2) The loss was that of money, property or other things of value which came into the hands of the Covered Attorney by reason of having acted in the capacity described in paragraph (1) of this subdivision. Consequential or incidental damages, such as lost interest, or attorney fees or other costs incurred in seeking recovery of a loss, may not be considered in determining the Reimbursable Loss.

* * * * *

PAYMENT OF CLAIMS

Rule 521. Investigation and [**payment of claims**] **Payment of Claims.**

(a) *Cooperation with Disciplinary Board.* At the request of the Board, the Disciplinary Board of the Supreme Court of Pennsylvania shall make available to the Board all reports of investigations and records of formal proceedings conducted under these rules with respect to any attorney whose conduct is alleged to amount to Dishonest Conduct causing Reimbursable Loss to a Claimant, and shall otherwise cooperate fully with the Board. The Board shall cooperate fully with the Disciplinary Board of the Supreme Court of Pennsylvania and shall preserve the confidential nature of any information which is required to be kept confidential under these rules.

(b) *Hearing [**committees**] **Committees.*** The Board may utilize a hearing committee to conduct any hearings under this subchapter for the purpose of resolving factual issues. Imposition of discipline under Rule 204 (relating to types of discipline) or otherwise shall not be a prerequisite for favorable action by the Board with respect to a claim against the Fund, but the Covered Attorney involved shall be given notice of and an opportunity to contest any claim made with respect to his or her alleged Dishonest Conduct. **Notice mailed to the Covered Attorney at the address of record with Attorney Registration per Rule of Disciplinary Enforcement 219 (relating to annual registration of attorneys) shall satisfy this notice requirement.**

(c) *Subpoenas.*

(1) At any stage of an inquiry being conducted in accordance with Rule 221 (**relating to mandatory over-draft notification**), the Board or a designated representative on behalf of the Board shall have the right to

require production of records by issuance of a subpoena(s). The attorney whose account is the subject of the inquiry under Rule 221 shall have the right, upon written request and payment of appropriate duplicating costs, to receive copies of the records produced.

(2) At any stage of an investigation and/or proceeding under this subchapter, the Board [, a Claimant and a **contesting Covered Attorney**] shall have the right to summon witnesses and/or require production of records by issuance of subpoenas. **Should the Board determine to conduct a hearing, the Claimant and/or the Covered Attorney may request the issuance of a subpoena to summon a witness to testify at such hearing. The costs associated with the issuance and service of the subpoena and the witness' appearance shall be borne by the requesting party.**

(3) Subpoenas authorized by this subparagraph (c) shall be obtained by filing with any Prothonotary of the Supreme Court of Pennsylvania ("**Court Prothonotary**") a statement calling for the issuance of the subpoena. On the same day that the statement is filed with the **Court** Prothonotary, the party seeking the subpoena shall send by certified mail a copy of the statement to either the Executive Director **and the Claimant** or the Covered Attorney as the case may be. Upon the filing of the statement, the **Court** Prothonotary shall forthwith issue the subpoena and it shall be served by certified mail, return receipt or by personal service. A subpoena issued under this subparagraph (c) shall not be returnable until at least 10 days after the date of its issuance.

(4) A subpoena issued under this rule shall clearly indicate on its face that the subpoena is issued in connection with a confidential investigation under these rules and, that it is regarded as contempt of the Supreme Court or grounds for discipline under the Rules of Disciplinary Enforcement for a person subpoenaed to in any way breach the confidentiality of the investigation. It shall not be regarded as a breach of confidentiality for a person subpoenaed to consult with an attorney. The subpoena procedures of this rule shall be subject to the protective requirements of confidentiality provided in Rule 504.

(5) Any challenge to the validity of a subpoena issued under this rule shall be heard by a hearing committee or the full Board. A determination by such committee or the Board may be appealed to the Supreme Court under subparagraph [(8)] **(8)(iii)** within ten days after service of the determination on the party bringing the appeal.

(6) Witnesses before a hearing committee or the Board shall be examined under oath or affirmation.

(7) With the approval of a hearing committee or the Board, testimony may be taken by deposition or by commission if the witness is not subject to service of subpoena or is unable to attend or testify at the proceeding because of age, illness or other compelling reason. A complete record of the testimony so taken shall be made and preserved.

(8) Enforcement of subpoenas; appeal of challenges to subpoenas:

(i) The Board, [**through a designated representative,] a Claimant, or a Covered Attorney may petition the Supreme Court to enforce a subpoena [or to review a determination under subparagraph (5) on the validity of a subpoena. No challenge to the validity of a subpoena will be considered by the Court unless previously raised as provided in subparagraph (5)].**

(ii) Upon receipt of a petition for enforcement of a subpoena, the Court shall issue a rule to show cause upon the person to whom the subpoena was directed, returnable within ten days, why the person should not be held in contempt. If the period of response has passed without a response having been filed, or after consideration of any response, the Court shall issue an appropriate order.

(iii) A petition for review of a determination made under subparagraph (5) must set forth in detail the grounds for challenging the determination. Upon timely receipt of a petition for review, the Court shall issue a rule to show cause upon the party to the proceeding who is not challenging the determination, returnable within ten days, why the determination should not be reversed. If the period for response has passed without a response having been filed, or after consideration of any response, the Court shall issue an appropriate order. **No challenge to the validity of a subpoena will be considered by the Court unless previously raised as provided in subparagraph (5).**

* * * * *

REINSTATEMENT

Rule 531. Restitution a [**condition for reinstatement**] **Condition for Reinstatement.**

The Board shall file with the Supreme Court a list containing the names of all formerly admitted attorneys with respect to the Dishonest Conduct of which the Board has made unrecovered disbursements from the Fund. No person will be reinstated by the Supreme Court under Rule 218 (relating to reinstatement), Rule 219 (relating to annual registration of attorneys), Rule 301(h) (relating to proceedings where an attorney is declared to be [**incompetent or is alleged to be**] incapacitated **or severely mentally disabled**), Pennsylvania Rules for Continuing Legal Education, Rule 111(b) (relating to noncompliance with continuing legal education rules) or who has been suspended from the practice of law for any period of time, including, but not limited to suspensions under Rule 208(f) (relating to emergency temporary suspension) and 219(f) (relating to administrative suspension) until the Fund has been repaid in full, plus 10% per annum interest, for all disbursements made from the Fund with respect to the Dishonest Conduct of such person.

[Pa.B. Doc. No. 19-1936. Filed for public inspection December 27, 2019, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1, 2, 3, 11, 12 AND 13]

Adoption of Rules 205 and 1205, and Amendment of Rules 166, 167, 345, 1166, 1167 and 1345 of the Pennsylvania Rules of Juvenile Court Procedure; No. 817 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 12th day of December, 2019, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 48 Pa.B. 7513 (December 8, 2018):

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

- 1) Pennsylvania Rules of Juvenile Court Procedure 205 and 1205 are adopted; and
- 2) Pennsylvania Rules of Juvenile Court Procedure 166, 167, 345, 1166, 1167, and 1345 are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on June 1, 2020.

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART C. RECORDS

PART C(2). MAINTAINING RECORDS

Rule 166. Maintaining Records in the Clerk of Courts.

* * * * *

C. *Contents of docket entries.* The docket entries shall include, at a minimum, the following information:

* * * * *

- 8) all other information required by Rule 345.

D. Electronic Format. If a judicial district has provided for electronic filing pursuant to Rule 205, the juvenile court file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the juvenile court file may be produced in a physical paper format.

Comment

This rule sets forth the mandatory contents of the list of docket entries and the official court record. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information to be recorded in a case or in all cases.

* * * * *

Paragraph (C)(4) recognizes that occasionally resolution of oral motions presented in open court should be reflected in the docket, such as motions and orders related to omnibus motions as provided in Rule 346.

Paragraph (D) permits electronically filed documents to be part of the juvenile court record in an electronic format. Accordingly, the juvenile court record may exist in both paper and electronic form, provided the electronic form can be produced in a paper form.

Official Note: Rule 166 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012. Amended April 6, 2017, effective September 1, 2017. **Amended December 12, 2019, effective June 1, 2020.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 166 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 49 Pa.B. (December 28, 2019).

Rule 167. Filings and Service of Court Orders and Notices.

* * * * *

B. *Service.*

1) A copy of any order or court notice shall be served promptly on the attorney for the Commonwealth, the juvenile's attorney, the juvenile, the juvenile probation officer, and any other person, service provider, or agency listed in the court order.

2) The clerk of courts shall serve the order or court notice, unless the president judge has promulgated a local rule designating service to be by the court administrator or other court designee.

3) *Methods of [service] Service.* Service shall be:

a) by:

i) personal delivery to the party's attorney or the juvenile;

ii) mailing a copy to the party's attorney or leaving a copy for the attorney at the attorney's office;

iii) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, leaving a copy for the attorney in the attorney's box;

iv) sending a copy to the juvenile by first class mail addressed to the juvenile's place of residence, detention, or placement;

v) sending a copy by facsimile transmission or other electronic means if the party's attorney or the juvenile has filed written request for this method of service or has included a facsimile number or an electronic address on a prior legal paper filed in the case; **[or]**

vi) delivery to the party's attorney or the juvenile by carrier service; or

b) orally in open court on the record **[.]**; **or**

c) in a judicial district that permits electronic filing pursuant to Rule 205, service of court orders or notices shall be made as provided in Rule 205(D)(2) and (H)(1).

C. *Unified Practice.* Any local rule that is inconsistent with the provisions of this rule is prohibited, including any local rule requiring a person to file or serve orders or court notices.

* * * * *

Official Note: Rule 167 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended July 28, 2014, effective September 29, 2014. **Amended December 12, 2019, effective June 1, 2020.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 167 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 167 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 167 published with the Court's Order at 44 Pa.B. 5447 (August 16, 2014).

Final Report explaining the amendments to Rule 167 published with the Court's Order at 49 Pa.B. (December 28, 2019).

CHAPTER 2. COMMENCEMENT OF PROCEEDINGS, ARREST PROCEDURES, WRITTEN ALLEGATION, AND PRE-ADJUDICATORY DETENTION

[Part A] Part A(1) COMMENCING PROCEEDINGS

* * * * *

Part A(2) ELECTRONIC FILING AND SERVICE OF LEGAL PAPERS

(Editor's Note: The following rule is added and printed in regular type to enhance readability.)

Rule 205. Electronic Filing and Service of Legal Papers.

A. *Authorization.* The president judge of a judicial district by local rule promulgated pursuant to Rule 121 and Rule of Judicial Administration 103 may authorize electronic filing of legal papers with the clerk of courts in cases in delinquency proceedings through the statewide electronic filing system as provided in this rule.

B. *Local Rule.*

1) The local rule required under this rule shall include the following provisions:

a) subject to the provisions in paragraph (B)(2), a statement that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

b) a provision for the procedures to ensure that any party who declines to participate in the system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the system, at a minimum, shall be able to file legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed;

c) any additional provisions as the court may deem necessary to provide a full and complete procedure for the use of the system within the judicial district; and

d) a notation that the Administrative Office of Pennsylvania Courts and the judicial district have agreed upon an implementation plan for PACFile in the judicial district.

2) Any judicial district that authorized electronic filing for a period of two years thereafter may amend their local rule, subject to the requirements of Rule 121 and Rule of Judicial Administration 103, to make participation in electronic filing mandatory. For the purpose of establishing the commencement of the period, a judicial district may rely upon an authorization established pursuant to Pa.R.Crim.P. 576.1(B).

C. *Definitions.* As used in this rule, the following words shall have the following meanings:

“electronic filing,” the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

“filing party,” an attorney, juvenile, or other person who files a legal paper by means of electronic filing;

“legal paper,” a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, copies of exhibits, and attachments, but excluding:

- 1) applications for search warrants;
- 2) applications for arrest warrants;
- 3) exhibits offered into evidence, whether or not admitted, in a court proceeding; and
- 4) submissions filed ex parte as authorized by law.

“original document,” a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

“the system,” the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

D. *Participation.*

1) The system shall permit attorneys, juveniles proceeding without counsel, law enforcement officers, and juvenile probation officers to file electronically.

a) In order to participate in the system, an attorney shall establish an account in the system by procedures established by the Administrative Office of Pennsylvania Courts.

b) A non-attorney shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

2) Establishment of an account by an attorney or authorization of a non-attorney in the system, to the extent so authorized by the Administrative Office of Pennsylvania Courts pursuant to paragraph (D)(1), shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

3) An attorney or non-attorney participating in the system is permitted to file a legal paper either in an electronic format or in a physical paper format. Service upon an attorney or non-attorney participating in the system shall be done electronically.

E. *Filing.*

1) When a legal paper is to be electronically filed, it may be submitted to the system at the Unified Judicial System web portal at <http://ujsportal.pacourts.us>, in accordance with this rule, any local rule adopted pursuant to this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) The time and date on which a legal paper is submitted to the system shall be recorded by the system.

The system shall provide an acknowledgement to the filing party that the legal paper has been submitted.

4) The time and date on which the legal paper is accepted by the clerk of courts office also shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been accepted.

5) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

6) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system’s website.

7) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper.

8) Legal papers shall be presented for filing in portable document format (“.pdf”).

9) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

10) Any legal paper submitted for filing to the clerk of courts in a physical paper format shall be accepted by the clerk of courts in that format and shall be retained by the clerk of courts as may be required by applicable rules of court and record retention policies. The clerk of courts shall convert such legal paper in a physical paper format to .pdf and add it to the system. However, those submissions that are excluded from the definition of “legal paper” under paragraph (C) shall not be converted and added to the system.

11) No legal paper that complies with the Pennsylvania Rules of Juvenile Court Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

F. *Signature.*

1) Except as provided in paragraph (F)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: */s/ John L. Doe.*

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 344(C)(1) that the filing party or attorney has filed the motion in good faith.

3) Any motion that, pursuant to Rule 344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

G. *Official Court Record Form.* The court by local rule shall provide for the maintenance by the clerk of courts of an electronic file only, or of such electronic and physical paper format files as set forth in the local rule. Those legal papers that are not permitted to be electronically filed pursuant to paragraph (C) shall be maintained in a physical paper format only.

H. *Service.*

1) Upon the submission of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 167(B) and 345(B) on any attorney or party who has established a system account.

2) Upon the acceptance by the clerk of courts office of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been accepted.

3) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 167(B) and 345(B).

Comment

This rule permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile electronic filing system. This is the only authorized system for electronic filing of legal documents in delinquency proceedings.

Paragraph (B) requires that a judicial district that desires to participate in the electronic filing system must adopt a local rule to that effect. As part of the initial "opting into" electronic filing, this local rule must provide that participation is voluntary. Once a judicial district has allowed electronic filing for two years, participation may be made mandatory. Paragraph (B)(1)(b) requires that all judicial districts in which electronic filing is allowed must make accommodations for those parties who are unable to participate. In no event shall access to the court filing be precluded solely on the basis of participation in the electronic filing system.

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal, may have an established account that would be usable for PACFile. Any questions about the requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

The system permits a user to designate other users as proxies on individual cases. These proxies all receive notice of any filing in the case. It is anticipated that offices such as those of a district attorney or public defender would be able to establish general user accounts with particular attorneys assigned and their supervisors or back-ups listed as proxies in individual cases.

An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account.

The local rule required by this rule must conform to the requirements of Rule 121 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules).

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases where an adjudicatory hearing has been scheduled while maintaining only electronic files for cases proceeding by informal adjustment or admission.

Upon submission of the electronic filing of a legal paper, the electronic filing system shall automatically send notice of the filing to all parties who have agreed to service by electronic transmission, see paragraph (D) (Participation). If the electronic filing system sends notice of such filing, the party filing the legal paper only need serve those parties who are not served by the electronic filing system. An e-mail address set forth on letterhead is not a sufficient basis under this rule to permit electronic service of legal papers.

Service pursuant to paragraph (H) is not intended to satisfy the notice requirements necessary to obtain a bench warrant pursuant to Pa.R.J.C.P. 140.

See Rule 167(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

See Rule 345(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

Official Note: Rule 205 adopted December 12, 2019, effective June 1, 2020.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 205 published with the Court's Order at 49 Pa.B. (December 28, 2019).

CHAPTER 3. PRE-ADJUDICATORY PROCEDURES
PART D(1). MOTION PROCEDURES

Rule 345. Filing and Service.

A. *Filings.*

1) *Generally.* Except as otherwise provided in these rules, all written motions, and any notice or document for which filing is required, shall be filed with the clerk of courts.

2) *Clerk of [courts duties] Courts' Duties.* Except as provided in paragraph (A)(3), the clerk of courts shall docket a written motion, notice, or document when it is received and record the time of filing in the docket. The clerk of courts promptly shall transmit a copy of these papers to such person as may be designated by the court.

3) *Filings by [represented juveniles] Represented Juveniles.* In any case in which a juvenile is represented by an attorney, if the juvenile submits for filing a written motion, notice, or document that has not been signed by the juvenile's attorney, the clerk of courts shall not file the motion, notice, or document in the official court record or make a docket entry, but shall forward it promptly to the juvenile's attorney.

4) *Method of [filing] Filing.* Filing may be accomplished by:

a) personal delivery to the clerk of courts; [or]

b) mail addressed to the clerk of courts, provided, however, that filing by mail shall be timely only when actually received by the clerk within the time fixed for filing[.]; or

c) in a judicial district that permits electronic filing pursuant to Rule 205, as provided in Rule 205(E).

B. *Service.*

1) *Generally.* The party filing the document shall serve the other party concurrently with the filing.

2) *Method of [service to parties] Service to Parties.* Service on the parties shall be [by]:

a) **by** personal delivery of a copy to a party's attorney, or, if unrepresented, the party; [or]

b) **by** mailing a copy to a party's attorney or leaving a copy for the attorney at the attorney's office; [or]

c) in [those judicial districts that maintain] a **judicial district that maintains** in the courthouse assigned boxes for counsel to receive service, **by** leaving a copy for the attorney in the attorney's box; [or]

d) **by** sending a copy to an unrepresented juvenile by first class mail addressed to the juvenile's place of residence, detention, or placement[.]; or

e) as provided in Rule 205(D)(2) and (H)(1) in a judicial district that permits electronic filing pursuant to Rule 205.

C. *Proof of [service] Service.* All documents that are filed and served pursuant to this rule shall include a certificate of service.

Comment

See Rule 166 for maintaining records in the clerk of courts.

Under paragraph (A)(2), the court is to designate a court official to process motions and other matters for appropriate scheduling and resolution.

Under paragraph (B), the party filing a document is required to serve the other party.

This rule does not affect court orders, which are to be served upon each party's attorney and the juvenile, if unrepresented, by the clerk of courts as provided in Rule 167.

For the procedures for electronic filing and service as a local option, see Rule 205.

For service of petitions, see Rule 331.

Official Note: Rule 345 adopted April 1, 2005, effective October 1, 2005. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. **Amended December 12, 2019, effective June 1, 2020.**

Committee Explanatory Reports:

Final Report explaining the amendment to Rule 345 published with the Court's Order at 39 Pa.B. 4743 (August 8, 2009).

Final Report explaining the amendments to Rule 345 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 345 published with the Court's Order at 49 Pa.B. (December 28, 2019).

**Subpart B. DEPENDENCY MATTERS
CHAPTER 11. GENERAL PROVISIONS
PART C. RECORDS**

PART C(2). MAINTAINING RECORDS

Rule 1166. Maintaining Records in the Clerk of Courts.

C. *Contents of docket entries.* The docket entries shall include, at a minimum, the following information:

* * * * *

9) all other information required by Rule 1345.

D. Electronic Format. If a judicial district has provided for electronic filing pursuant to Rule 1205, the juvenile court file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the juvenile court file may be produced in a physical paper format.

Comment

This rule sets forth the mandatory contents of the list of docket entries and the official court record. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information to be recorded in a case or in all cases.

* * * * *

Paragraph (C)(5) recognizes that occasionally resolution of oral motions presented in open court should be reflected in the docket, such as motions and orders.

Paragraph (D) permits electronically filed documents to be part of the juvenile court record in an electronic format. Accordingly, the juvenile court record may exist in both paper and electronic form, provided the electronic form can be produced in a paper form.

Official Note: Rule 1166 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. Amended April 6, 2017, effective September 1, 2017. **Amended December 12, 2019, effective June 1, 2020.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1166 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1166 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 1166 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

Report explaining the amendments to Rule 1166 published with the Court's Order at 49 Pa.B. (December 28, 2019).

Rule 1167. Filings and Service of Court Orders and Notices.

* * * * *

B. Service.

1) A copy of any order or court notice shall be served promptly on each party's attorney, and the party, if unrepresented.

2) The clerk of courts shall serve the order or court notice, unless the president judge has promulgated a local rule designating service to be by the court or its designee.

3) *Methods of [service] Service.* Service shall be:

a) [in writing] by:

i) personal delivery to the party's attorney, and if unrepresented, the party;

ii) mailing a copy to the party's attorney or leaving a copy for the attorney at the attorney's office;

iii) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, leaving a copy for the attorney in the attorney's box;

iv) sending a copy to an unrepresented party by first class mail addressed to the party's place of business, residence, or detention;

v) sending a copy by facsimile transmission or other electronic means if the party's attorney, and if unrepresented, the party has filed written request for this method of service or has included a facsimile number or an electronic address on a prior legal paper filed in the case;

vi) delivery to the party's attorney, and if unrepresented, the party by carrier service; or

b) orally in open court on the record[.]; or

c) in a judicial district that permits electronic filing pursuant to Rule 1205, service of court orders or notices shall be made as provided in Rule 1205(D)(2) and (H)(1).

C. Unified Practice. Any local rule that is inconsistent with the provisions of this rule is prohibited, including any local rule requiring a person to file or serve orders or court notices.

* * * * *

Official Note: Rule 1167 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. **Amended December 12, 2019, effective April 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1167 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1167 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Report explaining the amendments to Rule 1167 published with the Court's Order at 49 Pa.B. (December 28, 2019).

CHAPTER 12. COMMENCEMENT OF PROCEEDINGS, EMERGENCY CUSTODY, AND PRE-ADJUDICATORY PLACEMENT

[Part A] Part A(1) COMMENCING PROCEEDINGS

* * * * *

Part A(2) ELECTRONIC FILING AND SERVICE OF LEGAL PAPERS

(Editor's Note: The following rule is added and printed in regular type to enhance readability.)

Rule 1205. Electronic Filing and Service of Legal Papers.

A. Authorization. The president judge of a judicial district by local rule promulgated pursuant to Rule 1121 and Rule of Judicial Administration 103 may authorize electronic filing of legal papers with the clerk of courts in cases in dependency proceedings through the statewide electronic filing system as provided in this rule.

B. Local Rule.

1) The local rule required under this rule shall include the following provisions:

a) subject to the provisions in paragraph (B)(2), a statement that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

b) a provision for the procedures to ensure that any party who declines to participate in the system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the system, at a minimum, shall be able to file legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed;

c) any additional provisions as the court may deem necessary to provide a full and complete procedure for the use of the system within the judicial district; and

d) a notation that the Administrative Office of Pennsylvania Courts and the judicial district have agreed upon an implementation plan for PACFile in the judicial district.

2) Any judicial district that authorized electronic filing for a period of two years thereafter may amend their local rule, subject to the requirements of Rule 1121 and Rule of Judicial Administration 103, to make participation in electronic filing mandatory.

C. Definitions. As used in this rule, the following words shall have the following meanings:

"electronic filing," the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

"filing party," an attorney or other person or entity who files a legal paper by means of electronic filing;

"legal paper," a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, copies of exhibits, and attachments, but excluding:

1) submissions filed ex parte as authorized by law; and

2) exhibits offered into evidence, whether or not admitted, in a court proceeding.

"original document," a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

"the system," the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

D. Participation.

1) The system shall permit attorneys, parties proceeding without counsel, and non-attorney persons or entities with standing to participate in a proceeding to file electronically.

a) In order to participate in the system, an attorney shall establish an account in the system by procedures established by the Administrative Office of Pennsylvania Courts.

b) A non-attorney shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

2) Establishment of an account by an attorney or authorization of a non-attorney in the system, to the extent so authorized by the Administrative Office of Pennsylvania Courts pursuant to paragraph (D)(1), shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

3) An attorney or non-attorney participating in the system is permitted to file a legal paper either in an electronic format or in a physical paper format. Service upon an attorney or non-attorney participating in the system shall be done electronically.

E. Filing.

1) When a legal paper is to be electronically filed, it may be submitted to the system at the Unified Judicial System web portal at <http://ujportal.pacourts.us>, in accordance with this rule, any local rule adopted pursuant to this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) The time and date on which a legal paper is submitted to the system shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been submitted.

4) The time and date on which the legal paper is accepted by the clerk of courts office also shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been accepted.

5) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

6) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system's website.

7) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper.

8) Legal papers shall be presented for filing in portable document format (".pdf").

9) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

10) Any legal paper submitted for filing to the clerk of courts in a physical paper format shall be accepted by the clerk of courts in that format and shall be retained by the clerk of courts as may be required by applicable rules of court and record retention policies. The clerk of courts shall convert such legal paper in a physical paper format to .pdf and add it to the system. However, those submissions that are excluded from the definition of "legal paper" under paragraph (C) shall not be converted and added to the system.

11) No legal paper that complies with the Pennsylvania Rules of Juvenile Court Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

F. Signature.

1) Except as provided in paragraph (F)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: */s/ John L. Doe.*

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 1344(C)(1) that the filing party or attorney has filed the motion in good faith.

3) Any motion that, pursuant to Rule 1344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

G. *Official Court Record Form.* The court by local rule shall provide for the maintenance by the clerk of courts of an electronic file only, or of such electronic and physical paper format files as set forth in the local rule. Those legal papers that are not permitted to be electronically filed pursuant to paragraph (C) shall be maintained in a physical paper format only.

H. Service.

1) Upon the submission of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 1167(B) and 1345(B) on any attorney or party who has established a system account.

2) Upon the acceptance by the clerk of courts office of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been accepted.

3) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 1167(B) and 1345(B).

Comment

This rule permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile electronic filing system. This is the only authorized system for electronic filing of legal documents in dependency proceedings.

Paragraph (B) requires that a judicial district that desires to participate in the electronic filing system must adopt a local rule to that effect. As part of the initial "opting into" electronic filing, this local rule must provide that participation is voluntary. Once a judicial district has allowed electronic filing for two years, participation may be made mandatory. Paragraph (B)(1)(b) requires that all judicial districts in which electronic filing is allowed must make accommodations for those parties who are unable to participate. In no event shall access to the court filing be precluded solely on the basis of participation in the electronic filing system.

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal, may have an established account that would be usable for PACFile. Any questions about the requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

The system permits a user to designate other users as proxies on individual cases. These proxies all receive notice of any filing in the case. It is anticipated that offices such as those of a county agency or advocate organization would be able to establish general user accounts with particular attorneys assigned and their supervisors or back-ups listed as proxies in individual cases.

An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account.

The local rule required by this rule must conform to the requirements of Rule 1121 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules).

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases where an adjudicatory hearing has been scheduled while maintaining only electronic files for cases proceeding by informal adjustment or admission.

Upon submission of the electronic filing of a legal paper, the electronic filing system shall automatically send notice of the filing to all parties who have agreed to service by electronic transmission, see paragraph (D)

(Participation). If the electronic filing system sends notice of such filing, the party filing the legal paper only need serve those parties who are not served by the electronic filing system. An e-mail address set forth on letterhead is not a sufficient basis under this rule to permit electronic service of legal papers.

Service pursuant to paragraph (H) is not intended to satisfy the notice requirements necessary to obtain a bench warrant pursuant to Pa.R.J.C.P. 1140.

See Rule 1167(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

See Rule 1345(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

Official Note: Rule 205 adopted December 12, 2019, effective June 1, 2020.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1205 published with the Court's Order at 49 Pa.B. (December 28, 2019).

CHAPTER 13. PRE-ADJUDICATORY PROCEDURES

PART D(1). MOTION PROCEDURES

Rule 1345. Filing and Service.

A. Filings.

1) *Generally.* Except as otherwise provided in these rules, all written motions, and any notice or document for which filing is required, shall be filed with the clerk of courts.

2) *Clerk of [courts' duties] Courts' Duties.* Except as provided in paragraph (A)(3), the clerk of courts shall docket a written motion, notice, or document when it is received and record the time of filing in the docket. The clerk of courts promptly shall transmit a copy of these papers to such person as may be designated by the court.

3) *Filings by [represented parties] Represented Parties.* In any case in which a party is represented by an attorney, if the party submits for filing a written motion, notice, or document that has not been signed by the party's attorney, the clerk of courts shall not file the motion, notice, or document in the child's official court record or make a docket entry, but shall forward it promptly to the party's attorney.

4) *Method of [filing] Filing.* Filing may be accomplished by:

a) personal delivery to the clerk of courts; [or]

b) mail addressed to the clerk of courts, provided, however, that filing by mail shall be timely only when actually received by the clerk within the time fixed for filing[.]; or

c) in a judicial district that permits electronic filing pursuant to Rule 1205, as provided in Rule 1205(E).

B. Service.

1) *Generally.* The party filing the document shall serve the other party concurrently with the filing.

2) *Method of [service to parties] Service to Parties.* Service on the parties shall be [by]:

a) **by** personal delivery of a copy to a party's attorney, or, if unrepresented, the party; [or]

b) **by** mailing a copy to a party's attorney or leaving a copy for the attorney at the attorney's office; [or]

c) in [those judicial districts that maintain] a **judicial district that maintains** in the courthouse assigned boxes for counsel to receive service, **by** leaving a copy for the attorney in the attorney's box; [or]

d) **by** sending a copy to an unrepresented party by first class mail addressed to the party's place of residence[.]; **or**

e) as provided in Rule 1205(D)(2) and (H)(1) in a judicial district that permits electronic filing pursuant to Rule 1205.

C. *Proof of [service] Service.* All documents that are filed and served pursuant to this rule shall include a certificate of service.

Comment

See Rule 1166 for maintaining records in the clerk of courts.

Under paragraph (A)(2), the court is to designate a court official to process motions and other matters for appropriate scheduling and resolution.

Under paragraph (B)(1), the party filing a document is required to serve the other party.

This rule does not affect court orders, which are to be served upon each party's attorney and the guardian, if unrepresented, by the clerk of courts as provided in Rule 1167.

For the procedures for electronic filing and service as a local option, see Rule 1205.

For service of petitions, see Rule 1331.

Official Note: Rule 1345 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. **Amended December 12, 2019, effective June 1, 2020.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1345 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1345 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 1345 published with the Court's Order at 49 Pa.B. (December 28, 2019).

FINAL REPORT¹

Adoption of Pa.R.J.C.P. 205 and 1205; and Amendment of Pa.R.J.C.P. 166, 167, 345, 1166, 1167, and 1345

On December 12, 2019, the Supreme Court added and amended the Rules of Juvenile Court Procedure to facilitate the use of PACFile in delinquency and dependency proceedings.

¹ 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.

PACFile is a statewide electronic filing system based on the e-filing system used in the appellate courts. The PACFile system provides the ability to file documents with the courts electronically on new and existing cases. It is currently available for filings in appellate, criminal, delinquency, and dependency proceedings. These rules were modeled in large part after similar procedures provided in the Pennsylvania Rules of Criminal Procedure for the use of PACFile.

The PACFile rule for delinquency submissions is in Chapter 2, Part A (Commencement of Proceedings) as new Rule 205. The dependency rule analog is new Rule 1205. Within these rules are the main provisions for electronic filing. The basic statement of authority for establishing local e-filing is contained in paragraph (A). Paragraph (B) lists the contents of the local rule required to establish electronic filing locally. Paragraph (C) is a definitional section. Paragraph (D) provides the procedures for establishing participation in the system. Paragraph (E) discusses the filing and receipt of documents. Paragraph (F) contains provisions regarding electronic signatures. Paragraph (G) permits, with some exceptions, paperless files. Paragraph (H) contains service provisions.

Paragraph (A) of new Rules 205 and 1205 provides the general scope of the procedures. Electronic filing is not required in every judicial district, but rather available as a local option. Therefore, the rules provide that a judicial district's use of electronic filing is voluntary. Those judicial districts wishing to participate in electronic filing are required to create a local rule permitting electronic filing within the judicial district. Additionally, any judicial district desiring to "opt-into" electronic filing must consult with AOPC and agree upon an implementation plan to ensure that AOPC resources are not overtaxed should a large number of judicial districts decide to opt-in at one time.

Notably, Pa.R.Crim.P. 576.1(B)(2) requires a two-year period of PACFile use before a judicial district can make participation in the system mandatory. Rule 205(B)(2) contains a similar requirement, but allows a judicial district to use the date of authorization established by Pa.R.Crim.P. 576.1(B)(2). Rule 1205(B)(2) contains a two-year waiting period before participation can be mandated.

The Committee was aware that some judicial districts have already implemented PACFile for either delinquency filings, dependency filings, or both. The publication report advised that if a judicial district wished to seek a waiver of the two-year optional window in Rule 205(B)(2) and Rule 1205(B)(2), and make participation mandatory upon the adoption of these proposed rules, then the judicial district should submit a request to the Committee by the public comment deadline. The publication report indicated that any timely waiver requests would be submitted to the Court for consideration together with the proposed rules.

The Fifth Judicial District submitted such a waiver. As indicated in the request, the Allegheny County Family Division—Juvenile Section implemented mandatory electronic filing through PACFile for delinquency matters in 2015 and dependency matters in 2010. Filed contemporaneously with this rulemaking is an order granting the requested waiver.

Paragraph (C) of new Rules 205 and 1205 contains definitions of various terms used in the rules. One of these is a definition of "original document" that includes

the electronically filed version of the document as the original. However, the definition makes it clear that electronic copies of exhibits would not be considered originals. This is consistent with Rule of Evidence 1002 (Requirement of the Original).

Post-publication, paragraph (C) was revised to clarify that “legal paper” is defined to include copies of exhibits, but does not include the original exhibits offered into evidence. This revision was intended to reinforce that PACFile is not to be used for the storage of evidence.

Paragraph (D) describes how individual participation in electronic filing is initiated. Participation requires that a user establish an account in the PACFile system. For *pro se* parties, there is a requirement for an authorization process based on a similar provision contained in the local rule for electronic filing in the appellate courts. The establishment of an account constitutes consent to participate in electronic filing including receipt of service of filed documents. The extent to which this consent may extend to include other cases the participant may also be involved with is subject to the authorization of AOPC.

While the rules generally provide that participation in electronic filing is voluntary (except in those counties that choose to make it mandatory), a party who has agreed to participate in electronic filing is permitted to file legal papers in a physical paper format. However, any party that agrees to participate in electronic filing must accept service electronically. Paragraph (D)(3) therefore includes a statement regarding participation that permits a participating party to file either in a physical paper format or electronically.

Paragraph (E) contains provisions related to the filing and receipt of legal papers. The electronic filing system will record the time that a document is submitted as well as the time when the document is accepted by the filing office. Notice may be sent to parties selected by the filer when the document is submitted. Notice also may be served on selected parties when the document has been accepted. Therefore, the definition for “filing,” contained in paragraph (E)(5), states that filing occurs when the acceptance is made but that once accepted, the time and date of filing shall relate back to the time of submission. However, if the legal paper does not meet the requirements for filing, such as not having the correct docket number or not having paid the applicable filing fee, the filing may be rejected in the same manner in which a physical paper filing may be rejected. In this situation, the time and date of original submission still would be recorded in case there is a dispute regarding whether the document should have been accepted upon submission.

Electronic signatures are sufficient for the filing of most legal papers. Included in paragraph (F)(2) is a provision for motions and answers that specifically states that an electronic filing containing an electronic signature constitutes certification that the filer has read the document and to the best of their knowledge, information and belief, there is good ground to support the motion or answer, and that it is not interposed for delay. Motions supported by a

sworn affidavit require the affidavit to be prepared and signed and then scanned into the system for filing. The provision was included in paragraph (F)(3).

Paragraph (H) describes how service of electronically filed documents is achieved. The PACFile system provides notice to other parties to a case both when a document is submitted to the system and when the document is accepted. The document will be visible to the other parties to the case upon submission. Since the time of filing of a document, once accepted, will be from the time and date of submission, the notice that the document has been submitted will constitute service as required under Rules 167(B), 345(B), 1167(B), and 1345(B). As indicated in the commentary, service pursuant to paragraph (H) is not intended to satisfy the notice requirements necessary to obtain a bench warrant pursuant to Rule 140 or Rule 1140.

Correlative amendments have also been made to other rules to facilitate use of PACFile. Amendments to reference Rule 205 were made to Rules 166, 167, and 345. For dependency rules, corollary amendments to reference Rule 1205 were made to Rules 1166, 1167, and 1345.

The new and amended rules will become effective June 1, 2020.

[Pa.B. Doc. No. 19-1937. Filed for public inspection December 27, 2019, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 2 AND 12]

Exemption from Rules 205(B)(2) and 1205(B)(2) of the Pennsylvania Rules of Juvenile Court Procedure; No. 818 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 12th day of December, 2019, upon the recommendation of the Juvenile Court Procedural Rules Committee:

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Fifth Judicial District shall be exempt from the two-year period set forth in Pennsylvania Rules of Juvenile Court Procedure 205(B)(2) and 1205(B)(2) prior to mandating participation in electronic filing by local rule. See No. 817 Supreme Court Rules Docket (December 12, 2019) (adopting, *inter alia*, Pa.R.J.C.P. 205 and 1205).

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on June 1, 2020.

[Pa.B. Doc. No. 19-1938. Filed for public inspection December 27, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES**ADAMS COUNTY****Fee Schedule, Prothonotary; No. 2019-MS-134****Order of Court**

And Now, this 3rd day of December, 2019, the Fee Schedule of the Prothonotary of Adams County is hereby amended, as follows, effective March 1, 2020.

By the Court

MICHAEL A. GEORGE,
President Judge

Prothonotary of Adams County Fee Schedule

Beverly Boyd, Prothonotary
Adams County Courthouse
117 Baltimore Street, Room 104
Gettysburg, PA 17325
Phone: (717) 337-9834

Office Hours: 8:00 AM—4:30 PM Monday—Friday
www.adamscounty.us
Effective: March 1, 2020
All Passport Applicants Must Arrive Prior to 4:00 PM
www.travel.state.gov

Acknowledgements		\$10.75
Appeals		
Assessment Appeal		\$201.75
Driver's License & Registration Appeal		\$201.75
District Justice Appeal		\$201.75
Except Political Subdivision**		\$90.25
Liquor Control Board Appeal		\$201.75
Supreme, Superior, Commonwealth—Adams County Prothonotary's Fee		\$90.25
Appellate Court Fee (separate checks required)	Separate Checks Required	\$90.25
Zoning Appeal		\$201.75
Except Political Subdivision**		\$90.25
Arbitration Proceedings: \$50,000 Limit		
Motion To Appoint Arbitrators is required by the Court along with Motion filing fee		\$28.00
Arbitration Appeal		\$650.00
Arbitration Award Judgment	Does NOT include Satisfaction Fee	\$25.50
Bench Warrants		\$9.25
Certification		\$6.25
Copies: 25 cents per page for file & docket copies	Copies from microfilm \$1.00 per page	
Commencement of Action		\$201.75
Abandoned Title, Vehicle, Boat, RVs, Motorcycles		\$201.75
Board of View	Commencement of Action	\$201.75
	Petition for appt of Board of View	\$28.00
	Required Deposit for Costs	\$1,000.00
Civil Complaint with Confession of Judgment	Satisfaction Fee for judgment NOT included	\$227.25
Civil Complaint (Law or Equity)		\$201.75
Except Political Subdivision**		\$90.25
Reinstatement of Complaint		\$11.25
Custody Complaint	New Suit Fee Plus Conciliator Fee	\$310.00

Petitions to Modify or Special Relief	Petition Fee Plus Conciliator Fee	\$128.00
Petitions to Intervene or Contempt for Disobedience of Court Order	Petition Fee only; No Conciliator Fee	\$28.00
Home Study		\$200.00
Declaratory Judgment		\$201.75
Divorce Commencement of Action 3301(c) and/or 3301(d)	Includes fee for Praeipice to Transmit	\$210.00
Additional Count: Equitable Distribution		\$65.50
Additional Count: Counsel Fees, Costs & Expenses		\$65.50
Additional Count: Alimony and/or APL		\$65.50
Additional Count: Custody	Included Conciliator Fee	\$187.00
Additional Count: Miscellaneous—Fault, Indignities		\$65.50
Appointment of Master, Motions are required by the Court along with Motion filing fee		\$500.00
Divorce with Custody Count	Includes fee for Praeipice to Transmit Plus Conciliator Fee	\$397.00
Motions or Petitions: Including but not limited to: Special Relief, Modify, Continuances, Contempt, Enforcement		\$28.00
No fee required for payment of attorney or stenographer fees		
QDRO Fee—Petitions are required by the Court along with Petition filing fee		\$28.00
Retake Maiden Name (filed to Divorce action)		\$20.50
Ejectment		\$201.75
Eminent Domain or Declaration of Taking		\$201.75
Liquor Control Board Appeal		\$201.75
Mechanics Liens	Satisfaction Fee for judgment NOT included	\$227.25
Minor's Compromise & Structured Settlement		\$201.75
Mortgage Foreclosure		\$201.75
Motions and Petitions	No fee required in Abuse cases, payment of attorney or stenographer fees	\$28.00
Name Change		\$201.75
Quiet Title		\$201.75
Writ of Summons		\$201.75
Judgments		
Assignments, Release, Satisfaction, Settlement, Strike, Vacate		\$10.25
Decree, Lis Pendens, Non Pros, Verdict		\$25.50
Default, Consent, Note, Foreign Judgment	Does NOT include Satisfaction Fee	\$25.50
Exemplified Record or Triple Seals		\$25.50
Motor Vehicle, License Reinstated, Certification to PaDOT		\$6.25
Transcript Judgment from Magisterial District Justice	Does NOT include Satisfaction Fee	\$25.50
Liens		
Building Agreements (Agreement, Waiver, Stipulation)		\$28.00
Federal and State, Municipal Liens	Includes Discontinuance Fee	\$36.00
Miscellaneous		\$85.75
Notary Public Registration of Signature		\$4.25
Notary Public Affidavit of Signature of Record	An appointment is required	\$10.75

Petitions & Motions	No fee required in Abuse cases, payment of attorney or stenographer fees	\$28.00
Paternity		\$201.75
Passports		
Book Adult (16 years old and above) US Dept of State Fee	check or money order required	\$110.00
Book Child (under 16 years of age) US Dept of State Fee	check or money order required	\$80.00
Card Adult (16 years old and above) US Dept of State Fee	check or money order required	\$30.00
Card Child (under 16 years of age) US Dept of State Fee	check or money order required	\$15.00
Prothonotary Fee, new fee effective 4/2/2018	check, money order or cash	\$35.00
Poundage	Each dollar of the first \$1,000.00	\$0.03
	Each dollar thereafter	\$0.01
Reinstatement of Complaint		\$11.25
Statement of Intention to Proceed/Dismissals & Terminations		\$33.00
Subpoenas		\$4.25
Temporary Guardian		\$201.75
Transfer Case To Another County		\$28.00
Writs		
Indexing of Out of County Writ		\$33.00
Reissue Writ of Summons, Execution, Scire Facias		\$11.25
Writ of Execution, Money Judgment, Mortgage Foreclosure		\$33.00
Writ of Possession		\$33.00
Writ of Revival (Adverse & Agreement)		\$33.00
Writ of Scire Facias	Includes Discontinuance Fee	\$43.00
Writ of Summons		\$201.75
Writ of Wage Attachment for Garnishment		\$33.00

[Pa.B. Doc. No. 19-1939. Filed for public inspection December 27, 2019, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF VETERINARY MEDICINE

[49 PA. CODE CH. 31]

Certified Veterinary Technicians and Veterinary Assistants

The State Board of Veterinary Medicine (Board) amends §§ 31.1, 31.31, 31.32, 31.34—31.36, 31.38, 31.39 and 31.41 to read as set forth in Annex A.

Effective Date

The amendments will be effective upon final-form publication in the *Pennsylvania Bulletin*.

Statutory Authority

Section 5 of the Veterinary Medicine Practice Act (act) (63 P.S. § 485.5) authorizes the Board to adopt reasonable rules and regulations governing the practice of veterinary medicine as are necessary to enable it to carry out and make effective the purpose and intent of the act. Further, section 11 of the act (63 P.S. § 485.11) provides that it is the responsibility of the Board to promulgate by regulation the qualifications and requirements for the certification and regulation of veterinary technicians, including grounds for disciplinary action.

Background and Purpose

According to the Commissioner of Occupational Affairs' "Review of State Professional and Occupational Licensure Board Requirements and Processes" report issued on June 12, 2018, as required by Executive Order 2017-3, Pennsylvania is one of only two states (along with Delaware) within the Northeast region, in which the Board of Veterinary Medicine either imposes automatic suspension of or refusal to grant licensure for convictions of drug-related offenses. Further, Pennsylvania is the only state that extends this proscription by regulation to a class (that is, certified veterinary technicians) that is not expressly required by the relevant provision of the act. As a result, Governor Tom Wolf recommended the Board consider promulgating amendments to the regulations to repeal those provisions extending the automatic 10-year bar to certified veterinary technicians who have been convicted of a felony under The Controlled Substance, Drug, Device and Cosmetic Act (Drug Act) (35 P.S. §§ 780-101—780-144). This final-form rulemaking implements the Governor's recommendation.

In addition, the Board recognizes that in many licensed professions, students nearing completion of their educational program may sit for all or a portion of the National licensure examination prior to graduation. National trends for the licensure of veterinary technicians embrace this practice, and the Pennsylvania Association of Veterinary Technicians requested that the Board consider allowing students of this Commonwealth to follow this practice. After examining the issue, the Board determined that students in the final half of their educational programs at approved schools should be authorized, should they choose, to take the examination prior to graduation. Individuals who take the examination prior to graduation would still be required to graduate prior to licensure. Therefore, this final-form rulemaking authorizes students in their final year of a program at an

approved school to take the Veterinary Technician National Examination prior to graduation, provided they have completed at least half of the credits required for completion of the program.

Additionally, by amending the definition of "direct veterinary supervision" in § 31.1 (relating to definitions), this final-form rulemaking clarifies the level of supervision required under § 31.21 (relating to Rules of Professional Conduct for Veterinarians), Principle 6(b) regarding professional relationships, which allows veterinarians to seek the assistance of other licensed professionals to enhance the quality of veterinary medical services provided and which requires other licensed professionals to be under the direct supervision of the attending veterinarian when providing services to animals. In § 31.38 (relating to code of ethics for certified veterinary technicians), this final-form rulemaking also sets out further ethical conduct rules for certified veterinary technicians that mirror existing provisions for veterinarians in § 31.21.

Summary of Comments; the Board's Response; and Description of Amendments to the Final-form Rulemaking

The Board published the proposed rulemaking at 48 Pa.B. 7313 (November 24, 2018) for thirty days of public comment. No public comments were received. Neither the House Professional Licensure Committee (HPLC) nor the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) commented as part of their review of the proposed rulemaking. On January 23, 2019, the Independent Regulatory Review Commission (IRRC) submitted its comments to the Board for consideration. The Board reviewed IRRC's comments and offer the following in response.

Initially, IRRC noted that the Board is amending the definition of "direct veterinary supervision" by adding "other licensed professionals" to the list of professionals that may provide care to animals with direct veterinary supervision. IRRC suggested the Board add language to the definition of "direct veterinary supervision" clarifying that the Board's reference to "other licensed professionals" in the definition directly relates to the licensed professionals referenced in § 31.21, Principle 6(b). In response, the Board has added a cross reference to Principle 6(b) to the definition in this final-form rulemaking.

Next, IRRC noted the Board has proposed changes to § 31.34 (relating to qualification for examination) to allow veterinary technician students to sit for the Veterinary Technician National Examination (VTNE) when they are in the final year of an approved program and have completed at least half of the credit hours required for completion of the program. IRRC suggested the reference to an "approved program" be amended to "a program at an approved school," in order to improve the clarity of the regulation, as "approved school" is defined in § 31.1 of the regulations, whereas "approved program" is not. In response, the Board has made the suggested amendment.

IRRC also noted that at § 31.35(c)(3) (relating to examinations), the Board proposes to amend the language permitting the waiver of the examination for individuals licensed, registered or certified as an animal health technician or veterinary technician in another state whose qualifications are "at least equal to those of the Commonwealth" by deleting the quoted language, but not replacing it with similar language. The Board's intent

was to provide specific details about what is meant by the phrase “at least equal to those of the Commonwealth.” The Board currently requires completion of an approved education program and passage of the VTNE for certification as a veterinary technician in this Commonwealth. In response, the Board has decided to replace the deleted phrase with “at least equal to those required by the Board for certification as a veterinary technician in this Commonwealth, including successful completion of an approved program for the training and education of veterinary technicians and successful completion of the VTNE or a comprehensive examination equivalent to the VTNE if the examination was taken before the VTNE was offered” to provide greater clarity.

IRRC also noted that the newly-drafted § 31.35(d) would require applicants applying by reciprocity to submit a copy of their credential from the other state and “proof of current good standing.” IRRC suggested that the clarity of this subsection would be improved if it used language found in § 31.32(a)(4) (relating to certification) which uses the phrase “a letter of good standing from the licensure board.” In response, the Board has replaced the phrase “proof of current good standing,” with “a letter of good standing from that state’s certifying or licensing authority.” This language was chosen because not every state requires licensure or credentialing of veterinary technicians by a licensure board; at least twelve states allow veterinary technicians to be credentialed by associations, according to the American Association of Veterinary State Boards.

Fiscal Impact

The Board does not anticipate any fiscal impact relating to these amendments to the general public or the Board. The only fiscal impact to the regulated community in these amendments is related to the elimination of the notarized affidavit requirement for applicants seeking reactivation of a license or certificate.

Paperwork Requirements

This final-form rulemaking does not create additional paperwork for the Board, the regulated community or the general public. This final-form rulemaking streamlines and simplifies the process for applying for reactivation by eliminating the need for a notarized affidavit.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 7, 2018, the Board submitted a copy of the proposed rulemaking, published at 48 Pa.B. 7313 and a copy of the Regulatory Analysis form to IRRC and to the Chairpersons of the SCP/PLC and the HPLC. A copy of this material is available to the public upon request.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC are to be provided with copies of all comments received during the public comment period as well as other documents when requested. In preparing this final-form rulemaking, the Board has considered all comments received from IRRC, SCP/PLC and the HPLC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on November 20, 2019, the final-form rulemaking was deemed approved by the HPLC and

the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.5a(e)), IRRC met on November 21, 2019, and approved the final-form rulemaking.

Additional Information

Further information may be obtained by contacting Michelle Roberts, Board Administrator, State Board of Veterinary Medicine, P.O. Box 2649, Harrisburg, PA 17105-2649, or RA-VETERINARY@pa.gov.

Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1202), and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law.

(3) This final-form rulemaking does not include any amendments that would enlarge the scope of the proposed rulemaking published at 48 Pa.B. 7313.

(4) This final-form rulemaking is necessary and appropriate for administering and enforcing the Veterinary Medicine Practice Act (63 P.S. §§ 485.1—485.33).

Order

The Board, acting under its authorizing statute, orders that:

(a) The regulations of the Board at 49 Pa. Code Chapter 31 are amended by amending §§ 31.1, 31.31, 31.32, 31.34—31.36, 31.38, 31.39 and 31.41 to read as set forth in Annex A.

(b) The Board shall submit this order to the Office of General Counsel and the Office of Attorney General for approval as required by law.

(c) The Board shall submit this order to IRRC, the HPLC and the SCP/PLC for review as required by law.

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

(e) This final-form regulation shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

THOMAS GARG, VMD,
Chairperson

(*Editor’s Note:* See 49 Pa.B. 7256 (December 7, 2019) for IRRC’s approval order.)

Fiscal Note: Fiscal Note 16A-5727 remains valid for the adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 31. STATE BOARD OF VETERINARY MEDICINE

GENERAL PROVISIONS

§ 31.1. Definitions.

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

AAVSB—The American Association of Veterinary State Boards or its successor organization.

Act—The Veterinary Medicine Practice Act (63 P.S. §§ 485.1—485.33).

* * * * *

Direct veterinary supervision—A veterinarian has given either oral or written instructions to the certified veterinary technician, veterinary assistant, or other licensed professional as set forth in Principle 6(b) of § 31.21 (relating to Rules of Professional Conduct for Veterinarians), and the veterinarian is on the premises and is easily and quickly available to assist the certified veterinary technician, veterinary assistant or other licensed professional.

* * * * *

Immediate veterinary supervision—A veterinarian is in visual and audible range to assist the veterinary assistant.

* * * * *

Neglect—To abandon an animal or deprive, either personally or through one’s employees or agents, an animal over which one has a duty of care, whether belonging to himself or otherwise, of necessary sustenance, drink, shelter or veterinary care appropriate to the animal’s condition or access to sanitary shelter and support for an animal’s basic physical and emotional needs.

Professional veterinary product—One which requires professional veterinary knowledge in the administration of or in the giving of instructions for safe and proper use of the product, including prescription drugs, biologicals, pharmaceuticals and prescription diets.

Solicitation—Advertising intentionally directed to specific individuals.

VTNE—The Veterinary Technician National Examination or its successor examination—An examination owned and administered by the AAVSB used to evaluate the competency of entry-level veterinary technicians.

VTS—Veterinary technician specialist—A certified veterinary technician who holds current certification from a specialty organization recognized by the National Association of Veterinary Technicians in America (NAVTA).

Veterinarian—A licensed doctor of veterinary medicine as defined in section 3 of the act (63 P.S. § 485.3).

Veterinary assistant—An employee of a veterinarian who does not hold certification as a veterinary technician and whom the veterinarian deems competent to perform the tasks set forth in § 31.31(b) (relating to scope of practice) under direct veterinary supervision or immediate veterinary supervision.

CERTIFIED VETERINARY TECHNICIANS AND VETERINARY ASSISTANTS

§ 31.31. Scope of practice.

* * * * *

(b) *Veterinary assistants.* Veterinary assistants may perform the duties enumerated in this subsection under direct veterinary supervision or immediate veterinary supervision, as indicated. While some of the enumerated duties may be applicable primarily to small animal practices, the intended scope of this subsection is both large and small animal practices. This subsection does not prohibit a veterinary assistant from administering medication or rendering auxiliary or other supporting assistance which is not listed in this subsection if the

service is within the veterinary assistant’s skills and is requested by the supervising veterinarian. The veterinarian bears ultimate responsibility for assuring that the veterinary assistant to whom a duty is assigned is competent to perform it.

(1) A veterinary assistant may do the following under direct veterinary supervision:

* * * * *

(2) A veterinary assistant may do the following only under immediate veterinary supervision:

* * * * *

(3) Emergency treatment by veterinary assistants is permitted without veterinary supervision when an animal has been placed in a life-threatening condition and immediate treatment is necessary to sustain the animal’s life. The veterinary assistant shall immediately take steps to secure the direct supervision of a veterinarian. Emergency treatment may only consist of those duties enumerated under paragraphs (1) and (2)(i)—(iv).

(c) *Prohibited acts.* Neither certified veterinary technicians nor veterinary assistants may do the following:

* * * * *

§ 31.32. Certification.

(a) As a prerequisite to original certification as a veterinary technician, an applicant shall submit the following documentation to the Board:

- (1) A completed and signed application for veterinary technician certification.
- (2) Evidence of satisfactory performance on the VTNE as determined by the Board.
- (3) Evidence of satisfactory completion of a program at an approved school for the training and education of veterinary technicians.
- (4) A letter of good standing from the licensure board of each state where the applicant has held a license as a veterinary technician, if any, reporting the outcome of disciplinary actions taken against the applicant in that state.
- (5) Other relevant documents, as requested by the Board.

(b) The fee for application for certification is as specified in § 31.41 (relating to schedule of fees).

§ 31.34. Qualification for examination.

An applicant for examination shall be a graduate of an approved school or be a student enrolled in the final year of a program at an approved school for the training and education of veterinary technicians provided that the student shall have completed at least half of the credit hours required for completion of the program.

§ 31.35. Examinations.

(a) The examination required for certification as a veterinary technician is the VTNE.

(b) An applicant failing to pass an examination for which the applicant has previously qualified may be reexamined at the applicant’s request by submitting a new application and by paying the required fee, in accordance with the policies of the AAVSB.

(c) The Board may waive the VTNE if an applicant satisfies the following requirements:

- (1) Has met all requirements provided for in the act.
- (2) Has filed the required application as provided in § 31.33 (relating to applications).

(3) Has been issued a license, registration or certificate as an animal health technician or a veterinary technician in another state whose requirements are at least equal to those required by the Board for certification as a veterinary technician in this Commonwealth, including successful completion of a program at an approved school for the training and education of veterinary technicians and successful completion of the VTNE or a comprehensive examination equivalent to the VTNE if the examination was taken before the VTNE was offered.

(d) Applicants applying under subsection (c) shall include with their application a copy of their state credential (license, registration or certificate) and a letter of good standing from that state's certifying or licensing authority.

§ 31.36. Renewal of certification, inactive status and reactivation of certification.

* * * * *

(c) *Reactivation of certification.* Certified veterinary technicians who desire to reactivate certification may do so by complying with the continuing education requirements in effect at the time of reactivation, paying the current renewal fee and submitting an affidavit to the Board setting forth the period of time in which the certificate holder did not practice in this Commonwealth. Certified veterinary technicians who seek to reactivate certification will not be assessed a late renewal fee for the preceding biennial renewal periods in which the certificate holder did not engage in practice in this Commonwealth.

§ 31.38. Code of ethics for certified veterinary technicians.

* * * * *

(c) A certified veterinary technician may not compromise the confidentiality of the veterinarian-client-patient relationship.

(d) A certified veterinary technician who communicates directly with a client shall notify the client that the certificate holder is a certified veterinary technician.

* * * * *

(g) A certified veterinary technician may not make a false, deceptive or misleading statement or claim. A false, deceptive or misleading statement or claim includes the statements and claims defined in Principle 5(a) of § 31.21 (relating to Rules of Professional Conduct for Veterinarians) and any representation that the certified veterinary technician is a specialist, or a VTS, unless the certified veterinary technician holds current certification from a specialty organization recognized by the National Association of Veterinary Technicians in America or its successor organization.

(h) A certified veterinary technician shall not engage in conduct which a reasonable person would believe is intended to coerce, pressure or intimidate another person to file, not file or withdraw a complaint made to the Board or any law enforcement official regarding matters related to the certified veterinary technician's practice.

(i) A certified veterinary technician shall not abuse, harass or intimidate a client, former client, colleague or associate in the course of professional practice.

(j) A certified veterinary technician shall not abuse or neglect any animal, as defined in § 31.1 (relating to definitions), whether or not the animal is a patient.

(k) A certified veterinary technician shall report to the Board any veterinary technician or veterinarian deficient in professional competence, professional conduct or ethical conduct as described in this chapter, in accordance with the rules set forth in § 31.21, Principle 1(e) (relating to Rules of Professional Conduct for Veterinarians).

§ 31.39. Grounds for disciplinary proceedings.

* * * * *

(b) Certified veterinary technicians and veterinary assistants who deviate from the permitted scope of practice as set forth in § 31.31 (relating to scope of practice) will be subject to prosecution and the levying of a civil penalty by the Board under section 28(c) of the act (63 P.S. § 485.28(c)). Veterinarians who permit, order or direct certified veterinary technicians or veterinary assistants to perform duties which are not authorized by § 31.31 will be subject to disciplinary action by the Board under section 21 of the act (63 P.S. § 485.21).

(c) Disciplinary action by the Board will be taken only after a formal hearing has been held in accordance with the act.

FEES

§ 31.41. Schedule of fees.

An applicant for a license, certificate or service shall submit a payment at the time of the request under the following fee schedule:

* * * * *

Veterinarian biennial renewal:

Biennial renewal fee \$360
* * * * *

Certified veterinary technician fees for services:

* * * * *

Certified veterinary technician biennial renewal:

Biennial renewal fee \$100

[Pa.B. Doc. No. 19-1940. Filed for public inspection December 27, 2019, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) issues this temporary order designating Chronic Wasting Disease (CWD), Viral Hemorrhagic Septicemia (VHS), the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1), *Brucella canis*, and Tilapia lake virus (TiLV) as “dangerous transmissible diseases.” These designations are made under the authority of the Domestic Animal Law (3 Pa.C.S. §§ 2301–2389).

This temporary order is the successor to a previous temporary order. The previous temporary order, published at 49 Pa.B. 3632, Saturday, July 13, 2019, expires as of January 1, 2020 and will be replaced by this temporary order.

Under the Domestic Animal Law, at 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), the Department has authority to declare a disease that has not been specifically identified in that statute as a “dangerous transmissible disease” to be a dangerous transmissible disease through issuance of a temporary order making that designation. Under the authority of the Domestic Animal Law, set forth above, the Department hereby establishes the following diseases as “Dangerous Transmissible Diseases.”

1. CWD

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSEs). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or “mad cow” disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a “prion.” There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

CWD has been identified in both captive and wild deer in this Commonwealth. The designation of CWD as a “dangerous transmissible disease” allowed the Department to facilitate the development and oversight of a surveillance program and quarantine orders that allowed for detection, tracing and containment of the CWD outbreak and allowed the Department to react and take action necessary to carry out its statutory duty under the Domestic Animal Law.

2. VHS

VHS virus is a serious pathogen of fresh and saltwater fish that is causing a disease in the Great Lakes region of the United States and Canada. VHS virus is a rhabdovirus (rod shaped virus) that affects fish of all size and age ranges. It does not pose any threat to human health. VHS can cause hemorrhaging of fish tissue, including internal organs, and can cause the death of infected fish. Once a fish is infected with VHS, there is no

known cure. Not all infected fish develop the disease, but they can carry and spread the disease to other fish. The World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

3. Neurologic Form of EHV-1

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheobronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection, and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild in coordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas, and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur by means of coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

4. Canine Brucellosis (*Brucella canis*)

Canine brucellosis is an infectious disease of dogs caused by the *Brucella canis* (*B. canis*) bacteria. *B. canis* infection in breeding dogs is an important cause of reproductive failure, particularly in kennels. *B. canis* infection can result in abortions, stillbirths, epididymitis, orchitis and sperm abnormalities in breeding dogs. Infected dogs that have been spayed or neutered may develop other conditions such as ocular disease and discospondylitis.

Transmission of *B. canis* occurs through exposure to secretions during estrus or mating or by contact with infected tissues during birth or following abortion. In addition, infected dogs may spread the bacteria in blood, milk, urine, saliva, nasal and ocular secretions, and feces. Puppies can become infected in utero, during birth, through nursing, and by contact with contaminated surfaces. The bacteria can also be transmitted by fomites.

B. canis is considered to be a zoonotic organism, although its importance as a cause of human illness is still unknown. People in very close contact with infected dogs are thought to be more at risk of infection, including those who work in a breeding kennel, and veterinarians. Laboratory personnel handling the organism are also considered to have a higher risk of infection. The symptoms of this disease in humans are nonspecific and cases

may not be reported. The 2012 National Association of State Public Health Veterinarians (NASPHV) document “Public Health Implications of *B. canis* Infections in Humans” reports that there are documented cases of infection with *B. canis* leading to serious health problem. Those with compromised immune systems may be at higher risk of serious illness. Treatment with antibiotics may be effective.

Although infection in dogs can be treated with antibiotics, *B. canis* can persist in an animal even after treatment. Prevention is key, and all dogs entering a breeding kennel or used for breeding should first be test-negative or come from a brucella-negative source. Ongoing and regular testing is recommended, even in closed breeding facilities, and this is an essential component of recognition and prevention. Proper biosecurity and sanitation of breeding facilities is also recommended to prevent disease transmission. Infected puppies or dogs should not be purchased or adopted.

5. *Tilapia lake virus (TiLV)*

Tilapia lake virus (TiLV) is a serious viral pathogen of farmed and wild Tilapia which has caused large losses in farmed fish in other countries. This orthomyxo-like virus was detected in an aquaculture facility within the United States and spread to other fish farms before it was eradicated from the country. The entry of the virus was traced to the importation of infected fry (juvenile fish) from an endemic region.

Lesions associated with TiLV infection include discoloration, renal congestion, encephalitis, ocular degeneration

and abdominal swelling. Mortality can range from 10 to 90%. Morbidity and mortality generally become apparent in farmed fish within 1 month of movement from the hatchery to grow-out cages—thus, the disease is commonly known as “tilapia one-month mortality syndrome”.

Order

The Department hereby designates CWD, VHS, EHV-1, *Brucella canis*, and Tilapia lake virus “dangerous transmissible diseases” under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making such a designation.

This order shall take effect as of publication in the *Pennsylvania Bulletin* and shall remain in effect until no later than January 1, 2021. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2021, (2) allow this temporary order to expire on January 1, 2021, (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Kevin Brightbill, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 19-1941. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending December 17, 2019.

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, Bank Supervision or Credit Union and Trust Supervision (as applicable), 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, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department’s Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-12-2019	Citizens Financial Services, Inc. Mansfield Tioga County	Filed
	Application for approval to acquire 100% of MidCoast Community Bancorp, Inc., Wilmington, DE, and thereby indirectly acquire 100% of MidCoast Community Bank, Wilmington, DE.	

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-12-2019	First Citizens Community Bank Mansfield Tioga County	Filed
	Application for approval to merge MidCoast Community Bank, Wilmington, DE, with and into First Citizens Community Bank.	

NOTICES

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-09-2019	Mid Penn Bank Millersburg Dauphin County	1215 North Church Street Hazle Township Luzerne County (Address change from 1213)	Opened
12-12-2019	Orrstown Bank Shippensburg Cumberland County	3940 Linglestown Road Harrisburg Dauphin County	Approved
12-13-2019	Jonestown Bank and Trust Company of Jonestown, Pennsylvania Jonestown Lebanon County	318 East Penn Avenue Robesonia Berks County	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-09-2019	QNB Bank Quakertown Bucks County	<i>To:</i> Southwest corner of Pottstown and Seminary Streets Pennsburg Montgomery County <i>From:</i> 410-420 Pottstown Avenue Pennsburg Montgomery County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-06-2019	PeoplesBank, A Codorus Valley Company York York County	2209 Belair Road Fallston Harford County, MD	Closed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-1942. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0065404-A1 (Sewage)	Stair Property SRSTP 3536 Jacksonville Road Bethlehem, PA 18017	Northampton County Moore Township	Bushkill Creek (HQ-CWF, MF) (01F)	Yes
PA0065218 (Sewage)	Kirschman SRSTP 8393 Hawk View Road Germansville, PA 18053	Lehigh County Heidelberg Township	Unnamed Tributary to Jordan Creek (HQ-CWF, MF) (2-C)	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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0111368 (Sewage)	Salladasburg Elementary School Wastewater Treatment Plant 175 A&P Drive Jersey Shore, PA 17740-7814	Lycoming County Mifflin Township	Larry's Creek (EV (existing use)) (10-A)	Yes
PA0112623 (Industrial)	JJ Bucher Producing 2568 Bells Run Road Shinglehouse, PA 16748-3030	Potter County Shinglehouse Borough	Oswayo Creek (WWF) (16-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0205079 (Industrial)	American Beverage Corp 1 Daily Way Verona, PA 15147-1199	Allegheny County Verona Borough	Plum Creek (WWF) (18-A)	Yes

Eight (8) parameters (Total Antimony, Total Cadmium, Total Lead, Total Copper, Total Zinc, Total Selenium, Total Silver and Total Thallium) were recommended for effluent limits since the Department's minimum quantitation limits were not achieved for permit application samples. The Department will allow American Beverage Corp. (ABC) the opportunity to resample these parameters during the 30-day Draft permit comment period. If ABC can verify that any of the eight (8) parameters are not present in its wastewater discharge at the Department's minimum quantitation limits, effluent limitations for these pollutants may be eliminated prior to Final permit issuance.

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

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

PA0082996, Sewage, SIC Code 4952, **Summit International School of Ministry**, 74 Harrison School Road, Grantville, PA 17028-8222. Facility Name: Summit Int School of Ministry. This existing facility is located in East Hanover Township, **Lebanon County**.

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

The receiving stream(s), Unnamed Tributary to Indiantown Run (WWF, MF), is located in State Water Plan watershed 7-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of .015 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.08	XXX	0.26
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
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	XXX	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

Sludge use and disposal description and location(s): Digested sludge is periodically hauled off site by a license hauler.

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

- Stormwater Prohibition, Approval Contingencies, Proper Waste/Solids Management, and Chlorine Minimization

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.

PA0081337, Sewage, SIC Code 6515, **Atg Properties LLC**, P.O. Box 677, Morgantown, PA 19543-0677. Facility Name: Northwood Manor MHP. This existing facility is located in Newberry 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), Unnamed Tributary of Conewago Creek (WWF), is located in State Water Plan watershed 7-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 .019125 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.012	XXX	0.038
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	20.0	XXX	40
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	XXX	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3

The proposed effluent limits for Outfall 001 are based on a design flow of .019125 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Nitrate-Nitrite as N	XXX	Report Daily Max	XXX	Report Daily Max	XXX	XXX
Total Nitrogen	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	Report Daily Max	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	XXX	Report Daily Max	XXX	Report Daily Max	XXX	XXX

Sludge use and disposal description and location(s): Offsite landfill.

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

- N/A

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.

PA0248070, Industrial, SIC Code 4941, **Mifflintown Borough Municipal Authority Juniata County**, P.O. Box 36, Mifflintown, PA 17059-0036. Facility Name: Mifflintown Water System. This existing facility is located in Milford Township, **Juniata 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), Dry Swale to the Juniata River (WWF), is located in State Water Plan watershed 12-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .085 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

<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>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	Report	Report	XXX	30	60	75
Aluminum, Total	Report	Report	XXX	4.0	8.0	9
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 001 are based on a design flow of .085 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

Sludge use and disposal description and location(s): Offsite landfill.

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

- N/A

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.

Application No. PA0260274, Concentrated Animal Feeding Operation (CAFO), **G Clifford Gayman** (Hillside Poultry Farm CAFO), 1849 Letterkenny Road, Chambersburg, PA 17201-8733.

G Clifford Gayman has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Hillside Poultry Farm CAFO, located in Greene Township, **Franklin County**.

The CAFO is situated near in Watershed 13-C, Unnamed Tributary of Conococheague Creek which is classified for Cold-Water Fisheries (CWF). It is designed to maintain an animal population of approximately 1,166.25 animal equivalent units (AEUs) consisting of 402,000 layers. Manure is stored in several solid stacking areas, while washwater is sent to the wastewater treatment facility. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Application No. PA0260631, Concentrated Animal Feeding Operation (CAFO), **Peach Glen Farm LLC** (Peach Glen Farm CAFO), 367 Georgetown Road, Gardners, PA 17324-9066.

Peach Glen Farm LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Peach Glen Farm CAFO, located in Dickinson Township, **Cumberland County**.

The CAFO is situated near Unnamed Tributary to Tagg Run (HQ-CWF, MF) and Unnamed Tributary to Tagg Run (HQ-CWF) in Watershed 7-E, which is classified for High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 546.54 animal equivalent units (AEUs) consisting of 2,100 wean-finish swine, 14,900 turkey brooders, and 14,900 turkey finishers. Manure is collected in a 210' × 85' × 10' HDPE lined lagoon. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

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

PA0254291, Industrial, SIC Code 1389, **Bronco Oilfields Services**, 88 E Buffalo Church Road, Washington, PA 15301-8575. Facility Name: Bronco Oilfield Services. This proposed facility is located in Buffalo Township, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of stormwater associated with industrial activities.

The receiving stream(s), Unnamed Tributary of Buffalo Creek (HQ-WWF), is located in State Water Plan watershed 20-E and is classified for High Quality Waters—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—004:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	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 effect.

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

PA0219258 A-1, Sewage, SIC Code 4952, **Mechling Shakley Veterans Center Inc.**, 1431 State Route 268, Cowansville, PA 16218. Facility Name: Mechling Shakley Veterans Center. This existing facility is located in Sugar creek Township, **Armstrong County**.

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

The receiving stream(s), Unnamed Tributary of Patterson Creek (HQ-TSF), is located in State Water Plan watershed 18-F and is classified for High Quality Waters—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 .008 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Weekly Average	Maximum	
Flow (MGD)	0.008	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
			6.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	XXX	XXX	0.03
			0.01			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	10.0	15.0	XXX	20.0
Total Suspended Solids	XXX	XXX	10.0	15.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	5.0
				2.5		
Nov 1 - Apr 30	XXX	XXX	XXX	Avg Mo	XXX	3.8
May 1 - Oct 31	XXX	XXX	XXX	1.9	XXX	3.8
Total Nitrogen	XXX	XXX	XXX	Avg Mo	XXX	XXX
				Report		
Total Phosphorus	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
				Daily Max		

Sludge use and disposal description and location(s): Sludge is aerobically digested and hauled to offsite WWTP for further treatment.

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

The EPA Waiver is in effect.

PA0287920, Sewage, SIC Code 8800, **Terrance & Winifred Gardner**, 5973 Kuhl Road, Erie, PA 16510. Facility Name: Terrance & Winifred Gardner SRSTP. This proposed facility is located in Harborcreek Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary of Fourmile Creek (WWF, MF), is located in State Water Plan watershed 15-A and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 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>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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

The EPA Waiver is in effect.

PA0287890, Sewage, SIC Code 8800, **Robert Kozar**, 171 Bear Creek Road, Prospect, PA 16052-3201. Facility Name: Robert Kozar SRSTP. This proposed facility is located at 1305 Trunkeyville Road Tidioute in Harmony Township, **Forest County**.

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

The receiving stream(s), Allegheny River (WWF), is located in State Water Plan watershed 16-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 .0004 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>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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

The EPA Waiver is in effect.

PA0287881, Sewage, SIC Code 8800, **Michael Conglose**, 241 Catalina Drive, New Castle, PA 16105-4803. Facility Name: Michael Conglose SRSTP. This proposed facility is located in Neshannock Township, **Lawrence County**.

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

The receiving stream(s), Unnamed Tributary to Shenango River (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 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>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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

The EPA Waiver is in effect.

PA0287911, Sewage, SIC Code 8800, **Judith March**, 10611 Pine Road, Conneaut Lake, PA 16316-6729. Facility Name: Judith March SRSTP. This proposed facility is located in Vernon Township, **Crawford County**.

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

The receiving stream(s), Unnamed Tributary to Watson Run (WWF), is located in State Water Plan watershed 16-D 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 .0004 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>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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

The EPA Waiver is in effect.

PA0287822, Sewage, SIC Code 4952, 8800, **Amber & Jason Digiacom**, 15304 Hall Road, Meadville, PA 16335. Facility Name: Amber & Jason Digiacom SRSTP. This proposed facility is located in Hayfield Township, **Crawford County**.

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

The receiving stream is an Unnamed Tributary to Cussewago Creek, is located in State Water Plan watershed 16-D and is classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.—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>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Off-site sewage sludge disposal is anticipated.

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

The EPA Waiver is in effect.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

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

WQM Permit No. 0619408, Sewerage, **Dale L. Huie**, 2142 South Galen Hall Road, Reinholds, PA 19566-9088.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow treatment system to serve the Gray Fox Inn.

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

WQM Permit No. 2719403, Sewage, **Jack R. Bish**, 142 E Main Street, Columbus, PA 16405-1508.

This proposed facility is located in Howe Township, **Forest County**.

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

IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

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

PAI132275, MS4, **Pittston Township**, 421 Broad Street, Pittston Township, PA 18640. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Pittston Township, **Luzerne County**. The receiving streams, Collins Creek (CWF/MF), Mill Creek (CWF/MF) and Tributary 28393 to Spring Brook (HQ-CWF/MF) are located in State Water Plan watershed 5-A and are classified as previously indicated, as well as for aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is in effect for small MS4s and is not in effect for large MS4s.

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD090044	Elcon Recycling Services, LLC 1720 Walton Road Blue Bell, PA 19422	Bucks	Falls Township	Biles Creek WWF-MF

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Wyoming County Conservation District, 1 Hollowcrest Complex, Tunkhannock, PA 18657, 570-836-2589.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD660003	Eaton Rd Co 1146 Wyoming Ave Scranton, PA 18509	Wyoming	Eaton Twp	Bowmans Creek (HQ-CWF, MF)

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Nathan Phillips, Section Chief, 717.705.4802.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD060035	HRES Hereford LLC 5601 Mariner Street Suite 100 Tampa, FL 33609-3450	Berks	Hereford Township	Perkiomen Creek (HQ-CWF)

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140058	Houtz Self Storage 25 TLD Circle Port Matilda, PA 16870-8748	Centre	Halfmoon Twp	Half Moon Creek HQ-CWF, MF
PAD140048 A-1 Major Amendment	Village of Nittany Glen, LP 940 West Sproul Road Springfield, PA 19064	Centre	Benner Twp	UNT To Buffalo Run HQ-CWF
PAD140057	The Pennsylvania State University Office of Physical Plant 139 J Physical Plant University Park, PA 16802	Centre	College Twp	Trib to Slab Cabin HQ-CWF Slab Cabin Run CWF

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

PAG-12	CAFOs
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CAFO Notices of Intent Received.

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

NPDES Permit No. PA0229091, CAFO, Greg A Haladay, 224 White Church Road, Elysburg, PA 17824-9161.

This existing facility is located in Cleveland Township, **Columbia County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish), Beef (Finishers), Poultry (Layers), Sheep (Ewes), Horse: 627.80 AEUs.

The receiving stream, Unnamed Tributary to Mugser Run (HQ-CWF) and Unnamed Tributary to Mugser Run (HQ-CWF, MF), is in watershed 5-E and classified for: High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish.

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

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.

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

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

16-132P: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254) for the proposed exhausting of Source 105 to atmosphere; splitting Source 110 into Source 110 & 113; and the removal of Source 109 from the facility operating permit in Paint Township, **Clarion County**. This is a Title V facility.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

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

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

09-0244: MM Metals USA, LLC (4000 Chemical Road, Plymouth Meeting, PA 19462) for of a new low-carbon ferrochrome (LC FeCr) alloy manufacturing facility to be located in Falls Township, **Bucks County**. Post-control Particulate Matter (PM), Volatile Organic Compound (VOC), Nitrogen Oxide (NO_x), and Hazardous Air Pollutant (HAP) emissions are less than major source thresholds for the Philadelphia Metropolitan Area; the facility is classified as a Natural Minor Facility. The requirements of 40 CFR Part 63 Subpart RRR apply to the melt furnace operating as part of Aluminum Production. The melt furnace is classified as a Group 1 Furnace and is subject to the dioxins/furans-related requirements of Subpart RRR. The general opacity requirements of 40 CFR Part 63 Subpart YYYYYY apply to the plasma furnace operating as part of LC FeCr Production. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a plan approval to **Calpine Bethlehem, LLC** (500 Delaware Avenue, Suite 600, Wilmington, DE 19801) to increase their hours of operation at their facility located in Bethlehem, **Northampton County**. The facility currently has a Title V Operating Permit No. 48-00076. **Plan approval 48-00076E** will subsequently be incorporated

into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 48-00076E will be for the increase in operational hours for the existing turbines by 100 hours/year for each turbine. The six turbines combined would be limited to 43,800 hours/year total for all six (based on 7,300 hours/year each). The Department's review of the information submitted by Calpine Bethlehem, LLC indicates that the proposal will meet all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirements. The company shall comply with 123.31 for malodorous emissions. The company shall comply with 123.41 for visible emissions. The turbines are subject to 40 CFR Part 60 Subpart KKKK requirements. CEMS will continue to be used to measure NO_x, CO and O₂ emissions. The Plan approval and Operating Permit will include testing, monitoring, record keeping, and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. The submittal of written comment must contain the name, address and telephone number of the commentator, identification of the proposed Permit No. 48-00076E 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 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 Mr. Raymond Kempa, Env. Engineering Manager, New Source Review Section, 2 Public Square, Wilkes-Barre, PA 18701-1915, or 570-826-2511.

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

*Contact: Ed Orris, P.E., New Source Review Chief
Telephone: 412-442-4168.*

04-00751A: Valmont Coatings, Inc. (9 South 12th Street, Midland, PA 15059-1603). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44 and 127.45 that the Department of Environmental Protection ("Department") intends to issue Air Quality Plan Approval: PA-04-00751A to Valmont Coatings, Inc. for installation and operation of a hot dip galvanizing process and pretreatment cleaning operations in an enclosed building to be located at No. 9 South 12th Street, Midland in Midland Borough, **Beaver County**.

The emissions from all sources are less than 3.0 tpy particulate matter (PM₁₀), 2.0 tpy SO_x, 12.0 tpy NO_x, 20.0 tpy CO, 8.0 tpy VOC, 1.0 tpy of single HAP, and 2.5 tpy of combined (HAPs). The kettle particulate emissions will be controlled by a dust collector exhausting indoor with 95–99% efficiency.

This authorization is subject to State regulations including 25 Pa. Code Chapters 123, 127, and 129. Plan approval conditions include monitoring requirements, work practice standards, associated recordkeeping, and reporting requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise or submit a State Only Operating Permit ("SOOP") application in accordance with 25 Pa. Code Subchapter F.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

A person may oppose the proposed Air Quality plan approval by filing a written protest with the Department or may submit written comments through Jesse S. Parihar via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; written comments may also be submitted via email to jparihar@pa.gov or via fax to 412.442.4194. Each set of written comments or protest must contain the name, address, and telephone number of the person submitting the comments or protest, identification of the proposed plan approval (04-00751A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30 days after the date of this publication. A protest to the proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice).

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

*Contact: Devendra Verma, New Source Review Chief—
Telephone: 814-332-6940.*

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

09-0244: MM Metals USA, LLC (4000 Chemical Road, Plymouth Meeting, PA 19462) for a new low-carbon ferrochrome (LC FeCr) alloy manufacturing facility to be located in Falls Township, **Bucks County**. Post-control Particulate Matter (PM), Volatile Organic Compound (VOC), Nitrogen Oxide (NO_x), and Hazardous Air Pollutant (HAP) emissions are less than major source thresholds for the Philadelphia Metropolitan Area; the facility is classified as a Natural Minor Facility. The requirements of 40 CFR Part 63 Subpart RRR apply to the melt furnace operating as part of Aluminum Production. The melt furnace is classified as a Group 1 Furnace and is subject to the dioxins/furans-related requirements of Subpart RRR. The general opacity requirements of 40 CFR Part 63 Subpart YYYYYY apply to the plasma furnace

operating as part of LC FeCr Production. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

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

22-05012: ArcelorMittal Steelton, LLC (215 South Front Street, Steelton, PA 17113-2538) for their steel manufacturing facility in Steelton Borough, **Dauphin County**. The Title V Operating Permit is undergoing a significant modification to incorporate a Reasonably Available Control Technology II (RACT II) plan.

In accordance with 25 Pa. Code §§ 129.91—129.100, the Department has made a preliminary determination to approve a RACT II plan to be submitted as part of the State Implementation Plan (SIP) for Arcelor's steel manufacturing facility.

The SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT approval for the facility, which are determined to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standards (NAAQS) for ozone.

The proposed RACT II plan, if approved by DEP, will be issued as a significant modification to the facility's Title V operating permit (22-05012). The relevant RACT II requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT II approval will be excluded from the SIP submittal.

The following is a summary of the proposed RACT II requirements for this facility that will be submitted to the EPA as part of the SIP:

RACT II Case-by-Case Requirements

I. Sources 232C (20" Mill Reheat Furnace) and 301 (35" Mill Reheat Furnaces 3 & 4).

(a) The permittee shall perform an annual adjustment and/or tune-up on each unit which shall include the following:

(1) Inspection, adjustment, cleaning or replacement of fuel-burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.

(2) Inspection of the flame pattern or characteristics and adjustments necessary to minimize emissions of NO_x and VOC.

(3) Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer.

(b) The company shall maintain a permanently bound log book or other method approved by the Department. This log shall contain at a minimum, the following information.

- (1) The date of the tuning procedure.
- (2) The name of the service company and technicians.
- (3) The final operating rate or load.
- (4) The final NO_x and VOC emission rates.
- (5) The final excess oxygen rate.
- (6) Any other information required by this approval.

(c) The annual adjustment for the boilers shall be in accordance with the EPA document "Combustion Efficiency Optimization Manual for Operations of Oil and Gas-Fired Boilers", September 1983 (EPA-340/1-83-023) or equivalent procedures approved in writing by the Department.

(d) All adjustments and optimization of the units must minimize pollution and be in accordance with good air pollution control practices.

II. Sources 401 (Soaking Pit Batteries 4-6) and 501A (# 207 DCEAF).

(a) The permittee shall maintain and adhere to an operation and maintenance plan for Sources 401 and 501A, which shall address good operation and maintenance practices for the minimization of NO_x (both sources) and VOC emissions (Source 501A), and/or manufacturer's operating specifications, including, for Source 501A measures to minimize the ambient air infiltration into the direct evacuation hoods.

(b) The permittee shall maintain records of any maintenance or modifications performed on Sources 401 and 501A.

(c) The permittee shall calculate and record the actual annual NO_x and VOC emissions using appropriate emissions factors from U.S. EPA Publication AP-42 or appropriate alternative emission factors based on PADEP review, coupled with appropriate operational and thruput data.

(d) The permittee shall maintain written documentation of the previously listed items in (a)—(c) for five years. The records shall be made available to the Department upon written request pursuant to 25 Pa. Code § 129.100(d) and (i).

III. Sources 124 (Caster Vents), 132A (44" Mill Hot Rolling Operations), 132B (28"/35" Mill Hot Rolling Operations), 132C (20" Mill Hot Rolling Operations), 501B (Ladle Refining Furnace) and 922 (Compressed Air System Freeze Protection).

(a) The permittee shall maintain and adhere to an operation and maintenance plan for Sources 124, 132A, 132B, 132C, 501B and 922, which shall address good operation and maintenance practices for the minimization of VOC emissions, and/or manufacturer's operating specifications.

(b) The permittee shall maintain records of any maintenance or modifications performed on Sources 124, 132A, 132B, 132C, 501B and 922.

(c) The permittee shall calculate and record the actual annual VOC emissions from Sources 124, 132A, 132B, 132C, 501B and 922 using appropriate emissions factors from U.S. EPA Publication AP-42 or appropriate alternative emission factors based on PADEP review, coupled with appropriate operational and thruput data.

(d) The permittee shall maintain written documentation of the previously listed items in (a)—(c) for five years. The records shall be made available to the Department upon written request pursuant to 25 Pa. Code § 129.100(d) and (i).

Public Comment Details:

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 Thomas Hanlon, Environmental Engineering Manager, Air Quality Permitting, at 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice 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 RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan.

Public Hearing.

A public hearing will be held on January 14, 2020, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Thomas Hanlon at 717-705-4862. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be January 7, 2020.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Thomas Hanlon at 909 Elmerton Avenue, Harrisburg, PA 17110.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Thomas Hanlon at 717-705-4862.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Hanlon at 717-705-4862 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

Contact: Janine Tullock-Reid, New Source Review Chief—Telephone: 610-832-6242.

15-00132: Teva Branded Pharmaceutical Products R&D Inc. (Teva) (145 Brandywine Parkway, West Chester, PA 19380) for a renewal of a State Only, Synthetic Minor Operating Permit in West Goshen Township, **Ches-ter County**. Teva operates a pharmaceutical research and development facility with six (6) natural gas-fired boilers, five (5) diesel-fired emergency electric generators, three (3) natural gas-fired emergency electric generators, and miscellaneous gas-fired heaters. The pollutant of

concern from this facility is nitrogen oxides (NO_x). Teva shall continue to maintain a synthetic minor operating status by limiting its facility-wide nitrogen oxide (NO_x) emissions to 24.9 tons per year, or less. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

09-00096: Suburban Heating Oil Partners (3115 State Hill Rd, Telford, PA 09869-1076) a renewal operating permit for operation of a fuel oil, gasoline and diesel fuel storage and loading facility in West Rockhill Township, **Bucks County**. The permit is for a non-Title V (State only) facility. The major sources of air emissions are: two (2) above ground gasoline storage tanks, two (2) kerosene above ground storage tanks, one (1) diesel underground storage tank, five (5) aboveground propane storage tanks, and a truck loading rack for: gasoline (with vapor balance controls), diesel, and kerosene. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

48-00038: Specialty Minerals, Inc. (640 N. 13th Street, Easton, PA 18042-1431). The Department intends to issue a renewal State-Only (Natural Minor) Permit for the commercial physical research services facility in Easton, **Northampton County**. The primary sources are boilers and machine shops. The control devices are baghouses. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

48-00109: Silbrico Corp. (4250 Braden Blvd., Forks Township, PA 18040). The Department intends to issue a new State-Only (Synthetic Minor) Permit for the non-metallic minerals processing facility in Easton, **Northampton County**. The primary sources are expansion furnaces, perlite mills, and material handling equipment. The control devices are baghouses and cyclones. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00071: American Asphalt Paving Company (500 Chase Road Shavertown, PA 18708-9689). The Department intends to issue a renewal State-Only Synthetic Minor Permit for the American Asphalt Paving Co.—Chase Facility located in Jackson Township, **Luzerne County**. Business activities performed at this facility include non-metallic mineral mining and processing, and hot mix asphalt production. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

54-00075: Yuengling Beer Co. Inc. (310 Mill Creek Avenue Pottsville, PA 17901-8692). The Department intends to issue a renewal State-Only Natural Minor Permit for their Mill Creek Brewery located in Jackson Township, **Luzerne County**. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

06-05087: Haines & Kibblehouse, Inc. (2052 Lucon Road, P.O. Box 196, Skippack, PA 19474) for their asphalt plant located at 1355 Reading Avenue, Bechtelsville, in Colebrookdale Township, **Berks County**. This is a renewal of the State Only Operating Permit issued in September 2014. The actual emissions from the facility in 2018 are estimated at 38.89 tons CO, 2.63 tons PM, 2.43 tons NO_x and less than one ton of other pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart I (Standards of Performance for Hot Mix Asphalt Facilities).

67-03126: Yorkshire Animal Hospital (3434 East Market Street, York, PA 17402) to issue a State Only Operating Permit for the crematory located in Springettsbury Township, **York County**. The potential emissions are estimated at 1.87 tpy of NO_x, 1.56 tpy of CO, 1.40 tpy of PM₁₀, 0.63 tpy of SO_x, and 0.14 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

03-00263: Allegheny Mineral Corp.—Bison Mine (1 Glade Park Drive, Kittanning, PA 16201). Natural Minor State-Only Operating Permit is for a facility that crushes and processes limestone and is located in West Franklin Township, **Armstrong County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of crushing and screening operations, a limestone wet washing system, stockpiles, truck loadout, and emissions from the use of roadways. Facility-wide potential emissions with controls are projected to be 36.0 TPY PM and 17.0 TPY PM₁₀. At a minimum, the facility is required to conduct daily

surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (03-00263) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information 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 by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

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

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

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

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940.

10-00230: Lindy Paving, Inc.'s Zelienville Plant (158 Lindsay Rd, Zelienville, PA 16063). The Department intends to issue the renewal of the State-Only Operating Permit of a hot mix asphalt (HMA) plant located in Jackson Township, **Butler County**. Permitted air contamination sources are a counter-flow drum mix asphalt plant, three asphalt cement storage tanks, four asphalt product storage silos, storage bins, material handling, material piles, and roadways. The current HMA plant was initially authorized through GP-13 issued in 2014. In this renewal, the current HMA plant is incorporated into the operating permit along with the GP-13 requirements, replacing the previously permitted HMA plant and all its plan approval-based requirements. The source test submittal procedure of GP-13 is revised in accordance with Source Testing Section's latest instructions. Under the authority of GP-13 Condition # 5, the facility elected to be subject to emission restrictions to limit its emissions below major source thresholds. Facility-wide restrictions of 99 TPY CO, 99 TPY NO_x, 99 TPY PM₁₀, and 49 TPY VOC apply to the facility to maintain its Synthetic Minor status.

24-00187: AgriPower Manufacturing and Services, Inc (230 State Street, St. Marys, PA 15857-1628). The Department of Environmental Protection intends to issue a State Only Operating Permit for a 9.35 MMBtu/hr biomass boiler at their physical research facility located in Saint Marys City, **Elk County**. The biomass boiler generates PM, SO_x, NO_x, CO, and VOC emissions. Filterable PM emissions are reduced by cyclonic capture. The facility is a natural minor facility. Potential emissions of PM, PM₁₀, SO_x, NO_x, CO, CO, and VOC are 9.9 TPY, 9.0 TPY, 1.0 TPY, 12.2 TPY, 24.6 TPY, and 0.7 TPY, respectively. The permit contains emission restrictions, an operational restriction of 1,000 hours in any 12-month consecutive month period, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

33-00151: Oak Heritage, Inc. (124 Industrial Park Dr, Brockway, PA 15824-1242). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the custom, hand-crafted furniture manufacturing facility located in Brockway Borough, **Jefferson County**. The primary sources at the facility are the surface coating operations (spray booths and dip tanks). The potential emissions of the primary pollutants from the facility are as follows: 0.77 TPY (tons per year) NO_x, 6.97 TPY CO, 20.11 TPY VOC, 4.64 TPY filterable PM₁₀ and PM_{2.5}, and 0.04 TPY SO_x; thus, the facility is a natural minor. The surface coating operations are subject to 25 Pa. Code § 129.52 for surface coating processes. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Central Office: Air Quality, 400 Market Street, Harrisburg, PA 17101, 717.787.9702.

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

15-00132: Teva Branded Pharmaceutical Products R&D Inc. (Teva) (145 Brandywine Parkway, West Chester, PA 19380) for a renewal of a State Only, Synthetic Minor Operating Permit in West Goshen Township, **Chester County**. Teva operates a pharmaceutical research and development facility with six (6) natural gas-fired boilers, five (5) diesel-fired emergency electric generators, three (3) natural gas-fired emergency electric generators, and miscellaneous gas-fired heaters. The pollutant of concern from this facility is nitrogen oxides (NO_x). Teva shall continue to maintain a synthetic minor operating status by limiting its facility-wide nitrogen oxide (NO_x) emissions to 24.9 tons per year, or less. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

09-00096: Suburban Heating Oil Partners (3115 State Hill Rd, Telford, PA 09869-1076) for operation of a fuel oil, gasoline and diesel fuel storage and loading facility in West Rockhill Township, **Bucks County**. The permit is for a non-Title V (State only) facility. The major sources of air emissions are: two (2) above ground gasoline storage tanks, two (2) kerosene above ground storage tanks, one (1) diesel underground storage tank, five (5) aboveground propane storage tanks, and a truck loading rack for: gasoline (with vapor balance controls), diesel, and kerosene. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). 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 of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above 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 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 above 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 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to 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.

Requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), 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.

Where a National Pollutant Discharge Elimination System (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

Effluent Limits—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	

Alkalinity greater than acidity¹

¹ 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) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

Coal Applications Received

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner).

17110109 and NPDES PA0257818. King Coal Sales, Inc., P.O. Box 712, Philipsburg, PA 16866, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Morris Township, **Clearfield County** affecting 85.7 acres. Receiving stream(s): Unnamed Tributary to Hawk Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 4, 2019.

17090103 and NPDES PA0257079. Bell Resources, Inc., 1340 Hoyt Road, Curwensville, PA 16833, permit renewal for continued operation and restoration of a bituminous surface coal mine located in Boggs and Knox Townships, **Clearfield County** affecting 311.9 acres. Receiving stream(s): Unnamed Tributaries No. 1 and No. 2 to Clearfield Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 6, 2019.

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Tracy Norbert).

63130102. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687), renewal application for continued mining of an existing bituminous surface mine located in Nottingham Township, **Washington County**, affecting 65.9 acres. Receiving stream(s): unnamed tributaries to Sugar Run and unnamed tributaries to Mingo Creek classified for the following use(s): HQ-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: December 11, 2019.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 40850201R7. Atlantic Carbon Group, Inc. (P.O. Box 39, Hazleton, PA 18201), renewal of an existing anthracite coal refuse reprocessing operation in Hazle Township, **Luzerne County** affecting 108.7 acres. Receiving stream: unnamed tributary to Catawissa Creek and Catawissa Creek, classified for the following uses: cold water and migratory fishes. Application received: December 4, 2019.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

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

22807-37160303-E-2. Amerikohl Aggregates, Inc. (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to construct support facility and maintenance within 100 feet but no closer than 10 feet of an unnamed tributary to the Beaver River, Wayne Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Connoquenessing Creek, Connoquenessing Creek, and unnamed tributaries to the Beaver River, classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is Beaver Falls Municipal Water Authority. Application received: October 25, 2019.

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Tracy Norbert).

02910301 (formerly 3474SM46) and NPDES Permit No. PA0589853. Collier Stone Co., 80 Noblestown Road, Carnegie, PA 15106, NPDES renewal received for continued mining of an existing noncoal surface mine in Collier Township, **Allegheny County**, affecting 34.5 acres. Receiving stream(s): Robinson Run and Scotts Run classified for the following use(s): WWF. Application received: November 25, 2019.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 66090301C and NPDES Permit No. PA0225274. Noxen Sand & Materials (2162 Chase Road, Shavertown, PA 18708), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Noxen Township, **Wyoming County** affecting 24.6 acres. Receiving stream: Beaver Run, classified for the following use: HQ—cold water fishes. Application received: November 22, 2019.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

*The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30-days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, telephone number and the interest of the party filing the request and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Tracy Norbert).

NPDES No. PA0252255, (Mining Permit No. 63120104), Neiswonger Construction, Inc., 17592 Route 322, Strattanville, PA 16258. Renewal of an NPDES permit for a bituminous surface mine located in Deemston Borough, **Washington County**. Receiving streams: UNT to Fishpot Run and Fishpot Run, classified for the following use: WWF. Draft NPDES permit effluent limits are as follows. Application received: November 19, 2018.

The following mine drainage treatment outfall discharges to Fishpot Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
TP3	N	MDT

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

<i>Outfall: TP3 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
Total Sulfates (mg/L)		Monitor and Report	
Flow (gpm)		Monitor and Report	
Temperature (°C)		Monitor and Report	
Specific Conductivity (µmhos/cm)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following stormwater outfall discharges to UNT to Fishpot Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
SP5	N	SWO

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

<i>Outfalls: SP5 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Total Sulfates (mg/l)		Monitor and Report	
Osmotic Pressure (mOsm/kg)		Monitor and Report	
Flow (gpm)		Monitor and Report	
Temperature (°C)		Monitor and Report	
Specific Conductivity (µmhos/cm)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

Noncoal NPDES Draft Permits

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

NPDES No. PA0227781 (Permit No. 24980102). Tamburlin Brothers Coal Company, Inc. (P.O. Box 1419, Clearfield, PA 16830). Renewal of an NPDES permit for a bituminous surface mine in Fox Township, **Elk County**, affecting 196.0 acres. Receiving streams: Limestone Run to Little Toby Creek, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: September 24, 2019.

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

The following outfalls discharge to Limestone Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ₁ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ 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 of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of 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 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the 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 the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Edward Muzic, Section Chief, 717.705.4802.

E3803219-002. J.D. Oliver, 4360 Lewis Road, P.O. Box 4714, Harrisburg, PA 17111 in Union Township, **Lebanon County**, ACOE Baltimore District.

To 1.) place and maintain fill in two palustrine emergent wetlands and the floodway of an unnamed tributary to Swatara Creek, impacting 0.07 acre of wetland and 0.05 acre of floodway, for the purpose of constructing a commercial truck repair facility. The project is located near the intersection of S.R. 934 and Old Forge Road (Latitude: 40° 26' 56.73" N; Longitude: 76° 30' 48.09" W) in Union Township, Lebanon County. To compensate for the wetland impacts, J.D. Oliver will purchase 0.07 acre of wetland credits from the Codorus Creek mitigation bank in York County, Pennsylvania.

E6703219-010. PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18104-8342, Fairview Township, **York County**, ACOE Baltimore District.

To construct and maintain a temporary causeway, temporarily impacting 275 feet of Yellow Breeches Creek (CWF, MF) (Latitude: 40.2259°N; Longitude: 76.8595°W).

The proposed project impacts in this permit application are associated with an upgrade of an electric transmission pipeline project extending across the Susquehanna in New Cumberland Borough, Cumberland County, Fairview Township, York County, Steelton Borough and Swatara Township Dauphin County. No wetland loss is proposed with this project and replacement is not required.

E2203219-008: PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18104-8342, Steelton Borough and Swatara Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain 1.) an electric transmission line across the Susquehanna River, permanently impacting 3,655 feet of the River; 2.) a temporary causeway in the Susquehanna River (WWF, MF), temporarily impacting 2,425 feet of the River; and 3.) a temporary wetland crossing, impacting 0.15 acre of wetland (Latitude: 40.2264°N, Longitude 76.8591°W).

The proposed project impacts in this permit application are associated with an upgrade of an electric transmission pipeline project extending across the Susquehanna in New Cumberland Borough, Cumberland County, Fairview Township, York County, Steelton Borough and Swatara Township Dauphin County. No wetland loss is proposed with this project and replacement is not required.

E2103219-005. PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18104-8342, New Cumberland Borough, **Cumberland County**, ACOE Baltimore District.

To construct and maintain 1.) a temporary causeway, temporarily impacting 275 feet of Yellow Breeches Creek (CWF, MF) and 550 feet of its floodway; and 2.) two monopoles impacting 20 square feet of the floodway of Yellow Breeches Creek (CWF, MF) (Latitude: 40.2259°N; Longitude: 76.8595°W).

The proposed project impacts in this permit application are associated with an upgrade of an electric transmission pipeline project extending across the Susquehanna in New Cumberland Borough, Cumberland County, Fairview Township, York County, Steelton Borough and Swatara Township Dauphin County. No wetland loss is proposed with this project and replacement is not required.

Southeast Region: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160.

Contact: Gladys Jean Schlosser, Clerical Supervisor 2, 484.250.5028.

Permit No. E09-1040, New Britain Township, 207 Park Avenue, Chalfont, PA 18914, New Britain Township, **Bucks County**, ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with the Peace Valley Nature Center. The proposed project consists of the construction of a 30,746 square foot pervious parking lot and 39-foot diameter Pavilion. The construction of the parking lot and Pavilion will have limited temporary floodplain impacts (North Branch Neshaminy Creek, WWF, MF).

The site is approximately on northeastern and southwest side of Chapman Road approximately 0.28 mile from its intersection with New Galena Road. (Doylestown, Lat. 40° 20' 25.51"; Long. 75° 10' 11.38") in New Britain Township, **Bucks County**.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) 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 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, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the

Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions.

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0065480 (Storm Water)	FedEx Freight, Inc.—ALT 360 Stokes Park Road Bethlehem, PA 18017	Northampton County Hanover Township	Unnamed Tributary to Monocacy Creek (HQ-CWF, MF) (2-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0232432 (Industrial)	I-99 J2 ARD Treatment 70 Penndot Drive Clearfield, PA 16830-6051	Centre County Huston Township	Unnamed Tributary to Bald Eagle Creek (CWF, MF) (9-C)	Yes

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

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

NPDES Permit No. PA0023248, Sewage, SIC Code 4952, **Berwick Area Joint Sewer Authority, 1108 Freas Avenue, Berwick, PA 18603-1710.**

This existing facility is located in Berwick Borough, **Columbia County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

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

NPDES Permit No. PA0046906, Sewage, SIC Code 4952, **Moon Township Municipal Authority, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108-3193.**

This existing facility is located in Moon Township, **Allegheny County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

NPDES Permit No. PA0003239, Industrial, SIC Code 3317, **Swagelok Proc Corp, 7544 Rte 18 North, Koppel, PA 16136.**

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

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater.

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

NPDES Permit No. PA0272451, Sewage, SIC Code 4952, 8800, **Jonathan Crumbacher, 816 Hamburg Road, Fredonia, PA 16124-1818.**

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Paradise Township	2 Township Drive P.O. Box 40 Paradise, PA 17562-9680	Lancaster

Plan Description: Approval is granted for an Act 537 Plan Update for Paradise Township, Lancaster County. The plan update is called the Act 537 Plan Update—Paradise Township Sewer Authority Wastewater Treatment Plant and is for the upgrade of the wastewater treatment plant using membrane bioreactor technology and expansion to accommodate annual average daily flows of 0.22 million gallon per day with discharge to the Pequea Creek. Permits must be obtained in the name of the Paradise Township Sewer Authority. The Department's review of the revision has not identified any significant impacts resulting from this proposal. The DEP Code Numbers for this plan are C1-36943-ACT and Application No. 313949.

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

WQM Permit No. WQG02111701 A4, Sewage, **Forest Hills Municipal Authority Cambria County**, P.O. Box 337, Saint Michael, PA 15951-0337.

This existing facility is located in Conemaugh Township, **Cambria County**.

Description of Proposed Action/Activity: Sludge dewatering improvements at Forest Hills MA WWTP.

WQM Permit No. 5619400, Sewage, **Indian Lake Borough**, 1301 Causeway Drive, Central City, PA 15926.

This proposed facility is located in Indian Lake Borough, **Somerset County**.

Description of Proposed Action/Activity: Proposed SRSTF with discharge hauled off-site.

WQM Permit No. 9084-S A-5, Sewage, SIC Code 4952, **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672.

This existing facility is located in City of Jeannette, **Westmoreland County**.

Description of Proposed Action/Activity: The applicant proposes to increase the peak pumping rate of their influent raw sewage pump station from 9.0 MGD to 10.25 MGD and eliminate pump station SSOs. The applicant also proposes to redirect flows related to the consolidation and relocation of CSO Outfalls 003 & 008. As a result of this work there will be a partial separation of Basin 6, tributary to CSO Outfall 003, and the existing regulator/outfall structures associated with CSO 003 will be sealed and abandoned. All sewage flows from CSO 003 & 008 will be directed to a newly constructed two vault regulator structure and outfall.

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

WQM Permit No. 4319409, Sewage, **Jonathan Crumbacher**, 816 Hamburg Road, Fredonia, PA 16124-1818.

This proposed facility is located in Delaware 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.

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347, 570-629-3060.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450095	Zeljan Ugarkovic 2157 Mountain Road Stroudsburg, PA 18360	Monroe	Jackson Township	UNT Appenzell Creek HQ-CWF, MF

Northampton County Conservation District, 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480105	J.G. Petrucci Company, Inc. c/o Mr. Joseph Correia 171 Route 173 Suite 201 Asbury, NJ 08802	Northampton	Bushkill & Plainfield Townships	Sobers Run (EV, 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-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities

PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-06	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-07	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-08	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-08 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
PAG-09	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-09 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-09 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

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).

General Permit Type—PAG-02

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC350070 Authorization/ Issuance	La Plume Twp Lackawanna County	Tracy L Brundage Keystone College 1 College Rd Laplume, PA 18440	S Branch Tunkhannock Creek (TSF, MF) Ackerly Creek (TSF, MF)	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC390079 Authorization/ Issuance	Upper Saucon Twp Lehigh County	Upper Saucon Twp 5500 Camp Meeting Rd Center Valley, PA 18034	Saucon Creek (CWF, MF) UNT to Saucon Creek (CWF, MF)	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583
PAC450017 Authorization/ Issuance	Smithfield Twp Monroe County	Smithfield Twp 155 Red Fox Rd East Stroudsburg, PA 18301	UNT Brodhead Creek (CWF, MF)	Monroe County Conservation District 8050 Running Valley Road Stroudsburg, PA 18347 570-629-3060

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Nathan Phillips, Section Chief, 717.705.4802.

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAD210044 Issued	South Middleton Township Cumberland County	The Meeting House 1155 Walnut Bottom Road Carlisle, PA 17013	UNT Letort Spring Run (EV, MF) Conodoguinete Creek (EV, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC280165 Issued	Southampton Township Franklin County	Cumberland Valley Regional Development Corporation 100 Lincoln Way East Chambersburg, PA 17201	UNT 64619 Furnace Run (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280174 Issued	Montgomery Township Franklin County	Traci Sweeney 10275 Fort Loudon Road Mercersburg, PA 17236	Licking Creek (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280173 Issued	Fannett Township Franklin County	Philip Lakjer P.O. Box 179 Spring Run, PA 17262	UNT Dry Run (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280172 Issued	Southampton Township Franklin County	Cumberland Valley Regional Development Corporation 100 Lincoln Way East Chambersburg, PA 17201	Furnace Run (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280181 Issued	Fannett Township Franklin County	Stoltzfus Manufacturing 156 Pompey Hill Road Stoystown, PA 15563	Dry Run (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280084 Issued	Guilford Township Franklin County	Martin's Famous Pastry Shophe, Inc. 1000 Potato Roll Lane Chambersburg, PA 17202	Conococheague Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280151 Issued	Borough of Chambersburg Franklin County	Progress Village 26, LLC 1730 Edgewood Hill Circle Suite 101 Hagerstown, MD 21740	Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
PAC280177 Issued	Saint Thomas Township Franklin County	Whitetail Solar 3, LLC 1901 South 9th Street Suite 219D Philadelphia, PA 19148	Campbell Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

NOTICES

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Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC080046	Troy Twp Bradford Cnty	Lorraine B. Warner Trust (ICO: Scott Warner & David Warner) 9848 US-6 Troy, PA 18947	Sugar Creek TSF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539, X 6
PAC080044	Athens Twp Bradford Cnty	Williams Auto Group 951 County Route 64 Big Flats, NY 14903	Chemung River WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda PA 18848 (570) 265-5539, X 6
PAC55038	Monroe Twp Snyder Cnty	Michael Dunigan 112 Mayflower Lane Winfield, PA 17889	UNT to Penns Creek CWF	Snyder County Conservation District 403 W Market St Middleburg PA 17842 (570) 837-3000 X110
PAC55039	McClure Twp Snyder Cnty	McClure DPP LLC 9010 Overlook Blvd Brentwood, TN 37027	UNT S Branch Middlecreek CWF	Snyder County Conservation District 403 W Market St Middleburg PA 17842 (570) 837-3000 X110

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cranberry Township Butler County	PAC100173	Fresenius Kabi 770 Commonwealth Drive Warrendale, PA 15086	Brush Creek WWF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

General Permit Type—PAG-03

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

Facility Location

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Moon Township Allegheny County	PAG036268	Coraopolis Terminal DE, LLC P.O. Box 2621 Harrisburg, PA 17105-2621	Thorn Run (WWF)—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-12

NOTICE OF PUBLIC HEARING

The Pennsylvania Department of Environmental Protection (DEP) has scheduled a public hearing to receive testimony and comments on the Notice of Intent (NOI) submitted by **Matter Family Farms, LLC** (Matter Family Farms) to be covered under DEP's PAG-12 general National Pollutant Discharge Elimination System (NPDES) permit for Concentrated Animal Feeding Operations (CAFO). The hearing will be held on Wednesday, January 29, 2020 at 6:00 pm at the Greenwood High School cafeteria, 405 E. Sunbury Street, Millerstown, PA 17062. Should inclement weather force the hearing to be postponed, it will be rescheduled for Wednesday, February 5, 2020 at the same location and time. If the hearing is rescheduled to February 5, 2020 due to inclement weather, DEP will notify individuals who have registered to testify at the hearing if such individuals provided DEP with contact information.

Matter Family Farms' proposal is for the population of a duck finishing facility which includes one building housing a maximum of 38,000 ducks. Matter Family Farms' facility is located in Greenwood Township, **Perry County** at 188

Cocolamus Road, Millerstown, PA 17062 (Operation). Manure is proposed to be collected at the Operation in a concrete tank adjacent to the building. The receiving stream, Cocolamus Creek (TSF, MF), is in watershed 12-B and classified for: Migratory Fishes and Trout Stocking. The persons requesting the public hearing stated general concerns about the Operation, including its manure, causing negative impacts to surface water, groundwater, drinking water, and air.

Persons intending to testify at the hearing are asked to pre-register by Wednesday, January 22, 2020 by contacting Mr. John Repetz at 717.705.4904 or jrepetz@pa.gov. If DEP does not receive any testimony registration requests by 4:00 pm on Wednesday, January 22, 2020, the public hearing will be cancelled.

All testimony should pertain to the NOI submitted by Matter Family Farms. Each individual will have up to five (5) minutes for his/her presentation. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time to other speakers will not be allowed. For those who prefer to present written comments or are unable to attend the hearing, written testimony may be submitted to DEP by 4:00 pm on February 5, 2020 to Scott Arwood, P.E., Clean Water Permitting Chief, DEP Southcentral Regional Office, 909 Elmerton Ave., Harrisburg, PA 17110 or to sarwoodpa.gov. DEP will respond in writing to relevant testimony provided during the public hearing and submitted written comments.

The Department published receipt of the NOI for coverage under PAG-12 NPDES Permit No. PAG123895 for this Operation in the *Pennsylvania Bulletin* on September 28, 2019 (49 Pa.B. 5579). Interested persons may review the NOI and related documents at DEP's Southcentral Regional Office in Harrisburg between 8:00 a.m. and 4:00 p.m. Please call 717.705.4732 to schedule an appointment.

If you are a person with a disability who wishes to attend the hearing, but requires an auxiliary aid, service or other accommodations to participate in the proceedings, please contact the Mr. Repetz at the previously listed number for assistance. TDD users may use the Pennsylvania AT&T Relay Service at 1.800.654.5984.

General Permit Type—PAG-13

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG133692	Cleona Borough Lebanon County	Cleona Borough Authority Lebanon County 140 W Walnut Street Cleona, PA 17042	Quittapahilla Creek (TSF, MF)—7-D	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707
PAG133591	Annville Township Lebanon County	Annville Township Lebanon County 36 N Lancaster Street P.O. Box 178 Annville, PA 17003-0178	Quittapahilla Creek (TSF, MF)—7-D	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707
PAG133698	North Cornwall Township Lebanon County	North Cornwall Township Lebanon County 320 S 18th Street Lebanon, PA 17042	Unnamed Tributary to Quittapahilla Creek (TSF, MF) and Beck Creek (TSF, MF)—7-D	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707
PAG133684	South Lebanon Township Lebanon County	South Lebanon Township Lebanon County 1800 S 5th Avenue Lebanon, PA 17042	Unnamed Tributary to Quittapahilla Creek (TSF, MF), Unnamed Tributary to Manada Creek (TSF, MF), and Quittapahilla Creek (TSF, MF)—7-D	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707
PAG133613	Lebanon City Lebanon County	Lebanon City Lebanon County 400 S 8th Street Lebanon, PA 17042-6794	Brandywine Creek (TSF, MF), Unnamed Tributary to Manada Creek (TSF, MF), and Quittapahilla Creek (TSF, MF)—7-D	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707
PAG133679	North Lebanon Township Lebanon County	North Lebanon Township Lebanon County 725 Kimmerlings Road Lebanon, PA 17046-9202	Tulpehocken Creek (CWF, MF) and Unnamed Tributary of Swatara Creek (WWF, MF)—7-D and 3-C	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707

**STATE CONSERVATION COMMISSION
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES
PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN
CAFO 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>
Pleasant View Farms 2675 Conococheague Rd. Blain, PA 17006	Perry	965.2	1,069.81	Dairy	HQ	Approved
Greenfield Farms Mervin King Mgr. 16551 Rte 35 South Port Royal, PA 17082	Juniata	1,193.7	441.42	Poultry Sheep & Goats	Dougherty Run & Woodward Run	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. 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 (35 P.S. §§ 721.1—721.17).

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Permit No. 4019511MA, Construction Permit, Public Water Supply.

Applicant	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Hunlock Township

County **Luzerne**
 Type of Facility Public Water Supply
 Consulting Engineer Maureen V. Bower, P.E.
 Pennsylvania American Water
 Company
 2699 Stafford Avenue
 Scranton, PA 18505

Permit to Construct November 8, 2019
 Issued

Description of Action Approval for replacement of the
 existing dual diaphragm style
 chemical feed pumps with new
 peristaltic chemical feed pumps
 at the Ceasetown WTP.

**Permit No. 4019510MA, Construction Permit, Pub-
 lic Water Supply.**

Applicant **Pennsylvania American
 Water Company**
 852 Wesley Drive
 Mechanicsburg, PA 17055

Municipality Plains Township
 County **Luzerne**
 Type of Facility Public Water Supply
 Consulting Engineer Maureen V. Bower, P.E.
 Pennsylvania American Water
 Company
 2699 Stafford Avenue
 Scranton, PA 18505

Permit to Construct November 14, 2019
 Issued

Description of Action Approval for replacement of the
 existing dual diaphragm style
 chemical feed pumps with new
 peristaltic chemical feed pumps
 at the Watres WTP.

**Permit No. 3519502MA, Construction Permit, Pub-
 lic Water Supply.**

Applicant **Pennsylvania American
 Water Company**
 852 Wesley Drive
 Mechanicsburg, PA 17055

Municipality Carbondale Township
 County **Lackawanna**
 Type of Facility Public Water Supply
 Consulting Engineer Maureen V. Bower, P.E.
 Pennsylvania American Water
 Company
 2699 Stafford Avenue
 Scranton, PA 18505

Permit to Construct November 14, 2019
 Issued

Description of Action Approval for replacement of the
 existing dual diaphragm style
 chemical feed pumps with new
 peristaltic chemical feed pumps
 at the Brownell WTP.

**Permit No. 3519503MA, Construction Permit, Pub-
 lic Water Supply.**

Applicant **Pennsylvania American
 Water Company**
 852 Wesley Drive
 Mechanicsburg, PA 17055

Municipality Fell Township
 County **Lackawanna**
 Type of Facility Public Water Supply
 Consulting Engineer Maureen V. Bower, P.E.
 Pennsylvania American Water
 Company
 2699 Stafford Avenue
 Scranton, PA 18505

Permit to Construct November 14, 2019
 Issued

Description of Action Approval for replacement of the
 existing dual diaphragm style
 chemical feed pumps with new
 peristaltic chemical feed pumps
 at the Fallbrook WTP.

**Permit No. 5819501MA, Construction Permit, Pub-
 lic Water Supply.**

Applicant **Pennsylvania American
 Water Company**
 852 Wesley Drive
 Mechanicsburg, PA 17055

Municipality Forest City Borough
 County **Susquehanna**
 Type of Facility Public Water Supply
 Consulting Engineer Maureen V. Bower, P.E.
 Pennsylvania American Water
 Company
 2699 Stafford Avenue
 Scranton, PA 18505

Permit to Construct November 14, 2019
 Issued

Description of Action Approval for replacement of the
 existing dual diaphragm style
 chemical feed pumps with new
 peristaltic chemical feed pumps
 at the Forest City WTP.

**Permit No. 6619504, Construction Permit, Public
 Water Supply.**

Applicant **Davan's Delight Restaurant**
 1235 State Route 29 North
 Lemon Township, PA 18657

Municipality Lemon Township
 County **Wyoming**
 Type of Facility Public Water Supply
 Consulting Engineer Frederick E. Ebert, P.E.
 Ebert Engineering, Inc.
 P.O. Box 540
 4397 Skippack Pike
 Skippack, PA 19474

Permit to Construct October 25, 2019
 Issued

Description of Action Installation of Arsenic and
 Manganese treatment systems.

Permit No. 6419502MA, Construction Permit, Public Water Supply.

Applicant **Roamingwood Sewer and Water Authority**
P.O. Box 6
Lake Ariel, PA 18436

Municipality Salem and Lake Townships

County **Wayne**

Type of Facility Public Water Supply

Consulting Engineer David J. Osborne, P.E.
LaBella Associates
1000 Dunham Drive
Suite B
Dunmore, PA 18512

Permit to Construct Issued November 21, 2019

Description of Action Approval for well modifications at the South Well, North Well, Elmwood Well and Brookfield Well in "The Hideout" residential community. The work consists of replacing aging components and reconfiguring the piping systems within each well house.

Permit No. 3540040, Operation Permit, Public Water Supply.

Applicant **Melanie Manor Mobile Home Estates, LLC**
P.O. Box 537
Bainbridge, PA 17502

Municipality Union Township

County **Schuylkill**

Type of Facility Melanie Manor Mobile Home Park

Public Water Supply Consultant
Charles A. Kehew, II, P.E.
James R. Holley & Associates, Inc.
18 South George Street
York, PA 17401

Permit Issued October 31, 2019

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 1919504—Construction—Public Water Supply.

Applicant **SUEZ Water Pennsylvania, Inc.**

Township/Borough Montour Township

County **Columbia County**

Responsible Official Mr. William Kelvington
SUEZ Water Pennsylvania, Inc.
6310 Allentown Boulevard
Suite 104
Harrisburg, PA 17112

Type of Facility Public Water Supply-Construction

Consulting Engineer Mr. Rulison Evans, P.E.
GHD, Inc.
1240 N Mountain Road
Harrisburg, PA 17112

Permit Issued December 5, 2019

Description of Action Authorizes construction of a booster pump station with rechlorination facilities and pressure-reducing valve station to serve customers along Route 11 corridor from the Montgomery Village pressure zone of the Mahoning Township Water System.

Permit No. 1419504MA—Operation—Public Water Supply.

Applicant **Bellefonte Borough Authority**

Township/Borough Spring Township

County **Centre County**

Responsible Official Mr. Ralph W. Stewart, Manager
Bellefonte Borough Authority
236 West Lamb Street
Bellefonte, PA 16825

Type of Facility Public Water Supply-Operation

Consulting Engineer Mr. Eric S. Lundy, P.E.
Nittany Engineering, a Division of Century Engineering
55 Pierce Lane
Suite 301
Montoursville, PA 17754

Permit Issued December 12, 2019

Description of Action Authorizes Bellefonte Borough Authority to operate bulk-water loading station # 2 (BWLS 2), located in the fenced-in, gated, Waste Water Treatment Plant site, adjacent to existing primary bulk-water hydrant (BWLS 1).

Permit No. 1402503-A1—Operation—Public Water Supply.

Applicant **Penn State University**

Township/Borough Ferguson Township

County **Centre County**

Responsible Official Mr. Andrew Gutberlet
Penn State University
209 Water Treatment Plant
University Park, PA 16802

Type of Facility Public Water Supply-Operation

Consulting Engineer Mr. James K. Baird
Office of Physical Plant
Engineering Services
209 Water Treatment Plant
University Park, PA 16802-1118

Permit Issued December 12, 2019

Description of Action Authorizes Penn State University to amend permit No. 1402503-A1 to authorize emergency designation of Corl Street (Wellhouse 28A) and Burrows Road (West Campus Steam Plant) interconnections.

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—6026.908).

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, Benjamin Stone-Thonus, 717-705-4705, 909 Elmerton Avenue, Harrisburg, PA 17110.

CSXT Hyndman Derailment Site, 119 & 127 Cleveland St.; 122 & 131 Mill St.; 288, 296 & 306 Schellsburg St., Hyndman, PA 15545, Hyndman Borough, **Bedford County**. ARCADIS, US, Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of CSX Transportation, Inc., 1 Bell Crossings, Selkirk, NY 12158; Michael Baker, 122 Mill Street, Hyndman, PA 15545; Jessie Spiker, 131 Mill Street, Hyndman, PA 15545; Dorothy and Harvey Cook, 296 Schellsburg Street, Hyndman, PA 15545; Edward Kennell, 288 Schellsburg Street, Hyndman, PA 15545; Janet Ritchey, 306 Schellsburg Street, Hyndman, PA 15545; Fay E. Leydig, 127 Cleveland Street, Hyndman, PA 15545, and William Parry, 119 Cleveland Street, Hyndman, PA 15545, submitted a Final Report concern-

ing remediation of site soil contaminated with sulfur and petroleum hydrocarbons released from a train derailment. The Report is intended to document remediation of the site to meet the Residential Statewide Standard.

Harley-Davidson AMF York, MMRP, 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. EA Engineering, Science, and Technology, Inc., PBC, 225 Schilling Circle, Suite 400, Hunt Valley, MD 21031, on behalf of Harley-Davidson Motor Company Operations, Inc., 1425 Eden Road, York, PA 17402, submitted a Cleanup Plan concerning remediation of site groundwater contaminated with lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Harley-Davidson AMF York, 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110, on behalf of Harley-Davidson Motor Company Operations, Inc., 1425 Eden Road, York, PA 17402, submitted a Cleanup Plan concerning remediation of site groundwater contaminated with metals, chlorinated solvents, VOCs, SVOCs, and petroleum. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Former Mt. Joy MGP, 223-225 West Main Street, Mt. Joy, PA 17552, Mt. Joy Borough, **Lancaster County**. Silar Services, 1851 French Creek Road, Phoenixville, PA 19460, on behalf of PPL Electric Utilities, 1639 Church Road, Allentown, PA 18104-9342, and Mt. Joy Borough, 21 East Main Street, Mt. Joy, PA 17552 submitted a Remedial Investigation and Cleanup Plan concerning remediation of site groundwater and soil contaminated with Polyaromatic Hydrocarbons, metals and volatile organic compounds from a manufactured gas plant. The combined report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes

conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, Benjamin Stone-Thonus, 717-705-4705, 909 Elmerton Avenue, Harrisburg, PA 17110.

Former Blue Ridge Country Club, 3940 Linglestown Road, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**. Geo-Technology Associates, Inc., 3445A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of BRCC LP, 5351 Jaycee Avenue, Harrisburg, PA 17112, submitted a Cleanup Plan concerning remediation of site soil contaminated with inorganics. The Plan was approved by the Department on December 9, 2019.

Brickyard Road, 299 Brickyard Road, New Oxford, PA 17350, Oxford Township, **Adams County**. Advantage Engineers, 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055, on behalf of ERY Properties, LLC, 1030 Wilson Avenue, Hanover, PA 17331, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with arsenic, manganese, and vanadium. The Report was disapproved by the Department on December 12, 2019.

Berks Park 183 Former Pistol Range, Aviation Road, Reading, PA 19605, Bern Township, **Berks County**. Liberty Environmental, Liberty Environmental, Inc., 505 Penn Street, Reading, PA 19601, on behalf of Berks County Industrial Development Authority, 633 Court Street, 14th Floor, Reading, PA 19601, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils contaminated with lead. The combined report was approved by the Department on December 12, 2019.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Draft permits issued, revised or withdrawn under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

PAD980550545. Chester County Solid Waste Authority, 7224 Division Highway, Narvon, PA 17555-9505, Caernarvon Township, **Lancaster County**. A Draft Hazardous Waste Post-Closure Permit for a previously closed hazardous waste landfill was issued by the Department on December 16, 2019. As required by 25 Pa. Code Chapter 270a.80(d)(2), the Department is providing public notice of this action.

Persons wishing to comment on the draft permit are invited to submit comments to John Oren, P.E., Facilities Manager, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer; and a concise statement to inform the Regional Office of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

Persons interested in obtaining more information about the draft permit may contact the Southcentral Regional Office, Waste Management Program at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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.

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

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

GP7-23-0002: Dee Paper Company (100 Broomall Street, Chester, PA 19016) on November 14, 2019, for a sheet-fed offset lithographic printing press in Chester City, **Delaware County**.

GP14-15-0099: Chester County Crematory LLC (829 Lincoln Avenue, C-9) on November 14, 2019 for a human and animal crematory in West Goshen, **Chester County**.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

AG5-58-00014A: Williams Field Services LLC (310 State Route 29, Tunkhannock, PA 18657) on November 5, 2019 for the continued operation of the Miller Compressor Station located in Harford Twp., **Susquehanna County**.

Central Office: Air Quality, 400 Market Street, Harrisburg, PA 17101.

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

Contact: Roger Fey, Chief—Telephone: 215-823-7584.

AMS Plan Approval No. IP19-000284: Please Touch Museum (4231 Avenue of the Republic, Philadelphia, PA 19131) issued on November 13, 2019 for the installation of eleven (11) natural gas fired roof top units each rated at or below 0.85 MMBtu/hr at their facility in the City of Philadelphia, **Philadelphia County**. Nitrogen Oxides (NO_x) have a potential emission of 3.31 tons per year. Carbon Monoxide (CO) has a potential emission of 2.78 tons per year. The plan approval contains operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174.

PA-63-01032: Ameri-Precision Metals Inc. (40 Curry Avenue, Canonsburg, PA 15317) on November 12, 2019, the Department issued a Plan Approval PA-63-01032 to authorize the construction and temporary operation of a cold rolling mill and associated operations in building No. 25, 30, and 35 at Pennsylvania Transformer Facility Industrial Park in Canonsburg Borough, **Washington County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

Contact: Thomas McGinley, New Source Review Chief—Telephone: 610-832-6242.

46-0026H: Global Packaging Inc. (209 Brower Avenue, Oaks, PA 19456) on November 4, 2019 for the installation of a heat set flexographic printing press and associated dryers in Upper Providence Township, **Montgomery County**.

46-0008: Coopers Creek Chem Corp (884 River Road, W. Conshohocken, PA 19428-2699) on November 1, 2019 for the installation of an additional still for the distillation of crude petroleum tar in Upper Merion Township, **Montgomery County**.

46-0035I: GlaxoSmithKline, Inc. (709 Swedeland Road, King of Prussia, PA 19406-2711) on November 7, 2019 an extension for the installation of four natural gas No. 2 oil fired boilers, two No. 2 oil fired emergency generator engines, and one natural gas fired combined heat and power engine and one No. 2 fuel oil 29,800 in Upper Merion Township, **Montgomery County**.

23-0223: LCP Generation Partners LP (170 N Radnor Chester Rd, Ste 101, Radnor, PA 19087-5281) on November 7, 2019 an extension for installation and temporary operation of a 2-MW Combined heat and power (CHP) system in Radnor Township, **Delaware County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

67-05118A: Harley-Davidson Motor Co. Operations, Inc. (1425 Eden Road, York, PA 17402) on November 13, 2019, for the modification of the motorcycle manufacturing facility (York Vehicle Operations) located in Springettsbury Township, **York County**. The modification will involve the following: installation of additional infrared paint drying oven capacity (via oven lengthening) to facilitate an increase in the line speed of Source ID 245's two existing cosmetic spray paint lines from 8 fpm to 9 fpm to accommodate a production increase; and the construction of two additional Source ID MTBS motorcycle test booths to increase the number of test booths from 4 to 6. Source ID 245's VOC emissions are controlled by a regenerative thermal oxidizer (RTO) and a carbon adsorption unit. Source ID 245's PM/PM₁₀/PM_{2.5} emissions are controlled by a scrubber. The plan approval was extended.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-5226.

32-00055J: Homer City Generation, LP (1750 Power Plant Rd., Homer City, PA 15748). Extension effective November 22, 2019, for the installation and/or upgrade of air cleaning devices to comply with additional Reasonably Achievable Control Technology requirements for NO_x for Units 1 & 2 at Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**. The new expiration date is February 28, 2020.

Central Office: Air Quality, 400 Market Street, Harrisburg, PA 17101.

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

Contact: Roger Fey, Chief—Telephone: 215-823-7584.

23-0014I: Kimberly-Clark of PA, LLC (1 Avenue of the States, Chester, PA 19013) on November 5, 2019, for a minor modification to a cogeneration system plan approval. This minor modification is for a change in the SCR NO_x monitoring location and to change all 3-hour block monitoring averages to 3-hour rolling averages. The plan approval will include emission limits, monitoring,

recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility is located in City of Chester, **Delaware County**.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

Contact: Eric Gustafson, Facilities Permitting Chief—Telephone: 814-332-6940.

61-00004: Electralloy, G. O. Carlson, Inc., Company (175 Main Street, Oil City, PA 16301) on November 12, 2019, the Department renewed the Title V Permit for the melting operations for specialty stainless steel and nickel alloys in Oil City, **Venango County**. The primary emission sources at the facility include an Electric Arc Furnace, 2 Argon-Oxygen Decarburization vessels, a tumbleblast operation, 2 Electroslag Remelt furnaces, 8 annealing furnaces, a parts washer, and natural gas combustion sources. The facility is a major facility due to its potential to emit PM and CO. Maximum Potential Emissions for the facility are calculated as follows: 522.36 tpy PM; 86.34 tpy NO_x; 28.59 tpy SO_x; 271.63 tpy CO; 48.18 tpy VOC; and 4.56 tpy total combined HAPs. Actual 2018 emissions were as follows: 2.07 tons PM; 50.17 tons NO_x; 11.41 tons SO_x; 120.40 tons CO; 16.59 tons VOC; 16,333 tons CO₂. This facility is subject to 40 CFR Part 63 Subpart YYYYY, the NESHAP for Area source Electric Arc Furnace Steelmaking Facilities. The conditions of the previous plan approvals and operating permit are incorporated into the renewal permit.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

48-00078: Chrin Brothers, Inc. (635 Industrial Drive Easton, PA 18042-7339). On November 14, 2019 the Department issued a renewal State-Only Synthetic Minor Permit for the Chrin Brothers Inc./Island Park Quarry located in Williams Township, **Northampton County**. This plant operates a 250-ton per hour rock crushing plant with primary and secondary crushers, associated screens and conveyors, haul roads, and water spray (wet suppression) system. The sources are considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations

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

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

36-03187: Allied Veterinary Cremation, Ltd. (1966 Mastersonville Road, Manheim, PA 17545) on November 12, 2019, for the four veterinary cremation units located in Rapho Township, **Lancaster County**. The State-only permit was renewed.

36-05159: Envigo Global Services, Inc. (310 Swamp Bridge Road, Denver, PA 17517-8723) on November 12, 2019, for the animal crematory and emergency generators at the facility located in West Cocalico Township, **Lancaster County**. The State-only permit was renewed.

67-03162: Church & Dwight Co., Inc. (5197 Commerce Drive, York, PA 17408-9511) on November 8, 2019, for the consumer products manufacturing facility located in Jackson Township, **York County**. The State-only permit was renewed.

22-03013: UPMC Pinnacle (218 South 2nd Street, Harrisburg, PA 17104-1601) on November 8, 2019, for the boilers and generators at the Harrisburg Hospital located in Harrisburg City, **Dauphin County**. The State-only permit was renewed.

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

Contact: Mark Wayner, Facilities Permitting Chief—Telephone: 412-442-4174.

04-00439: WATCO Transloading, LLC—Industry Terminal Lot # 1 (2701 Midland Beaver Road, Industry, PA 15052-1709) on November 13, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor State-only operating permit for a transloading facility that handles and warehouses ferroalloy metals, pig iron, gypsum, steel, non-ferrous metals, and general commodities and is located in Industry Borough, **Beaver County**. The permit includes throughput limits, operating requirements, monitoring requirements, and recordkeeping requirements for the site.

04-00708: WATCO Transloading, LLC—Industry Terminal Lot # 2 (2701 Midland Beaver Road, Industry, PA 15052-1709) on November 13, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor State-only operating permit for a transloading facility that handles and warehouses ferroalloy metals, pig iron, gypsum, steel, non-ferrous metals, and general commodities and is located in Industry Borough, **Beaver County**. The permit includes throughput limits, operating requirements, monitoring requirements, and recordkeeping requirements for the site.

04-00712: WATCO Transloading, LLC—Industry Terminal Lot # 3 (2701 Midland Beaver Road, Industry, PA 15052-1709) on November 13, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor State-only operating permit for a transloading facility that handles and warehouses ferroalloy metals, pig iron, gypsum, steel, non-ferrous metals, and general commodities and is located in Midland Borough, **Beaver County**. The permit includes throughput limits, operating requirements, monitoring requirements, and recordkeeping requirements for the site.

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

Contact: Eric Gustafson, Facilities Permitting Chief—Telephone: 814-332-6940.

10-00148: Ervin Industries, Inc./Amasteel Division (681 E Butler Rd, Butler, PA 16001-9127). On Novem-

ber 12, 2019, the Department issued the renewal State Only Natural Minor Operating Permit for the manufacturing facility located in Summit Township, **Butler County**. The facility's primary emission sources include space heating, (34) quench and draw furnaces, two (2) electric arc furnaces (EAFs) for melting steel, the atomizing tank, the shot processing line, the grit processing line, ladle heaters, natural gas-fired dryers, a cold degreaser, and an emergency generator powered by a 335-HP diesel engine. The potential emissions of the primary pollutants from the facility are as follows: 65.82 TPY (tons per year) NO_x, 39.82 TPY CO, 2.28 TPY VOC, 4.09 TPY PM₁₀, 3.65 TPY PM_{2.5}, 0.21 TPY SO_x, and 5.16 TPY combined HAPs; thus, the facility is a natural minor. The EAFs are subject to 40 CFR 60 Subpart AA, Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983. They are also subject to 40 CFR 63 Subpart ZZZZZ, NESHAP for Iron and Steel Foundries (Area Sources). The emergency generator is subject to 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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: Thomas McGinley, New Source Review Chief—Telephone: 610-832-6242.

46-00050: 727 Norristown Rd, LP (727 Norristown Rd, Ambler, PA 19002) on November 14, 2019, for operation of two (2) dual-fired (natural gas/No. 2 fuel oil) boilers, four (4) natural gas fired boilers and three (3) emergency generators at an office complex in Lower Gwynedd Township, **Montgomery County**.

09-00213: DeNucci Excavating, Corp. (2807 Old Rodgers Road, Bristol, PA 19007-1723) on November 14, 2019 for the renewal of a State Only, Natural Minor Operating Permit for a portable nonmetallic crushing plant, consisting of a portable crusher and portable screener at this site, in Bristol Township, **Bucks County**.

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

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

21-05067: Carlisle Syntec—Division Carlisle Construction Materials LLC (P.O. Box 7000, Carlisle, PA 17013-0925) on November 8, 2019, for the rubber sheet roofing manufacturing facility located in Carlisle Borough, **Cumberland County**. The State-only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 21-05067A.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). 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 such applications will also address the application permitting requirements of the following statutes; the Air Quality 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).

Coal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Holly Calvetti).

Permit 32000108 and NPDES No. PA0248801. River Hill Coal Co., Inc., P.O. Box 141, 48 Memorial Street, Kylertown, PA 16847, permit renewal for reclamation only of a bituminous surface and auger mine in West Wheatfield Township, **Indiana County**, affecting 759.2 acres. Receiving stream(s): unnamed tributaries to/and Conemaugh River, Richards Run and Roaring Run, classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 3, 2019. Permit Issued: December 10, 2019.

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500. (Contact: Tracy Norbert).

03120103 and NPDES Permit No. PA0252271. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Permit renewal issued for continued mining to an existing bituminous surface mine located in Sugarcreek Township, **Armstrong County**, affecting 108.3 acres. Receiving stream(s): unnamed tributaries to Patterson Creek and Buffalo Creek. Application received: December 13, 2018. Permit issued: December 12, 2019.

Noncoal Permits Issued

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 66182501. Shawn Adams (3001 Sugar Hill Road, Sugar Run, PA 18846), commencement, operation and restoration of a quarry operation in Windham Township, **Wyoming County** affecting 8.0 acres, receiving stream: no discharge to Roaring Run. Application received: July 5, 2018. Permit issued: December 3, 2019.

Permit No. PAM118030. Shawn Adams (3001 Sugar Hill Road, Sugar Run, PA 18846), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66182501 in Windham Township, **Wyoming County**, receiving stream: no discharge to Roaring Run. Application received: July 5, 2018. Permit issued: December 3, 2019.

Permit No. PAM119027. Lucas D. Mack (575 Old Kitchen Road, Kinsley, PA 18826), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54130812 in Brooklyn Township, **Susquehanna County**, receiving stream: unnamed tributary to Martins Creek. Application received: August 26, 2019. Permit issued: December 11, 2019.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

Permit No. 39194107. Maine Drilling & Blasting, Inc. (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Liberty at Spring Creek Lots 7 & 8 in Lower Macungie Township, **Northampton County** with an expiration date of December 6, 2020. Permit issued: December 11, 2019.

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 the applicable provisions of 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.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, 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 may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at one. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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 (35 §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341).

Southeast Region: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160.

Contact: Gladys Jean Schlosser, Clerical Supervisor 2, 484.250.5028.

Permit No. E09-1035, Pennsylvania Department of Transportation Engineering District 6-0, 7000 Geerdes Blvd., King of Prussia, PA 19406, Richland Township, **Bucks County**, ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT) is proposing to perform channel clearing to 6 inches above normal water level for 50 feet upstream and 50 feet downstream of the S.R. 4059 bridge over an unnamed tributary to Tohickon Creek (TSF/MF) in order to relieve flooding. This activity will result in a total of 100 linear feet (3,250 square feet) of permanent stream impact and all work is anticipated to be completed from the roadway. This project is located on E Cherry Road east N West End Boulevard in East Richland Township, Bucks County (USGS PA Milford Square; Quakertown Quadrangle—Latitude 40.480781 N, Longitude 75.374601 W).

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

E6402219-002. Donald Henderson & Louis Belucci, 45 Beaver Brook Road, Lakeville, PA 18428. Paupack Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 10'- 7" × 3'-5", aluminum box culvert crossing of a UNT to Purdy Creek (HQ-CWF, MF), depressed 12-inches below the existing streambed elevation with upstream wingwalls. The project is located between Beaver Brook Road and Daniels Road, just north of Locklin Pond (Lakeville, PA Quadrangle Latitude: 41° 27' 12" Longitude: -75° 16' 59") in Paupack Township, Wayne County.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E08-505. Wyalusing Borough, 50 Senate Street, Wyalusing, PA 18853. Low-Flow crossing over Brewer Creek in Wyalusing Township, **Bradford County**. Laceyville, PA Quadrangle Latitude N: 41° 41' 39" Longitude W: -76° 14' 56".

To construct a new permanent low-flow stream crossing over Brewer Creek. The proposed project involves the installation of five (5) - 30" diameter smooth lined corrugated plastic pipes and roadway fill in the stream channel and floodway.

The project proposes to have the following impacts.

Stream Impact Table:

Impact #	Resource Name	Municipality	Activity	Chapter 93	Listed Trout	Impact Length Temp. (LF)	Impact Area Temp. (SF)	Impact Length Perm. (LF)	Impact Area Perm. (SF)	Lat. Long.
1	Brewer Creek	Wyalusing Twp	Install Low flow crossing	WWF-MF	None	0	0	50	2,500	41.694169 -76.248889
TOTAL						0	0	50	2,500	

Floodway Impact Table:

Impact #	Resource Name	Municipality	Activity	Chapter 93	Listed Trout	Impact Length Temp. (LF)	Impact Area Temp. (SF)	Impact Length Perm. (LF)	Impact Area Perm. (SF)	Lat. Long.
1	Brewer Creek	Wyalusing Twp	Construct Approach	WWF-MF	None	0	0	50	5,000	41.694169 -76.248889
2	Brewer Creek	Wyalusing Twp	Construct Approach	WWF-MF	None	0	0	50	5,000	41.694169 -76.248889
TOTAL						0	0	100	10,000	

The total estimated permanent stream disturbance for the project is approximately 50 lineal feet of Lycoming Creek and 10,000 square feet of its floodway.

The proposed crossings will not permanently impact cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge, or historical sites. Brewer Creek is classified with a designated use of Warm Water Fishery (WWF) and Migratory Fishes (MF).

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Edward Muzic, Section Chief, 717.705.4802.

EA3603219-001. Mount Joy Township, 8853 Elizabethtown Road, Elizabethtown, PA 17022, Mount Joy Township, **Lancaster County**, ACOE Baltimore District.

To the construction and maintenance of a stream restoration project along 1,173 feet of Conoy Creek (TSF, MF) including 1.) 2,129 feet of bank grading (left and right bank); 2.) 20 feet of bank grading on an unnamed tributary to Conoy Creek (TSF, MF); 3.) a 33-foot-long mudsill in Conoy Creek (TSF, MF); and 4.) 120 feet of rock toe protection in Conoy Creek (TSF, MF), all for the purpose of reducing sediment loading to the stream. The project is located immediately upstream of Radio Road (Latitude: 40° 09' 56" N; Longitude 76° 35' 24" W) in Mount Joy Township, Lancaster County. No wetlands will be impacted by this project. Permit issued December 11, 2019.

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, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the

Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Northwest Region: Oil and Gas Management, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6860. Contact Mary Slye, Clerical Supervisor, 814-332-6325.

ESCGP-3 # ESG081019009-00-Cypher Freshwater Impoundment

Applicant Name XTO Energy Inc.
Contact Person Melissa Breitenbach
Address 190 Thorn Hill Road
City, State, Zip Warrendale, PA 15086
County Butler

Township(s) Clearfield
Receiving Stream(s) and Classification(s) Little Buffalo Run HQ, CWF.

Secondary: Allegheny River, WWF.

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

ESCGP-3 # ESG295819034-00
Applicant Name Williams Field Svcs Co LLC
Contact Person Barry Mahar
Address 310 SR 29 N

City, State, Zip Tunkhannock, PA 18657-6817
 County Susquehanna
 Township(s) Brooklyn
 Receiving Stream(s) and Classification(s) UNT 28932 to
 Horton Ck 5494 (CWF-MF); Horton Ck 1065 (CWF-MF)
 Secondary—Horton Ck (CWF-MF)

ESCGP-3 # ESG295819015-01
 Applicant Name Appalachia Midstream Services LLC
 Contact Person Joel Moore
 Address 400 IST Center
 City, State, Zip Horseheads, NY 14845
 County Susquehanna/Wyoming
 Township(s) Auburn Township (Susquehanna County)
 Meshoppen Township (Wyoming County)
 Receiving Stream(s) and Classification(s) Black Walnut
 Creek (CWF, MF); Carter Creek (CWF, MF); Little
 Meshoppen Creek (CWF, MF);
 Secondary: Susquehanna River (WWF, MF); Benninger
 Creek (CWF, MF)

ESCGP-3 # ESG295819033-00
 Applicant Name Williams Field Services Co LLC
 Contact Person Barry Mahar
 Address 310 SR 29 N
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Springville Township
 Receiving Stream(s) and Classification(s) White Creek
 # 1064 (CWF, MF); UNT to White Creek # 40535 (CWF,
 MF)
 Secondary: White Creek (CWF, MF)

[Pa.B. Doc. No. 19-1943. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at 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 TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs 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 TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Draft Technical Guidance: Substantive Revision

DEP ID: 012-0700-001. *Title:* Policy for Pennsylvania Historical and Museum Commission (PHMC) and Department of Environmental Protection (Department) Coordination During Permit Application Review and Evaluation of Historic Resources. *Description:* The purpose of this policy is to establish procedures consistent with the Pennsylvania History Code for the Department plan approvals and permit application reviews. The intention is to provide PHMC with the information necessary to determine whether significant archaeological sites or significant aboveground historic resources may be adversely affected by an activity and to meet the Department's obligations to protect historic resources.

Written Comments: Interested persons may submit written comments on this Draft TGD through Monday, January 27, 2020. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Robert M. DiGilaro at rdigilaro@pa.gov or (717) 772-1839.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1944. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 14(0880)101.1, Abandoned Mine Reclamation Project, Shettleston, Snow Shoe Township, Centre County. The principal items of work and approximate quantities include: clearing and grubbing, 44.7 acres; grading, 390,507 cubic yards; alkaline addition, 14,880 tons; and trees, 38,275 seedlings.

This bid issues on January 3, 2020, and bids will be opened on January 30, 2020, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1945. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Board for Certification of Sewage Enforcement Officers; Examinations Schedule for 2020

The State Board for Certification of Sewage Enforcement Officers (Board) and the Department of Environmental Protection have scheduled examinations for 2020. To qualify to sit for the certification examination, all Sewage Enforcement Officer (SEO) candidates must complete the Pre-Certification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct, by close of business on the deadlines indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The examination schedule for 2020 is as follows:

Examination Date:	Monday, February 3, 2020 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	January 17, 2020
Location:	Department of Environmental Protection Rachel Carson State Office Building 4th Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Friday, May 15, 2020 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	April 24, 2020
Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025
Examination Date:	Monday, August 10, 2020 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	July 24, 2020
Location:	Department of Environmental Protection Rachel Carson State Office Building 4th Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Friday, October 30, 2020 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	October 9, 2020

Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025
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Additional examination dates will be posted as scheduled.

The SEO written examination contains 100 multiple-choice questions covering planning requirements, administration and enforcement of the permit program and technical criteria for soils and disposal systems with a 3 1/2-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-2186.

Applicants will receive an admittance notification e-mail from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-5157 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss their request. This request must be submitted with the application form.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1946. Filed for public inspection December 27, 2019, 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 § 201.22(d) (relating to prevention, control and surveillance of tuberculosis (TB)):

Northampton County Home—Gracedale
2 Gracedale Avenue
Nazareth, PA 18064
FAC ID # 072802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e), (h) and (j):

Saint Luke's Rehabilitation and Nursing Center
360 West Ruddle Street
Coaldale, PA 18218
FAC ID # 036802

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Beaver Healthcare and Rehabilitation Center
616 Golf Course Road
Aliquippa, PA 15001
FAC ID # 070702

North Hills Health and Rehabilitation Center
 194 Swinderman Road
 Wexford, PA 15090
 FAC ID # 051702

DEPARTMENT OF REVENUE

Interest Rate Notice

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.

Under sections 806 and 806.1 of The Fiscal Code (72 P.S. §§ 806 and 806.1), the Secretary of Revenue announces that, for the calendar year beginning January 1, 2020, all underpayments of tax which became due and payable to the Commonwealth shall bear interest at the rate of 5% per annum. All overpayments of the tax paid during this calendar year under Article III of the Tax Reform Code of 1971 (72 P.S. §§ 7301—7361) shall bear interest at the rate of 5% per annum. All other overpayments of tax paid during this calendar year shall bear interest at the rate of 3% per annum. These rates will remain constant until December 31, 2020. These rates will be codified under 61 Pa. Code § 4.2(a) (relating to rate of interest).

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.

These rates have been established based upon the rate established by the Secretary of the Treasury of the United States under section 6621(a)(2) of the Internal Revenue Code (26 U.S.C.A. § 6621(a)(2)) to be effective January 1, 2020.

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.

Although the Tax Reform Act of 1986 amended section 6621 of the Internal Revenue Code by requiring that the Secretary of the Treasury of the United States establish quarterly rates of interest to become effective for Federal purposes on the first month of each calendar quarter, these amendments do not affect Commonwealth law. The Fiscal Code, as previously cited, requires that the interest rate be established effective January 1 of each calendar year without regard to any change in the Federal interest rate during the calendar year.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-1947. Filed for public inspection December 27, 2019, 9:00 a.m.]

[Pa.B. Doc. No. 19-1949. Filed for public inspection December 27, 2019, 9:00 a.m.]

**DEPARTMENT OF
 LABOR AND INDUSTRY**

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P.S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P.S. § 165-11(e)), no contracts for public work shall be awarded to these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, for 3 years after the date listed.

DEPARTMENT OF REVENUE

Pennsylvania 5X the Money Instant Lottery Game 1437

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:

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Ward Building Construction, LLC and Scott Ward, individually, and Tessia Ward, individually FEIN No. 81-4008367	3147 Jessica Road Dover, PA 17315	12/6/2019

1. *Name:* The name of the game is Pennsylvania 5X the Money (hereinafter “5X the Money”). The game number is PA-1437.

2. *Price:* The price of a 5X the Money instant lottery game ticket is \$5.

3. *Play symbols:* Each 5X the Money 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 printed in black ink and 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 (ELEVEN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ) and 30 (THIRT). The play symbols and

W. GERARD OLEKSIK,
Secretary

[Pa.B. Doc. No. 19-1948. Filed for public inspection December 27, 2019, 9:00 a.m.]

their captions printed in purple ink and 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), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions printed in black ink and located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 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), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a Money (WINALL) symbol. The play symbols and their captions printed in purple ink and 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), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a 5X (5TIMES) symbol.

4. *Prize symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000, \$5,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the 5X the 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, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, 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, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area, with the symbol and the caption printed in purple ink, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with either the "YOUR NUMBERS" or the "WINNING NUMBERS" play

symbol and caption printed in purple ink, 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 \$5,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, 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.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$250 (TWOHUNFTY) appears in the two of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "Prize" areas, 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 Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appears in the eight of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, 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.

(i) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area, with the symbol and the caption printed in purple ink, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with either the "YOUR NUMBERS" or the "WINNING NUMBERS" play symbol and caption printed in purple ink, 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 \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in the two of the "Prize" areas and a prize symbol of \$25⁰⁰ (TWY FIV) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the eight of the "Prize" areas and a prize symbol of \$25⁰⁰ (TWY FIV) appears in four of the "Prize" areas, 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 Money (WINALL) symbol, with the symbol and caption printed in black ink,

and a prize symbol of \$20⁰⁰ (TWENTY) appears in the ten of the "Prize" areas, a prize symbol of \$250 (TWOHUNFTY) appears in one of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one 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 matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(o) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area, with the symbol and the caption printed in purple ink, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with either the "YOUR NUMBERS" or the "WINNING NUMBERS" play symbol and caption printed in purple ink, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in four of the "Prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in the seven of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the two of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten 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 is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the ten of the "Prize" areas, a prize symbol of \$100 (ONE HUN) appears in one of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, 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.

(u) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area, with the symbol and the caption printed in purple ink, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with either the "YOUR NUMBERS" or the "WINNING NUMBERS" play symbol and caption printed in purple ink, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in two of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the two of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (WINALL) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the five of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in six of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, and a prize symbol of \$50⁰⁰ (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.

(aa) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area, with the symbol and the caption printed in purple ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with either the "YOUR NUMBERS" or the "WINNING NUMBERS" play symbol and caption printed in purple ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, and a prize symbol of \$25⁰⁰ (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.

(dd) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area, with the symbol and the caption printed in purple ink, and a prize

symbol of \$5^{.00} (FIV DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$25.

(ee) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with either the "YOUR NUMBERS" or the "WINNING NUMBERS" play symbol and caption printed in purple ink, 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 \$25.

(ff) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, 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.

(gg) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with both the "WINNING NUMBERS" and "YOUR NUMBERS" play symbol and caption printed in black ink, 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.

8. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5	\$5	8.57	1,260,000
\$5 × 2	\$10	60	180,000
\$10	\$10	30	360,000
\$5 × 5	\$25	600	18,000
(\$5 × 3) + \$10	\$25	600	18,000
\$5 w/ PURPLE MATCH	\$25	75	144,000
\$5 w/ 5X SYMBOL	\$25	66.67	162,000
\$25	\$25	600	18,000
\$5 × 10	\$50	600	18,000
\$10 × 5	\$50	600	18,000
(\$5 w/ 5X SYMBOL) + (\$5 × 5)	\$50	600	18,000
(\$5 w/ 5X SYMBOL) + (\$5 w/ PURPLE MATCH)	\$50	300	36,000
\$10 w/ PURPLE MATCH	\$50	200	54,000
\$10 w/ 5X SYMBOL	\$50	300	36,000
\$50	\$50	600	18,000
MONEY w/ ((\$10 × 5) + (\$5 × 6) + \$20)	\$100	4,000	2,700
MONEY w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	4,000	2,700
MONEY w/ ((\$25 × 2) + (\$5 × 10))	\$100	4,000	2,700
\$20 × 5	\$100	12,000	900
\$25 × 4	\$100	12,000	900
\$50 × 2	\$100	12,000	900
(\$10 w/ PURPLE MATCH) + (\$5 × 10)	\$100	12,000	900
(\$10 w/ 5X SYMBOL) + (\$10 × 2) + (\$5 × 6)	\$100	3,000	3,600
(\$10 w/ 5X SYMBOL) + (\$10 w/ PURPLE MATCH)	\$100	2,400	4,500
\$20 w/ PURPLE MATCH	\$100	2,000	5,400
\$20 w/ 5X SYMBOL	\$100	2,000	5,400
\$100	\$100	6,000	1,800

NOTICES

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<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
MONEY w/ (($\$10 \times 10$) + $\$100$ + $\$50$)	\$250	12,000	900
MONEY w/ (($\$25 \times 2$) + ($\20×10))	\$250	12,000	900
MONEY w/ (($\$25 \times 4$) + ($\20×7) + $\$10$)	\$250	12,000	900
$\$25 \times 10$	\$250	60,000	180
$\$50 \times 5$	\$250	60,000	180
(($\$5$ w/ PURPLE MATCH) $\times 2$) + ($\$100 \times 2$)	\$250	24,000	450
(($\$5$ w/ 5X SYMBOL) $\times 4$) + (($\$5$ w/ PURPLE MATCH) $\times 4$) + $\$50$	\$250	40,000	270
(($\$10$ w/ 5X SYMBOL) $\times 2$) + (($\$10$ w/ PURPLE MATCH) $\times 2$) + ($\$10 \times 5$)	\$250	40,000	270
($\$10$ w/ PURPLE MATCH) $\times 5$	\$250	40,000	270
($\$10$ w/ 5X SYMBOL) $\times 5$	\$250	40,000	270
$\$50$ w/ PURPLE MATCH	\$250	12,000	900
$\$50$ w/ 5X SYMBOL	\$250	12,000	900
$\$250$	\$250	30,000	360
MONEY w/ (($\$20 \times 10$) + $\$250$ + $\$50$)	\$500	60,000	180
MONEY w/ (($\$50 \times 8$) + ($\25×4))	\$500	60,000	180
MONEY w/ (($\$100 \times 2$) + ($\50×2) + ($\$25 \times 8$))	\$500	60,000	180
$\$50 \times 10$	\$500	120,000	90
(($\$10$ w/ PURPLE MATCH) $\times 5$) + ($\$100 \times 2$) + $\$50$	\$500	120,000	90
($\$50$ w/ 5X SYMBOL) + ($\$50$ w/ PURPLE MATCH)	\$500	120,000	90
($\$50$ w/ PURPLE MATCH) $\times 2$	\$500	60,000	180
($\$50$ w/ 5X SYMBOL) $\times 2$	\$500	60,000	180
$\$100$ w/ PURPLE MATCH	\$500	120,000	90
$\$100$ w/ 5X SYMBOL	\$500	120,000	90
$\$500$	\$500	120,000	90
MONEY w/ (($\$100 \times 8$) + ($\50×4))	\$1,000	60,000	180
MONEY w/ (($\$250 \times 2$) + ($\50×10))	\$1,000	60,000	180
$\$250 \times 4$	\$1,000	120,000	90
($\$100$ w/ 5X SYMBOL) + ($\$100$ w/ PURPLE MATCH)	\$1,000	120,000	90
($\$100$ w/ PURPLE MATCH) $\times 2$	\$1,000	60,000	180
($\$100$ w/ 5X SYMBOL) $\times 2$	\$1,000	120,000	90
$\$1,000$	\$1,000	120,000	90
$\$1,000 \times 5$	\$5,000	1,080,000	10
$\$1,000$ w/ PURPLE MATCH	\$5,000	1,080,000	10
$\$1,000$ w/ 5X SYMBOL	\$5,000	1,080,000	10
$\$5,000$	\$5,000	1,080,000	10
$\$100,000$	\$100,000	1,080,000	10

Reveal a "5X" (5TIMES) symbol, win 5 times the prize shown under that symbol.

When one of the matching numbers is PURPLE, win 5 times the prize shown under the matching number.

Reveal a "MONEY" (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 5X the 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 5X the Money, prize money from winning 5X the 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 5X the 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 5X the Money or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-1950. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$1 Million Cash Blowout Instant Lottery Game 1436

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1 Million Cash Blowout (hereinafter “\$1 Million Cash Blowout”). The game number is PA-1436.

2. *Price:* The price of a \$1 Million Cash Blowout instant lottery game ticket is \$20.

3. *Play symbols:* Each \$1 Million Cash Blowout instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, a “10X CASH” area and two “GALAXY BONUS” areas. The “GALAXY BONUS” areas are played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “10X CASH” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 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), 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 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Star (STAR) symbol and a BLOWOUT (WINALL) symbol. The play symbols and their captions, located in either of the “GALAXY BONUS” areas, are: Vault (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Clouds (TRY AGAIN) symbol, Gold Bar (NO BONUS) symbol, Sun (TRY AGAIN) symbol and a Planet (PLANET) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL). The prize symbols and their captions, located in either of the “GALAXY BONUS” areas, are: \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$50, \$100, \$200, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in either of the “GALAXY BONUS” areas are: \$20, \$30, \$50, \$100, \$200, \$500 and \$1,000. A player can win up to 22 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 5,400,000 tickets will be printed for the \$1 Million Cash Blowout 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 \$1MILL (ONE MIL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(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 \$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.

(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 Star (STAR) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under that Star (STAR) 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 matches the “10X CASH” play symbol, 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 \$10,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$500 (FIV HUN) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$1,000 (ONE THO) appears in four of the “prize” areas, a prize symbol of \$500 (FIVE HUN) appears in six of the “prize” areas and a prize symbol of \$200 (TWO HUN) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$9,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “10X CASH” play symbol, 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 \$5,000.

(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 \$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.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “10X CASH” play symbol, 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 \$1,000.

(l) Holders of tickets upon which a Planet (PLANET) symbol appears in either of the “GALAXY BONUS” areas, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Planet (PLANET) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT

(WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas, a prize symbol of \$50^{.00} (FIFTY) appears in five of the “prize” areas, a prize symbol of \$30^{.00} (THIRTY) appears in five of the “prize” areas and a prize symbol of \$20^{.00} (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$50^{.00} (FIFTY) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in four of the “prize” areas, a prize symbol of \$50^{.00} (FIFTY) appears in six of the “prize” areas and a prize symbol of \$20^{.00} (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$900.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$500.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “10X CASH” play symbol, 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 \$500.

(s) Holders of tickets upon which a Planet (PLANET) symbol appears in either of the “GALAXY BONUS” areas, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Planet (PLANET) symbol on a single ticket, shall be entitled to a prize of \$500.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$30^{.00} (THIRTY) appears in ten of the “prize” areas and a prize symbol of \$20^{.00} (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$30^{.00} (THIRTY) appears in five of the “prize” areas and a prize symbol of \$20^{.00} (TWENTY) appears in fifteen of the “prize” areas, on a single ticket, shall be entitled to a prize of \$450.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$20^{.00} (TWENTY) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(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 \$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.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$200.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “10X CASH” play symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(z) Holders of tickets upon which a Planet (PLANET) symbol appears in either of the “GALAXY BONUS” areas, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Planet (PLANET) symbol on a single ticket, shall be entitled to a prize of \$200.

(aa) 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.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$100.

(cc) Holders of tickets upon which a Planet (PLANET) symbol appears in either of the “GALAXY BONUS” areas, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Planet (PLANET) symbol on a single ticket, shall be entitled to a prize of \$100.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (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.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$50.

(ff) Holders of tickets upon which a Planet (PLANET) symbol appears in either of the “GALAXY BONUS” areas, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Planet (PLANET) symbol on a single ticket, shall be entitled to a prize of \$50.

(gg) 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 \$30⁰⁰ (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.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$30.

(ii) Holders of tickets upon which a Planet (PLANET) symbol appears in either of the “GALAXY BONUS” areas, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Planet (PLANET) symbol on a single ticket, 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 matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(kk) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ll) Holders of tickets upon which a Planet (PLANET) symbol appears in either of the “GALAXY BONUS” areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Planet (PLANET) symbol on a single ticket, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>GALAXY BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
	\$20 w/ PLANET	\$20	30	180,000
\$20 w/ STAR		\$20	15	360,000
\$20		\$20	50	108,000
	\$30 w/ PLANET	\$30	150	36,000
\$30 w/ STAR		\$30	42.86	126,000
\$30		\$30	150	36,000
\$30 + \$20		\$50	300	18,000
\$20	\$30 w/ PLANET	\$50	100	54,000
\$30	\$20 w/ PLANET	\$50	100	54,000
	(\$30 w/ PLANET) + (\$20 w/ PLANET)	\$50	75	72,000

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<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>GALAXY BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
	\$50 w/ PLANET	\$50	75	72,000
\$50 w/ STAR		\$50	42.86	126,000
\$50		\$50	300	18,000
\$20 × 5		\$100	300	18,000
(((\$20 w/ STAR) × 2) + (\$20 × 3))		\$100	150	36,000
(\$30 w/ STAR) + \$20	\$50 w/ PLANET	\$100	300	18,000
\$50 w/ STAR	(\$30 w/ PLANET) + (\$20 w/ PLANET)	\$100	300	18,000
	(\$50 w/ PLANET) × 2	\$100	300	18,000
(\$50 w/ STAR) × 2		\$100	300	18,000
	\$100 w/ PLANET	\$100	300	18,000
\$100 w/ STAR		\$100	300	18,000
\$100		\$100	300	18,000
\$20 × 10		\$200	1,200	4,500
\$50 × 4		\$200	1,200	4,500
\$100	(\$50 w/ PLANET) × 2	\$200	800	6,750
(\$50 w/ STAR) + \$50	\$100 w/ PLANET	\$200	800	6,750
(\$20 w/ STAR) × 10		\$200	800	6,750
	\$200 w/ PLANET	\$200	800	6,750
\$20 w/ 10X CASH		\$200	1,200	4,500
\$200 w/ STAR		\$200	1,200	4,500
\$200		\$200	1,500	3,600
BLOWOUT w/ ((\$30 × 10) + (\$20 × 10))		\$500	1,714	3,150
BLOWOUT w/ ((\$30 × 5) + (\$20 × 15))	(\$30 w/ PLANET) + (\$20 w/ PLANET)	\$500	1,714	3,150
BLOWOUT w/ (\$20 × 20)	(\$50 w/ PLANET) × 2	\$500	1,714	3,150
\$100 × 5		\$500	24,000	225
\$50 × 5	(\$200 w/ PLANET) + (\$50 w/ PLANET)	\$500	24,000	225
(((\$50 w/ STAR) × 2) + (\$20 × 5))	(\$200 w/ PLANET) + (\$100 w/ PLANET)	\$500	24,000	225
(\$20 w/ STAR) × 10	(\$200 w/ PLANET) + (\$100 w/ PLANET)	\$500	24,000	225
	\$500 w/ PLANET	\$500	24,000	225
\$50 w/ 10X CASH		\$500	24,000	225
\$500 w/ STAR		\$500	24,000	225
\$500		\$500	24,000	225
BLOWOUT w/ (\$50 × 20)		\$1,000	12,000	450

<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>GALAXY BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
BLOWOUT w/ (($\$100 \times 5$) + ($\50×5) + ($\$30 \times 5$) + ($\20×5))		\$1,000	12,000	450
BLOWOUT w/ (($\$100 \times 4$) + ($\50×6) + ($\$20 \times 10$))	($\$50$ w/ PLANET) $\times 2$	\$1,000	12,000	450
$\$100 \times 10$		\$1,000	60,000	90
$\$200 \times 5$		\$1,000	60,000	90
(($\$100$ w/ STAR) $\times 5$) + ($\$30 \times 2$) + ($\20×2)	($\$200$ w/ PLANET) $\times 2$	\$1,000	60,000	90
(($\$200$ w/ STAR) $\times 2$) + ($\$20 \times 10$)	($\$200$ w/ PLANET) $\times 2$	\$1,000	60,000	90
$\$500$ w/ STAR	$\$500$ w/ PLANET	\$1,000	60,000	90
	$\$1,000$ w/ PLANET	\$1,000	60,000	90
$\$100$ w/ 10X CASH		\$1,000	60,000	90
$\$1,000$ w/ STAR		\$1,000	60,000	90
$\$1,000$		\$1,000	60,000	90
BLOWOUT w/ ($\$500 \times 20$)		\$10,000	1,080,000	5
BLOWOUT w/ (($\$1,000 \times 4$) + ($\500×6) + ($\$200 \times 10$))	($\$500$ w/ PLANET) $\times 2$	\$10,000	1,080,000	5
$\$500 \times 20$		\$10,000	1,080,000	5
(($\$1,000$ w/ STAR) $\times 8$) + ($\$200 \times 8$)	($\$200$ w/ PLANET) $\times 2$	\$10,000	1,080,000	5
($\$500$ w/ 10X CASH) + (($\$500$ w/ STAR) $\times 9$)	$\$500$ w/ PLANET	\$10,000	1,080,000	5
$\$1,000$ w/ 10X CASH		\$10,000	1,080,000	5
$\$10,000$ w/ STAR		\$10,000	1,080,000	5
$\$10,000$		\$10,000	1,080,000	5
$\$100,000$		\$100,000	1,080,000	5
$\$1,000,000$		\$1,000,000	1,080,000	5

Reveal a "STAR" (STAR) symbol, win prize shown under that symbol automatically.

Reveal a "BLOWOUT" (WINALL) symbol, win all 20 prizes shown!

10X CASH: When the 10X CASH number matches any "YOUR NUMBER," win 10 times the prize shown under the matching number.

GALAXY BONUS: Reveal a "PLANET" (PLANET) symbol in either BONUS area, win prize shown below that symbol.

BONUS areas are 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 \$1 Million Cash Blowout 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 \$1 Million Cash Blowout, prize money from winning \$1 Million Cash Blowout 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 \$1 Million Cash Blowout 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 \$1 Million Cash Blowout or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-1951. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Hearts Instant Lottery Game 1440

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 Hearts (hereinafter “Hearts”). The game number is PA-1440.

2. *Price:* The price of a Hearts instant lottery game ticket is \$2.

3. *Play symbols:* Each Hearts 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 (THR TN), 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 (THR TN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Heart (HEART) symbol and a Double Heart (DOUBLE) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTEEN), \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$250, \$500, \$1,000 and \$10,000. A player can win up to ten times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Lucky in Love Second-Chance Drawing for which non-winning Hearts instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate number of tickets printed for the game:* Approximately 5,400,000 tickets will be printed for the Hearts instant lottery game.

8. *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 \$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.

(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 Heart (HEART) symbol and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Heart (HEART) 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 Double Heart (DOUBLE) symbol and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Double Heart (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Heart (HEART) symbol and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Heart (HEART) symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Double Heart (DOUBLE) symbol and a prize symbol of \$250 (TWOHUNFTY) appears in the “prize” area under that Double Heart (DOUBLE) symbol, 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 matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Heart (HEART) symbol and a prize symbol of \$250 (TWOHUNFTY) appears in the “prize” area under that Heart (HEART) symbol, on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WIN-

(gg) 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.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Heart (HEART)

symbol and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the “prize” area under that Heart (HEART) symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$2 w/ HEART SYMBOL	\$2	15	360,000
\$2	\$2	25	216,000
\$2 × 2	\$4	300	18,000
\$2 w/ DOUBLE HEART	\$4	65.22	82,800
\$4 w/ HEART SYMBOL	\$4	68.18	79,200
\$4	\$4	300	18,000
\$5 w/ HEART SYMBOL	\$5	42.86	126,000
\$5	\$5	100	54,000
\$2 × 5	\$10	500	10,800
(((\$2 w/ DOUBLE HEART) × 2) + \$2	\$10	300	18,000
(\$2 w/ HEART SYMBOL) × 5	\$10	300	18,000
\$5 w/ DOUBLE HEART	\$10	166.67	32,400
\$10 w/ HEART SYMBOL	\$10	187.5	28,800
\$10	\$10	500	10,800
\$5 × 3	\$15	1,500	3,600
(\$5 w/ DOUBLE HEART) + \$5	\$15	300	18,000
\$15 w/ HEART SYMBOL	\$15	300	18,000
\$15	\$15	1,500	3,600
\$2 × 10	\$20	1,500	3,600
(((\$2 w/ HEART SYMBOL) × 5) + (\$2 × 5)	\$20	750	7,200
(\$2 w/ DOUBLE HEART) × 5	\$20	750	7,200
\$10 w/ DOUBLE HEART	\$20	300	18,000
\$20 w/ HEART SYMBOL	\$20	375	14,400
\$20	\$20	1,500	3,600
\$10 × 3	\$30	12,000	450
(((\$2 w/ HEART SYMBOL) × 5) + (((\$2 w/ DOUBLE HEART) × 5)	\$30	3,000	1,800
\$15 w/ DOUBLE HEART	\$30	3,000	1,800
\$30 w/ HEART SYMBOL	\$30	3,000	1,800
\$30	\$30	12,000	450
\$10 × 5	\$50	4,000	1,350
(((\$10 w/ HEART SYMBOL) × 2) + (\$5 × 4) + (\$2 × 3) + \$4	\$50	1,714	3,150
(\$5 w/ DOUBLE HEART) × 5	\$50	1,714	3,150
\$50 w/ HEART SYMBOL	\$50	2,000	2,700
\$50	\$50	6,000	900
\$10 × 10	\$100	12,000	450
\$20 × 5	\$100	12,000	450

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
$((\$10 \text{ w/ HEART SYMBOL}) \times 5) + ((\$5 \text{ w/ DOUBLE HEART}) \times 5)$	\$100	12,000	450
\$50 w/ DOUBLE HEART	\$100	6,000	900
\$100 w/ HEART SYMBOL	\$100	8,000	675
\$100	\$100	12,000	450
\$50 \times 5	\$250	120,000	45
$((\$30 \text{ w/ DOUBLE HEART}) \times 2) + ((\$20 \text{ w/ DOUBLE HEART}) \times 2) + ((\$10 \text{ w/ HEART SYMBOL}) \times 5)$	\$250	120,000	45
$((\$50 \text{ w/ HEART SYMBOL}) \times 2) + ((\$30 \text{ w/ DOUBLE HEART}) \times 2) + (\$5 \times 6)$	\$250	120,000	45
\$250 w/ HEART SYMBOL	\$250	120,000	45
\$250	\$250	120,000	45
\$100 \times 5	\$500	540,000	10
$(\$50 \text{ w/ HEART SYMBOL}) \times 10$	\$500	270,000	20
\$250 w/ DOUBLE HEART	\$500	270,000	20
\$500 w/ HEART SYMBOL	\$500	270,000	20
\$500	\$500	540,000	10
\$100 \times 10	\$1,000	540,000	10
\$500 w/ DOUBLE HEART	\$1,000	540,000	10
\$1,000 w/ HEART SYMBOL	\$1,000	540,000	10
\$1,000	\$1,000	540,000	10
\$10,000	\$10,000	540,000	10

Reveal a "HEART" (HEART) symbol, win prize shown under that symbol automatically.

Reveal a "DOUBLE HEART" (DOUBLE) symbol, win DOUBLE the prize shown under that symbol!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's Lucky in Love Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-1438 LOVE (\$5) and PA-1440 Hearts (\$2) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other

method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Lucky in Love Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. December 29, 2019, through 11:59:59 p.m. February 20, 2020, will be entered into the Drawing to be held between February 21, 2020 and March 2, 2020.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1438 LOVE (\$5) = five entries and PA-1440 Hearts (\$2) = two entries.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first entry selected from the total number of instant lottery game ticket entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The second and the third entries selected from the total number of instant lottery game ticket entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The fourth through the thirteenth entries selected from the total number of instant lottery game ticket entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(iv) The fourteenth through the forty-third entries selected from the total number of instant lottery game entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(v) The forty-fourth through the ninety-third entries selected from the total number of instant lottery game entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of an entry being selected in the Drawing depend upon the total number of entries awarded for the Drawing.

(7) A computer generated randomizer will be used to select the winning entries.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery terms and conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play

through requirement in order to convert the iLottery Bonus Money into cash. For example, if a player wins \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash, which may be withdrawn from the player's lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Hearts instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,000 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Hearts, prize money from winning Hearts 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 Hearts instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Hearts or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-1952. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania LOVE Instant Lottery Game 1438

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 LOVE (hereinafter "LOVE"). The game number is PA-1438.

2. *Price:* The price of a LOVE instant lottery game ticket is \$5.

3. *Play symbols:* Each LOVE instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). 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 (THIRT), Cupid (CUPID) symbol and a LOVE (WINALL) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$75⁰⁰ (SVY FIV), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$50, \$75, \$100, \$200, \$400, \$1,000, \$5,000 and \$50,000. A player can win up to 12 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Lucky in Love Second-Chance Drawing for which non-winning LOVE instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate number of tickets printed for the game:* Approximately 5,400,000 tickets will be printed for the LOVE instant lottery game.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(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 \$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.

(e) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$400 (FOR HUN) appears in two of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols 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.

(i) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$400.

(j) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the “prize” areas, a prize symbol of \$200 (TWO HUN) appears in one of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(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 \$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.

(m) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols 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.

(q) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(t) 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 \$75⁰⁰ (SVY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$75.

(u) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$75.

(v) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in nine of the “prize” areas, on a single ticket, shall be entitled to a prize of \$75.

(w) Holders of tickets upon which a LOVE (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in eleven of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$75.

(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 \$50⁰⁰ (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.

(y) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$25.⁰⁰ (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.

(aa) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$25.

(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 \$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.

(cc) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(ee) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(gg) Holders of tickets upon which a Cupid (CUPID) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “prize” area under that Cupid (CUPID) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and description of prizes and approximate odds.* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$5 w/ CUPID	\$5	16.22	333,000
\$5	\$5	20	270,000
\$5 × 2	\$10	300	18,000
(\$5 w/ CUPID) + \$5	\$10	75	72,000
(\$5 w/ CUPID) × 2	\$10	60	90,000
\$10 w/ CUPID	\$10	60	90,000
\$10	\$10	120	45,000
\$5 × 4	\$20	300	18,000
\$10 × 2	\$20	300	18,000
(\$10 w/ CUPID) + (\$5 × 2)	\$20	100	54,000
\$20 w/ CUPID	\$20	120	45,000
\$20	\$20	300	18,000
\$5 × 5	\$25	600	9,000
(\$10 × 2) + \$5	\$25	300	18,000
(((\$5 w/ CUPID) × 4) + \$5	\$25	200	27,000
(((\$10 w/ CUPID) × 2) + (\$5 w/ CUPID)	\$25	200	27,000
\$25 w/ CUPID	\$25	200	27,000
\$25	\$25	600	9,000
\$5 × 10	\$50	600	9,000
(((\$10 w/ CUPID) × 4) + (\$5 × 2)	\$50	600	9,000
(((\$20 w/ CUPID) × 2) + (\$10 w/ CUPID)	\$50	600	9,000

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<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
(\$5 w/ CUPID) × 10	\$50	600	9,000
\$50 w/ CUPID	\$50	600	9,000
\$50	\$50	600	9,000
LOVE w/ ((\$5 × 11) + \$20)	\$75	600	9,000
LOVE w/ ((\$10 × 3) + (\$5 × 9))	\$75	600	9,000
\$25 × 3	\$75	6,000	900
(\$25 w/ CUPID) + (\$20 w/ CUPID) + (\$5 × 6)	\$75	3,000	1,800
\$75 w/ CUPID	\$75	4,000	1,350
\$75	\$75	12,000	450
LOVE w/ ((\$10 × 8) + (\$5 × 4))	\$100	1,200	4,500
LOVE w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	1,200	4,500
\$10 × 10	\$100	12,000	450
(((\$5 w/ CUPID) × 10) + (\$25 × 2))	\$100	4,000	1,350
(((\$25 w/ CUPID) × 2) + ((\$10 w/ CUPID) × 4) + (\$5 × 2))	\$100	4,000	1,350
\$100 w/ CUPID	\$100	3,000	1,800
\$100	\$100	12,000	450
LOVE w/ ((\$5 × 10) + \$100 + \$50)	\$200	8,000	675
LOVE w/ ((\$50 × 2) + (\$10 × 10))	\$200	8,000	675
\$20 × 10	\$200	120,000	45
\$50 × 4	\$200	120,000	45
(((\$20 w/ CUPID) × 8) + (\$10 × 4))	\$200	120,000	45
(\$100 w/ CUPID) × 2	\$200	120,000	45
\$200 w/ CUPID	\$200	120,000	45
\$200	\$200	120,000	45
LOVE w/ ((\$10 × 10) + \$200 + \$100)	\$400	60,000	90
LOVE w/ ((\$100 × 2) + (\$20 × 10))	\$400	60,000	90
\$100 × 4	\$400	120,000	45
(((\$50 w/ CUPID) × 4) + ((\$25 w/ CUPID) × 8))	\$400	120,000	45
\$400 w/ CUPID	\$400	120,000	45
\$400	\$400	120,000	45
LOVE w/ ((\$200 × 2) + (\$100 × 5) + (\$20 × 5))	\$1,000	540,000	10
LOVE w/ ((\$400 × 2) + (\$20 × 10))	\$1,000	540,000	10
\$100 × 10	\$1,000	1,080,000	5
\$1,000 w/ CUPID	\$1,000	1,080,000	5
\$1,000	\$1,000	1,080,000	5
\$5,000 w/ CUPID	\$5,000	540,000	10
\$5,000	\$5,000	540,000	10
\$50,000	\$50,000	540,000	10

Reveal a "CUPID" (CUPID) symbol, win prize shown under that symbol automatically.

Reveal a "LOVE" (WINALL) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's Lucky in Love Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-1438 LOVE (\$5) and PA-1440 Hearts (\$2) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Lucky in Love Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. December 29, 2019, through 11:59:59 p.m. February 20, 2020, will be entered into the Drawing to be held between February 21, 2020 and March 2, 2020.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1438 LOVE (\$5) = five entries and PA-1440 Hearts (\$2) = two entries.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first entry selected from the total number of instant lottery game ticket entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The second and the third entries selected from the total number of instant lottery game ticket entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The fourth through the thirteenth entries selected from the total number of instant lottery game ticket entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(iv) The fourteenth through the forty-third entries selected from the total number of instant lottery game entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(v) The forty-fourth through the ninety-third entries selected from the total number of instant lottery game entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of an entry being selected in the Drawing depend upon the total number of entries awarded for the Drawing.

(7) A computer generated randomizer will be used to select the winning entries.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International, Inc., MDI Enter-

tainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery terms and conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, if a player wins \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash, which may be withdrawn from the player's lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell LOVE instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket

that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of LOVE, prize money from winning LOVE 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 LOVE instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote LOVE or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-1953. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania SLINGO® Instant Lottery Game 1439

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 SLINGO® (hereinafter "SLINGO®"). The game number is PA-1439.

2. *Price:* The price of a SLINGO® instant lottery game ticket is \$3.

3. *Play symbols:*

(a) Each SLINGO® instant lottery game ticket will feature a "YOUR SLINGO® NUMBERS" area. The "YOUR SLINGO® NUMBERS" area consists of "PLAY 1," "PLAY 2," "PLAY 3," "PLAY 4," "PLAY 5," "PLAY 6," "PLAY 7" and "PLAY 8." The play symbols that may be located in

any "PLAY" in the "YOUR SLINGO® NUMBERS" area are: the numbers 01 through and including 75, presented in a two-digit format, a Gold Coin play symbol and a Shooting Star play symbol.

(b) Each SLINGO® instant lottery game ticket will feature a "SLINGO® GRID" area. The play symbols that may be located in the 5 × 5 "SLINGO® GRID" area are the numbers 01 through and including 75, presented in a two-digit format, and a Joker play symbol. The Joker play symbol is a free space.

4. Prizes:

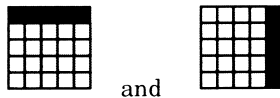
(a) The prizes that can be won in this game are: \$3, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$1,000 and \$3,000. The prizes that can be won in the "YOUR SLINGO® NUMBERS" area in this game are: \$5, \$10, \$20 and \$50. A player can win up to six times on a ticket.

(b) Only the highest prize won according to the "SLINGO® LEGEND" will be paid if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

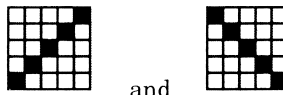
5. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the SLINGO® instant lottery game.

6. *Winning patterns:* The patterns described below, when matched in the "SLINGO® GRID," shall determine whether a player wins a prize as further detailed in section 7 (relating to determination of prize winners).

(a) *LINE:* Match any of the "YOUR SLINGO® NUMBERS" play symbols in any "PLAY" to all five play symbols in a horizontal, vertical or diagonal line in the "SLINGO® GRID." Horizontal and vertical LINE matches include, but are not limited to:



Diagonal LINE matches are exactly as follows:



(b) *BLACKOUT:* Match any of the "YOUR SLINGO® NUMBERS" play symbols in any "PLAY" to all 25 play symbols in the "SLINGO® GRID" as follows:



7. Determination of prize winners:

(a) Holders of tickets matching a BLACKOUT pattern in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets matching ten LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets matching nine LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and

any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets matching eight LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets matching seven LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which four Shooting Star play symbols appear in the "YOUR SLINGO® NUMBERS" area, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets matching six LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets matching five LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which three Shooting Star play symbols appear in the "YOUR SLINGO® NUMBERS" area, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets matching four LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets matching three LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which two Shooting Star play symbols appear in the "YOUR SLINGO® NUMBERS" area, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets matching two LINE patterns in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$5.

(n) Holders of tickets upon which one Shooting Star play symbol appears in the "YOUR SLINGO® NUMBERS" area, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which a Gold Coin play symbol appears in the "YOUR SLINGO® NUMBERS" area, on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets matching one LINE pattern in the "SLINGO® GRID," using only the play symbols located in the "YOUR SLINGO® NUMBERS" area and any Joker play symbols found in the "SLINGO® GRID," on a single ticket, shall be entitled to a prize of \$3.

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:

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<i>Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
1 LINE		\$3	11.11	756,000
\$5 w/ GOLD COIN		\$5	33.33	252,000
	\$5	\$5	33.33	252,000
2 LINES		\$5	100	84,000
1 LINE	\$5	\$8	100	84,000
2 LINES	\$5	\$10	250	33,600
(\$5 w/ GOLD COIN) × 2		\$10	142.86	58,800
	\$10	\$10	142.86	58,800
3 LINES		\$10	100	84,000
(2 LINES) + (\$5 w/ GOLD COIN)	\$5	\$15	500	16,800
3 LINES	\$5	\$15	500	16,800
(\$5 w/ GOLD COIN) × 3		\$15	250	33,600
4 LINES		\$15	125	67,200
(2 LINES) + ((\$5 w/ GOLD COIN) × 2)	\$5	\$20	500	16,800
(3 LINES) + (\$5 w/ GOLD COIN)	\$5	\$20	500	16,800
(\$5 w/ GOLD COIN) × 4		\$20	500	16,800
5 LINES		\$20	500	16,800
(4 LINES) + ((\$5 w/ GOLD COIN) × 2)	\$5	\$30	1,000	8,400
(5 LINES) + (\$5 w/ GOLD COIN)	\$5	\$30	500	16,800
(\$5 w/ GOLD COIN) × 6		\$30	500	16,800
(\$5 w/ GOLD COIN) × 2	\$20	\$30	250	33,600
6 LINES		\$30	1,000	8,400
(5 LINES) + ((\$5 w/ GOLD COIN) × 2)	\$10	\$40	2,000	4,200
(6 LINES) + (\$5 w/ GOLD COIN)	\$5	\$40	2,000	4,200
(4 LINES) + ((\$5 w/ GOLD COIN) × 3)	\$20	\$50	2,000	4,200
(5 LINES) + ((\$5 w/ GOLD COIN) × 2)	\$20	\$50	2,000	4,200
6 LINES	\$20	\$50	2,000	4,200
	\$50	\$50	2,400	3,500
7 LINES		\$50	2,400	3,500
(6 LINES) + ((\$5 w/ GOLD COIN) × 4)	\$50	\$100	12,000	700
7 LINES	\$50	\$100	12,000	700
8 LINES		\$100	12,000	700
9 LINES		\$1,000	420,000	20
10 LINES		\$3,000	420,000	20
BLACKOUT		\$30,000	840,000	10

Scratch the YOUR SLINGO® NUMBERS area. Then scratch only the numbers in the SLINGO® GRID that match those revealed in the YOUR SLINGO® NUMBERS area. Each “JOKER” play symbol on the SLINGO® GRID is a FREE space. When each matched number on the SLINGO® GRID is scratched, the square will turn white. When all numbers are completely matched in a horizontal, vertical or diagonal line, win corresponding PRIZE shown in the SLINGO® LEGEND.

Reveal a “GOLD COIN” play symbol in the YOUR SLINGO® NUMBERS area, win \$5 instantly!

Reveal one or more “SHOOTING STAR” play symbols in the YOUR SLINGO® NUMBERS area, win corresponding prize shown in the BONUS LEGEND. Only the highest PRIZE won will be paid.

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 SLINGO® 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 SLINGO®, prize money from winning SLINGO® 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 SLINGO® 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 SLINGO® or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-1954. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), under 75 Pa.C.S. § 3368 (relating to speed timing devices), has approved for use,

until the next comprehensive list is published, subject to interim amendment or separate notices that may be published, the following: electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed-timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) BEE III, Directional. Manufactured by MPH Industries, 316 East 9th Street, Owensboro, KY 42303.

(2) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(3) Falcon HR. Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(4) KR-10. Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(5) KR-10. Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(6) KR-10SP. Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(7) KR-10SP. Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(8) Pro 1000(DS). Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(9) Genesis-I. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(10) Genesis-II Select. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(11) Genesis GHS. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(12) Genesis GHD. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(13) Genesis GVP-D. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(14) Ranger EZ, Directional. Manufactured by MPH Industries, 316 East 9th Street, Owensboro, KY 42303.

(15) Raptor RP-1. Manufactured by Kustom Signals Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(16) Scout Handheld. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(17) Speed-Gun Pro, Hand-held model. Manufactured by MPH Industries, 316 East 9th Street, Owensboro, KY 42303.

(18) Stalker Dual. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(19) Stalker Dual SL. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(20) Stalker Dual DSR. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(21) Stalker Basic. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(22) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, PA 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, RD 2, Hallstead, PA 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, PA 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, MN 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, RD 2, Hallstead, PA 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(7) Enradd, Model EJU-91. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

(8) Enradd, Model EJU-91 with Non-Contact Road Switch System. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

(9) Enradd, Model EJU-91 Wireless System. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

Under 75 Pa.C.S. § 3368(c)(1) and (3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code Chapter 105 (relating to mechanical, electrical and electronic speed-timing devices). The Department issues an approved speed-timing device certificate for the device, as required under 67 Pa. Code § 105.72 (relating to equipment approval procedure). The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy, which was issued within 60 days of the citation, and an approved speed-timing device certificate issued by the Bureau.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which calculate average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(3) VASCAR-plus III. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(4) VASCAR-plus IIIc. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(5) V-SPEC. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

(6) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

The Department, under 75 Pa.C.S. § 3368(d), has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for radar devices, which may only be used by members of the State Police:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969. (Appointed: 12/22/01, Station R8).

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511 (Appointed: 01/27/97, Station R2).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063. (Appointed: 08/15/03, Station R11).

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103. (Appointed: 09/19/96, Station R9).

Wisco Calibration Services, Inc., 820 Washington Boulevard, Pittsburgh, Allegheny County, PA 15206. (Appointed: 07/14/99, Station R10).

YIS/Cowden Group, Inc., 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701. (Appointed: 8/20/04, Station R12).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, PA 16501. (Appointed: 03/25/93, Station S39). Device—Maxwell Dynamometer.

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 11/25/63, Station S19). Devices—Mustang Dynamometer, Davidheiser Storage Generator Speedometer Calibrator Mile-O-Meter.

George's Garage, 868 Providence Road, Scranton, Lackawanna County, PA 18508. (Appointed: 04/15/98, Station S8). Device—Clayton Dynamometer.

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317. (Appointed: 01/03/84, Station S7). Devices—Speed-Master Quartz Speedometer Tester, Stewart Warner Strobetachometer.

Maruti Auto Service Inc., 4030 New Falls Road, Bristol, Bucks County, PA 19007. (Appointed 11/4/2008, Station S11). Devices—Maha Snap-On Dynamometer.

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, PA 17601—Also authorized to use mobile units. (Appointed: 06/09/97, Station S82). Devices—YIS, Inc. Electronic Mile-O-Meter and Speedometer Testing Platform with Indicator.

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 06/29/62, Station S67). Devices—Clayton Dynamometer, Mustang Dynamometer, Model MD-AWD-3K-ST.

S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/22/83, Station S35). Devices—Clayton Dynamometer, Mustang Dynamometer, Stewart Warner Strobetachometer, Speed-Master Quartz Speedometer Tester.

YIS/Cowden Group Inc., 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 8/20/04, Station S9). Devices—YIS, Inc. Electronic Mile-O-Meter and Speedometer Testing Platform with Indicator.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for nonradar devices, which measure elapsed time between measured road surface points by using two sensors:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 04/07/93, Station EL3).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EL1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EL11).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Cannonsburg, Washington County, PA 15317. (Appointed: 07/31/97, Station EL18).

YIS/Cowden Group, 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Cal Tech Labs, 501 Mansfield Avenue, Pittsburgh, Allegheny County, PA 15205. (Appointed: 12/22/07, Station W70).

Department of General Services, Bureau of Procurement, 2221 Forster Street, Harrisburg, Dauphin County, PA 17125. (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 10/28/77, Station W29).

Leitzel's Jewelry, 607 East Lincoln Avenue, Myerstown, Lebanon County, PA 17067. (Appointed: 09/01/87, Station W58).

Pinto Calibration Services, 2868 Cedar Street, Bethel Park, Allegheny County, PA 15102—Also authorized to use mobile units. (Appointed: 10/24/14, Station W5).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, PA 19107. (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 09/15/86, Station W56).

R & R Timing, 203 Shuster Hollow Road, Leechburg, Westmoreland County, PA 15656. (Appointed: 6/16/04 Station W10).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station W1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, PA 16630. (Appointed: 05/18/78, Station W40).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station W64).

YIS/Cowden Group, 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 08/30/89, Station W60).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for nonradar devices which calculates average speed between any two points:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 02/11/93, Station EM23).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EM22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EM1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EM6).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 08/13/97, Station EM12).

Pinto Calibration Services, 2868 Cedar Street, Bethel Park, Allegheny County, PA 15102—Also authorized to use mobile units. (Appointed: 10/24/14, Station EM4).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station EM21).

YIS/Cowden Group, 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions may be directed to Michael Smith, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-7016.

YASSMIN GRAMIAN,
Acting Secretary

[Pa.B. Doc. No. 19-1955. Filed for public inspection December 27, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Automated Speed Enforcement System and Speed Timing Device Approvals

The Department of Transportation (Department) has approved the following automated speed enforcement system for use within active work zones:

RADARCAM NK7, manufactured by Redflex Traffic Systems, Inc., 5651 West Talavi Boulevard, Suite 200, Glendale, AZ 85306-1893.

The following speed timing devices used within the previously-referenced system are approved by the Department in accordance with 75 Pa.C.S. § 3368 (relating to speed timing devices) and 67 Pa. Code § 105a.3(b) (relating to system and speed timing device minimum requirements):

REDFLEXradar-SR, manufactured by Redflex Traffic Systems, Inc., 5651 West Talavi Boulevard, Suite 200, Glendale, AZ 85306-1893.

REDFLEXradar-TR, manufactured by Redflex Traffic Systems, Inc., 5651 West Talavi Boulevard, Suite 200, Glendale, AZ 85306-1893.

YASSMIN GRAMIAN,
Acting Secretary

[Pa.B. Doc. No. 19-1956. Filed for public inspection December 27, 2019, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
47-19	Milk Marketing Board Milk Marketing Fees	12/12/19	1/30/19-1/31/19

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 19-1957. Filed for public inspection December 27, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Merger of Delphi Casualty Company with and into Personal Service Insurance Company, a Good2Go Auto Insurance Company

An application has been received requesting approval of the merger of Delphi Casualty Company, a stock casualty insurance company organized under the laws of the State of Illinois, with and into Personal Service Insurance Company, a Good2Go Auto Insurance Company, a stock casualty insurance company organized under the laws of the Commonwealth. The filing was made under Article

XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on the grounds of public or private interest in this merger 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 Lori Bercher, Company Licensing Division, Insurance Depart-

ment, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, lbercher@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1958. Filed for public inspection December 27, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Keystone Health Plan East, Inc.; Rate Increase Filing for the Keystone Health Plan East Small Group ACA Product (INAC-132132176)

Keystone Health Plan East, Inc. is requesting approval to increase the premium an aggregate 6.7% on 109,244 members effective April 1, 2020. This is a small group quarterly update filing to amend the second quarter, third quarter and fourth quarter 2020 rates approved on October 17, 2019.

Unless formal administrative action is taken prior to March 12, 2020, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1959. Filed for public inspection December 27, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

QCC Insurance Company; Rate Increase Filing for the QCC Small Group ACA Product (INAC-132132177)

QCC Insurance Company is requesting approval to increase the premium an aggregate 8% on 72,202 members effective April 1, 2020. This is a small group quarterly update filing to amend the second quarter, third quarter and fourth quarter 2020 rates approved on October 17, 2019.

Unless formal administrative action is taken prior to March 12, 2020, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1960. Filed for public inspection December 27, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Guenter Volgger; Allstate Fire & Casualty Insurance Company; File No. 19-177-242621; Doc. No. P19-12-016; January 23, 2020, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1961. Filed for public inspection December 27, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Surplus Lines Law; Exempt Commercial Purchaser Minimum Qualifying Amounts Adjustment Effective January 1, 2020

Section 1610 of The Insurance Company Law of 1921 (40 P.S. § 991.1610) contains a definition for "exempt commercial purchaser." Within the definition is minimum qualifying amounts for three categories which are to be

adjusted beginning January 1, 2015 and every 5 years thereafter. The definition is as follows:

“Exempt commercial purchaser.” Any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

- (1) The person employs or retains a qualified risk manager to negotiate insurance coverage.
- (2) The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of one hundred thousand (\$100,000) dollars in the immediately preceding twelve (12) months.
- (3)(i) The person meets at least one of the following criteria:
 - (A) The person possesses a net worth in excess of *twenty million (\$20,000,000)* dollars, as adjusted under subparagraph (ii).
 - (B) The person generates annual revenues in excess of *fifty million (\$50,000,000)* dollars, as adjusted under subparagraph (ii).
 - (C) The person employs more than five hundred (500) full-time or full-time equivalent employees per individual insured or is a member of an affiliated group employing more than one thousand (1,000) employees in the aggregate.
 - (D) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least *thirty million (\$30,000,000)* dollars, as adjusted under subparagraph (ii).
 - (E) The person is a municipality with a population in excess of fifty thousand (50,000) persons.

(ii) Beginning January 1, 2015 and every five years thereafter, the amounts under clauses (A), (B) and (D) shall be adjusted to reflect the percentage change for the five-year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor and Industry.

(Emphasis added.)

Through the coordinated efforts of the National Association of Insurance Commissioners’ Surplus Lines Task Force, adjustments have been calculated using Consumer Price Index data for the period September 2014—September 2019. The adjusted minimum qualifying amounts effective January 1, 2020 are as follows:

<i>Subclause</i>	<i>Previous Minimum</i>	<i>Adjusted Minimum Effective January 1, 2020</i>
(A)	\$22,040,000	\$23,781,160
(B)	\$55,100,000	\$59,452,900
(D)	\$33,060,000	\$35,671,740

Questions may be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2144, fax (717) 787-8557, cbybee@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1962. Filed for public inspection December 27, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Title Insurance Rating Bureau of Pennsylvania, Inc.; Increase in Base Rates and Rates for Endorsements; Rate Filing

On December 10, 2019, the Insurance Department (Department) received from the Title Insurance Rating Bureau of Pennsylvania, Inc. (Rating Bureau) a filing for rate level changes for title insurance.

Effective April 1, 2020, the Rating Bureau requests:

- An overall 4.95% rate increase.
- Doubling the rates for endorsements priced by way of flat-dollar rates.
- Doubling the minimum premiums for endorsements with current minimum premiums that are less than \$100 and that are priced as a percentage of the otherwise applicable rate.

A copy of the filing is available on the Department’s web site at www.insurance.pa.gov. Under the header “Companies,” select “Industry Activity,” then select “PA Bulletin Notices” found in the “Product and Rate Activity” section.

Interested parties are invited to submit written comments, suggestions or objections to Bojan Zorkic, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, bzorkic@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1963. Filed for public inspection December 27, 2019, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

[OFFICIAL OPINION 2019-3]

Request for Legal Opinion Concerning the Pennsylvania State Police Concerning the Stage of Manufacture at Which a Receiver Meets the Definition of “Firearm” in Sections of the Uniform Firearms Act

December 16, 2019

Colonel Robert Evanchick
Commissioner
Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, PA 17110

Dear Commissioner Evanchick:

You requested legal advice¹ on behalf of the Pennsylvania State Police (“PSP”) concerning the stage of manufacture at which a receiver meets the definition of “firearm” contained in the following sections of the Uniform Firearms Act² (“UFA”):

- 18 Pa.C.S. § 6105(i),
- 18 Pa.C.S. § 6105.2(i),
- 18 Pa.C.S. § 6106(e)(1),

¹ See Section 204 of the Commonwealth Attorneys Act, 71 P.S. § 732-204(a).
² 18 Pa.C.S. § 6101 *et. seq.*

- 18 Pa.C.S. § 6107(c),
- 18 Pa.C.S. § 6110.2(c),
- 18 Pa.C.S. § 6111(f)(1),
- 18 Pa.C.S. § 6111.1(k),
- 18 Pa.C.S. § 6111.2(d),
- 18 Pa.C.S. § 6111.4,
- 18 Pa.C.S. § 6113(d),
- 18 Pa.C.S. § 6117(a),
- 18 Pa.C.S. § 6120(b), and
- 18 Pa.C.S. § 6128(f) (collectively, “the Applicable Sections”).³

The definition of firearm contained in the Applicable Sections includes any weapon which is “designed to or may readily be converted to expel any projectile by the action of an explosive; or the frame or receiver of any such weapon.”⁴ While a fully manufactured receiver clearly meets this definition, your question seeks guidance on when a receiver that is not fully manufactured becomes a “firearm” as defined under the Applicable Sections.

After careful review, we conclude a receiver, that is: 1) “designed” to expel or 2) “may readily be converted” to expel a projectile by the action of an explosive, is a firearm as defined in the Applicable Sections. As explained below, under the plain language of the UFA, a partially-manufactured receiver is a firearm as defined in the Applicable Sections if it is either “designed” or “may readily be converted” into a completed receiver with the capability to expel any projectile by the action of an explosive. The UFA does not provide a definition for either of these phrases. In order to aid the PSP, the agency charged with administering and enforcing the UFA,⁵ this Opinion provides the legal framework essential to PSP’s analysis when taking any enforcement action or providing any interpretive guidance involving the Applicable Sections.

Unquestionably, the object of all interpretation and construction of statutes is to ascertain and effectuate the intention of the General Assembly. 1 Pa.C.S. § 1921(a). If possible, a statute must be construed to give effect to all of its provisions. *Id.* Furthermore, when enacting legislation, the General Assembly enjoys a presumption that it does not intend a result that is absurd, impossible of execution, or unreasonable. 1 Pa.C.S. § 1922(1). Words and phrases in a statute shall be construed according to rules of grammar and their common and approved usage. 1 Pa.C.S. § 1903(a). Here, the word “designed” and the phrase “may readily be converted” must be analyzed within this framework.

I. A partially-manufactured receiver is a firearm because it is “designed” to expel a projectile by the action of an explosive.

In *Commonwealth v. Zortman*, 611 Pa. 22 (2011), the Pennsylvania Supreme Court interpreted a largely identical definition of “firearm” previously contained in 42 Pa.C.S. § 9712.1(f) (relating to sentencing enhancements

³ The analysis of this Opinion does not apply to the definition of “firearm” as it appears in 18 Pa.C.S. § 6102. Furthermore, although PSP did not specifically request advice on interpreting the “firearm” definitions applicable in 18 Pa.C.S. §§ 6111.2(d) and 6117(a), these sections are addressed because the same analysis impacts all sections of the UFA in which this definition appears.

⁴ In the interest of clarity, the Applicable Sections do not all use the same exact language; however, these slight variations in punctuation and word choice do not affect the analysis.

⁵ See 18 Pa.C.S. § 6111.1(a).

for certain crimes committed with firearms).⁶ This section defined “firearm” as “any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or the expansion of gas therein.” Using the rules of statutory construction, the Court construed the meaning of “designed to . . . expel a projectile by action of an explosive.” The Court held the definition of “firearm” was clear and unambiguous in requiring “only that the weapon be capable of firing a bullet (‘will’), easily rendered capable of firing a bullet (‘may readily be converted’) or . . . ‘designed’ to fire a bullet.” 611 Pa. at 33. This definition applied equally to weapons that are “functional, defectively manufactured, or temporarily inoperable for some other reason.” *Id.*

Of particular importance, the statute at issue in *Zortman* clearly differentiated between firearms that “will” fire a projectile and those merely “designed” to do so. *Id.* In the UFA, the firearm definition at issue in this Opinion mirrors the language from former 42 Pa.C.S. § 9712.1, with one exception; the General Assembly chose to focus upon firearms that are “designed” to expel a projectile, rather than those that “will.” Therefore, under the plain language of the UFA a weapon designed to fire a projectile is a firearm regardless of whether it will actually fire a projectile. Since the UFA definition of “firearm” in the Applicable Sections also considers the frame or receiver of a weapon “designed to . . . expel any projectile by the action of an explosive” a firearm, it follows that these same principles apply. In order to be a “firearm,” a receiver need not be capable of firing a projectile; it needs only to be designed to do so.

In *Zortman*, the Court used dictionary definitions to interpret the plain meaning of “designed,” concluding that the various definitions meant “that the design itself, or the thing designed, is something planned, intended, purposeful, deliberate, or even ‘schemed’ towards some specific end or outcome.” *Id.* Receivers, even those in a state of partial manufacture, are unequivocally “designed to . . . expel any projectile by the action of an explosive” because they are manufactured with the necessary specifications, intended, and marketed for the purpose of firing a projectile.

II. A partially-manufactured receiver that “may readily be converted” to expel any projectile by the action of an explosive is a firearm.

As a matter of first impression, there is no controlling caselaw providing a definition or standard for applying the phrase “may readily be converted.”⁷ There is, however, caselaw from other jurisdictions interpreting the similar phrase “may readily be restored” as it applies to machine guns—a subset of firearms—in the National Firearms Act.⁸ Although not binding here, decisions from other jurisdictions can provide persuasive authority. *Com. v. Nat’l Bank & Tr. Co. of Cent. Pennsylvania*, 469 Pa. 188, 194, 364 A.2d 1331, 1335 (1976).

The “may readily be restored” standard is analogous to the “may readily be converted” standard as they both

⁶ The Pennsylvania Superior Court in *Commonwealth v. Watley*, 81 A.3d 108 (2013) found 42 Pa.C.S. § 9712.1 unconstitutional for violating a defendant’s right to a jury trial because it permitted the trial court, not the jury, to increase the length of a minimum sentence based on the possession of a firearm without requiring proof of that fact as an element of the crime. The basis for that ruling did not involve interpreting the definition of a “firearm”; therefore, Pennsylvania Supreme Court’s analysis of the “firearm” definition in *Zortman* remains good law.

⁷ Similarly, there is no caselaw providing an interpretation of the phrase “may readily be converted” from the Gun Control Act, 18 U.S.C. § 921.

⁸ The National Firearms Act defines a machinegun as “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.” 26 U.S.C. § 5845(b). Similar to the Uniform Firearms Act, the National Firearms Act does not define the phrase “can be readily restored.”

embody the essential concept of whether a weapon may be readily transformed into a fully operable firearm. The Sixth Circuit provides the most comprehensive summary of the law surrounding “may readily be restored” in *U.S. v. One TRW Model M14, 7.62 Caliber Rifle from William K. Alverson*, 441 F.3d 416 (2006).

When enforcing or interpreting the UFA, implicating the definition in the Applicable Sections, it is essential for the PSP to utilize the framework provided by the court in *One TRW Model* by collectively applying the following factors: time, ease, expertise, necessary equipment, availability, expense, and feasibility of converting an object into something “designed to expel any projectile by the action of an explosive.”⁹ Courts have examined these factors in the following ways:

- **Time:** How long it would take to convert the receiver so that it is capable of firing a projectile has been the factor most commonly emphasized by courts. While there is no clear ceiling on the time requirement, courts in various jurisdictions have found a weapon could be readily converted or restored in as little as two minutes and as long as eight hours.¹⁰

- **Ease:** This factor measures the level of difficulty in converting a receiver so that it is capable of firing a projectile.

- **Expertise:** This weighs the knowledge and skill required to convert the weapon so that it is capable of firing a projectile.¹¹

- **Equipment:** This evaluates the tools necessary to convert a receiver to be capable of firing a projectile. Courts have found this to occur in a variety of circumstances, ranging from the use of basic tools to a properly-equipped machine shop.¹²

- **Availability:** This reflects whether the parts necessary to convert a weapon are easily available. For instance, a disassembled machine gun missing only one necessary part was found to be readily restorable where the necessary part was available on the open market.¹³

- **Expense:** Any analysis must also consider the relative cost of the parts and equipment necessary to convert a receiver so that it is capable of firing a projectile.¹⁴

⁹ The court also includes “scope” as a factor relating to the extent that a machine gun had been altered, focusing on the “can be readily restored to shoot” aspect of the machine gun definition. While this factor is not instructive for our analysis of whether a receiver “may readily be converted,” it does not prevent us from using the remaining factors articulated in *One TRW Model*.

¹⁰ *E.g., Com. v. Cofoni*, 349 Pa. Super. 407, 415, 503 A.2d 431, 435 (1986) (a Pennsylvania case determined that a starter pistol that could be converted to fire a projectile in approximately 15 minutes with proper tools or in an hour for an unskilled individual with basic tools and limited knowledge was a firearm under the UFA.); *U.S. v. Alverson*, 666 F.2d 341, 345 (9th Cir. 1982) (defined readily as the ability to manufacture required parts in four to six hours with particular machinery or in two to three hours by hand); *U.S. v. Dodson*, 519 F. App'x 344, 347 (6th Cir. 2013) (90 minutes); *U.S. v. Woodlam*, 527 F.2d 608, 609 (6th Cir. 1976) (considering the element of time only readily meant a modification that was capable of being completed in two minutes); *U.S. v. Smith*, 477 F.2d 399, 400 (8th Cir. 1973) (8 hours in a machine shop); But see, *U.S. v. Seven Miscellaneous Firearms*, 503 F. Supp. 565, 577 (D.D.C. 1980) (Not readily restorable if it would require a master gunsmith working in a gun shop, the equipment and tools costing \$65,000, and 13 3/4 hours to make the necessary modifications).

¹¹ *E.g., United States v. Kelly*, 276 F. App'x 261, 267 (4th Cir. 2007) (rejecting the argument that “the statute must be applied not based upon the knowledge and skills of an expert and what an expert may be able to accomplish, but upon the knowledge and skills of an ordinary person”).

¹² *E.g., United States v. Aguilar-Espinosa*, 57 F. Supp. 2d 1359, 1362 (M.D. Fla. 1999) (tools commonly understood by and available to such workers); *Com. v. Cofoni*, 349 Pa. Super. 407, 415, 503 A.2d 431, 435 (1986) (skilled machinist with proper equipment or an unskilled person with basic tools, limited knowledge, and approximately one hour to accomplish the task); *United States v. Smith*, 477 F.2d 399, 400 (8th Cir. 1973).

¹³ *United States v. Cook*, 1993 WL 243823 (6th Cir. 1993); *United States v. Catanzaro*, 368 F. Supp. 450, 452 (D. Conn. 1973) (replacement parts available from Smith & Wesson plant).

¹⁴ *E.g., United States v. Catanzaro*, 368 F. Supp. 450, 452 (D. Conn. 1973) (readily restored when it only requires a \$15.00 part); But see, *United States v. Seven Misc. Firearms*, 503 F. Supp. 565 (D.D.C. 1980) (may not be readily restored when it required \$65,000 worth of specialized equipment and tools).

- **Feasibility:** A weapon is not readily convertible where the attempted conversion would damage or destroy the weapon or cause it to malfunction.¹⁵

No single factor is dispositive. The PSP must weigh all the applicable factors together to determine whether a receiver “may readily be converted” to expel any projectile by the action of an explosive. This analysis is dependent on the factual circumstances in each specific case. For instance, a receiver is a “firearm” if it can be converted to expel a projectile by individual with reasonable skill (expertise), basic tools (equipment) available to and understood by such an individual, and commonly available parts (availability) in a reasonable amount of time (time).¹⁶

In contrast, an example where a receiver would not be considered “readily convertible” comes from the District of D.C., where the court considered these factors in determining whether certain weapons were “readily restorable.” In that case, the weapons were held not to be machine guns because it would have taken a master gunsmith (expertise) over 13 hours (time) working with specialized equipment (equipment), required parts that are not commonly available (availability), cost \$65,000 to make the conversion, and the conversion could have damaged or destroyed the firearm as well as caused injury to the shooter upon firing.¹⁷

III. Conclusion.

A receiver does not need to be fully manufactured to be a firearm as defined in the Applicable Sections. A receiver is a firearm under the Applicable Sections if it is: 1) “designed” to expel or 2) “may readily be converted” to expel a projectile by the action of an explosive. Given the UFA does not provide statutory definitions of these terms, PSP shall utilize the legal framework set forth in this Opinion when enforcing or issuing interpretive guidance regarding the Applicable Sections of the UFA.¹⁸ Along with direct enforcement of the UFA, PSP has the ability to issue interpretive rules through internal documents, manuals, or policy statements; while not controlling, these interpretations would be entitled to deference. *Skidmore v. Swift & Co.*, 323 U.S. 134, 140, 65 S. Ct. 161, 164, 89 L. Ed. 124 (1944). Additionally, PSP can further interpret the definitions through formal rulemaking. 18 Pa.C.S. § 6111.5. Any regulation properly promulgated by PSP is entitled to deference, unless clearly erroneous. *Harkness v. UCBR*, 591 Pa. 543, 920 A.2d 162.

You are further advised that in accordance with Section 204(a)(1) of the Commonwealth Attorneys Act, 71 P.S. § 732-204(a)(1), PSP shall follow the advice contained in this Opinion and will not in any way be liable for doing so.

JOSH SHAPIRO,
Attorney General

[Pa.B. Doc. No. 19-1964. Filed for public inspection December 27, 2019, 9:00 a.m.]

¹⁵ *E.g., United States v. Seven Misc. Firearms*, 503 F. Supp. 565 (D.D.C. 1980).

¹⁶ A court ruled a machine gun was readily restorable under these circumstances in *United States v. Aguilar-Espinosa*, 57 F. Supp. 2d 1359, 1362 (M.D. Fla. 1999).

¹⁷ A court ruled a machine gun was not readily restorable under these conditions in *United States v. Seven Misc. Firearms*, 503 F. Supp. 565 (D.D.C. 1980).

¹⁸ Nothing in this opinion shall restrict or supersede PSP's discretion in choosing when to enforce or issue interpretive guidance involving the UFA.

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Assessment Approval for PENNVEST Funding Consideration

Scope: Clean Water and Drinking Water State Revolving Fund Projects for January 29, 2020, Pennsylvania Infrastructure Investment Authority (PENNVEST) Board meeting consideration.

Description: PENNVEST, which administers the Commonwealth's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund, is intended to be the funding source for the following project. The Department of Environmental Protection's (Department) review of this project, and the information received in the Environmental Report for this project, has not identified any significant, adverse environmental impact resulting from the proposed project. The Department hereby approves the Environmental Assessment for the project. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by Monday, January 27, 2020. Electronic comments should be submitted using the Department's eComment site at www.ahs.dep.pa.gov/eComment. Written comments can be submitted by e-mail to ecomment@pa.gov or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

For more information about the approval of the following Environmental Assessment or the Clean Water and Drinking Water State Revolving Loan Programs contact Richard Wright at riwright@pa.gov or the Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059, or visit the Department's web site at www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx.

Any comments received during the comment period, along with the Department's comment and response document will be available on the Department's web site at www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx.

Upon approval, the full list of approved projects and their costs can be found in a press release on PENNVEST's web site at www.pennvest.pa.gov.

CWSRF Projects Being Considered:

<i>Applicant:</i>	Chadds Ford Township Sewer Authority
<i>County:</i>	Delaware
<i>Applicant Address:</i>	P.O. Box 816 Chadds Ford, PA 19317

Project Description: The Chadds Ford Township Sewer Authority proposes to convert the Ridings Wastewater Treatment Plant (WWTP) to a pump station that will convey sewage to the Turner's Mill WWTP for treatment and disposal. A force main will be installed to convey sewage from the Ridings pump station to a gravity sewer system in the Estates at Chadds Ford Development (approximately 850 feet of new force main and gravity sewer). The existing gravity sewer system in the Estates of Chadds Ford Development flows to the Estates pump station where the sanitary sewage is conveyed by an existing force main to Turner's Mill WWTP. The existing Turner's Mill WWTP will be upgraded to accommodate the new flows.

Problem Description: The Ridings WWTP is currently operating within its current National Pollutant Discharge Elimination System permit parameters; however, the age of the plant's technology, the limitations of its treatment process and its inability to be expanded make continued operation of the plant unsustainable. The project will allow the consolidation of redundant operations at a centralized existing treatment plant (Turner's Mill WWTP) and will avoid anticipated operational issues at the Ridings WWTP, while also meeting future obligations associated with collection and conveyance system operations, maintenance and improvements.

PATRICK McDONNELL,
Secretary

Department of Environmental Protection

BRION JOHNSON,
Executive Director

Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 19-1965. Filed for public inspection December 27, 2019, 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. 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. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by January 13, 2020. 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-2019-3014889. Alpha Trans, LLC (405 Coventry Avenue, Darby, Delaware County, PA 19023) persons in paratransit service, from points in the City of Philadelphia and the County of Delaware, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

A-2019-3014892. Medportation, LLC (57 Bellwood Drive, Feasterville, Bucks County, PA 19053) persons in paratransit service, from points in the Counties of Bucks, Delaware and Montgomery and the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

A-2019-3014937. Active Transport, LLC (1009 Diamond Drive, Newtown, Bucks County, PA 18940) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania. *Attorney:* David P. Temple, Esquire, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

A-2019-3014953. Heartland Medical Transportation, Inc. (115 Longfellow Close, Moosic, Lackawanna County, PA 18507) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the Counties of Carbon, Lackawanna, Luzerne, Monroe, Susquehanna, Wayne and Wyoming. *Attorney:* Jill M. Spott, Esquire, 108 North Abington Road, Clarks Summit, PA 18411.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2019-3014789. Conrad Graybill, t/a Graybill Trans (306 Willow Lane, New Holland, Lancaster County, PA 17557) for the discontinuance and cancellation of his 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.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1966. Filed for public inspection December 27, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2019-3014935. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and CSC Wireless, d/b/a Altice Mobile. Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and CSC Wireless, d/b/a Altice Mobile for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and CSC Wireless, d/b/a Altice Mobile,

by their counsel, filed on December 12, 2019, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and CSC Wireless, d/b/a Altice Mobile joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-8108.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1967. Filed for public inspection December 27, 2019, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as common carriers in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than January 13, 2020. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-19-12-03. G&F Taxi, LLC (2554 South Massey Street, Philadelphia, PA 19142): An application for a medallion taxicab certificate of public convenience to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 19-1968. Filed for public inspection December 27, 2019, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), 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) 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 any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, 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, so individuals interested in challenging this action 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.

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Paul Dotterer & Sons, Inc.— Home Farm John Dotterer 410 Kryder Road Mill Hall, PA 17751	Clinton County/ Porter Township	381	Cattle	Amended	Approved
Matthew Leid 203 Wild Cheery Road Schuylkill Haven, PA 17972	Schuylkill County/ Washington Township	275.46	Goat/ Alpaca/ Broiler	Amended	Approved
Hanover Shoe Farms, Inc.— Strine Farm Dale Welk; Operations Manager 1046 Honda Road Hanover, PA 17331	Adams County/ Mount Pleasant Township	47	Horse	New	Approved

RUSSELL C. REDDING,
Chairperson

[Pa.B. Doc. No. 19-1969. Filed for public inspection December 27, 2019, 9:00 a.m.]