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for The Courts, Rules and
Regulations and Proposed
Rulemakings

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(Master Transmittal Sheet):**

No. 594, May 2024

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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.pacodeandbulletin.gov.

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.pacodeandbulletin.gov.

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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

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DEPARTMENT OF AGRICULTURE

Interstate and International Quarantine Order; Restriction of Movement and Pre-Movement Influenza Testing of Dairy Cattle

Recitals:

The following recitals set forth and describe the dangerous transmissible disease for which this Quarantine Order is instituted, specifies the species of domestic animals affected by and subject to this Quarantine Order and provides the authority under which this Quarantine Order is established.

A. Influenza A viruses have the potential to mutate and transfer into different host species.

B. The Highly Pathogenic Avian Influenza (HPAI) Eurasian lineage goose/Guangdong H5 clade 2.3.4.4 virus has been confirmed in wild birds and in poultry flocks across the United States in 2024.

C. HPAI has caused substantial loss in the past to the Pennsylvania poultry industry and has caused widespread losses to the poultry industry in states in which poultry have been infected.

D. The Domestic Animal Law (DAL) (3 Pa.C.S. § 2301 et seq.) provides the Pennsylvania Department of Agriculture (Department) with the authority to establish Quarantines (3 Pa.C.S. § 2329).

E. Section 2329 (related to quarantine) of the DAL (3 Pa.C.S. § 2329) establishes three different types of quarantine orders—Interstate and International (3 Pa.C.S. § 2329(c)), General (3 Pa.C.S. § 2329(d)) and Special (3 Pa.C.S. § 2329(e))—the Department may impose.

F. Section 2321(a) (relating to specific dangerous transmissible diseases) (3 Pa.C.S. § 2321(a)) establishes specific transmissible diseases as dangerous transmissible diseases within the meaning of the DAL.

G. Section 2321(d) (relating to designation of additional dangerous transmissible disease through temporary order) provides, “Upon the determination that a transmissible disease not listed in subsection (a) and not designated a dangerous transmissible disease through regulation under subsection (b) presents a danger to public health, to domestic animal health, to the safety or quality of the food supply or to the economic wellbeing of the domestic animal industries, the department shall issue a temporary order proclaiming that transmissible disease to be a dangerous transmissible disease within the meaning of this chapter . . .” (3 Pa.C.S. § 2321(d)).

H. Certain influenza A viruses, including H5 and H7 viruses, can cause severe disease in poultry and other avian species and have also been identified as a cause of clinical disease in other animals, including dairy cattle and juvenile goats. In March 2024, an H5 influenza A virus was identified as a cause of a multistate outbreak of disease in dairy cattle. Clinical signs in dairy cattle include a decrease in feed consumption with a simultaneous decrease in rumination and rumen motility; respiratory signs including clear nasal discharge; and subsequent acute drop in milk production. Additional clinical signs may include abnormal tacky or loose feces, lethargy, dehydration, and fever. Severely affected cattle may have

thicker, concentrated, colostrum-like milk or produce no milk at all. The ability of the HPAI influenza A virus to be transmitted between poultry and cattle poses a threat to both the poultry and the cattle industry in Pennsylvania, the safety or quality of the food supply and the economic wellbeing of the domestic animal industries. In addition, H5 and H7 influenza A viruses in ruminants pose a risk to public health due to their zoonotic potential.

I. The Department amended a previous Temporary Order Designating Dangerous Transmissible Diseases published in the *Pennsylvania Bulletin* on December 2, 2023 (53 Pa.B. 7373) to include “Influenza A Viruses in Ruminants” as a dangerous transmissible disease. The amended Temporary Order was published in the April 20, 2024, edition of the *Pennsylvania Bulletin* (54 Pa.B. 2098) and such designation was effective immediately upon publication of that edition.

J. The Department also has broad authority under the DAL to prohibit the importation of domestic animals, conveyances, containers, goods, products or materials in an effort to keep dangerous transmissible diseases from entering this Commonwealth.

K. Section 2329(a) (relating to power to establish and enforce), authorizes the Department to establish a Quarantine Order “Whenever a dangerous transmissible disease . . . exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease . . . or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease . . . so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease. . . impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition to the aforescribed domestic animals, a quarantine may apply to any goods, products, facilities, containers, vehicles or materials that may carry dangerous transmissible disease . . . and may be applied on or in or against any premises, area or locality as defined in this chapter.” (3 Pa.C.S. § 2329(a)).

L. Section 2329(c) (relating to interstate and international quarantines) provides, “An interstate or international quarantine may be established and enforced by order of the department against any place or places outside this Commonwealth for any of the reasons set forth in subsection (a) or where dangerous transmissible diseases . . . are reported to exist. An interstate or international quarantine order may prohibit the bringing of any domestic animals, conveyances, containers, goods, products or materials into this Commonwealth except in accordance with the requirement set forth in the quarantine order. The order may require the quarantine, testing, treatment, killing or other disposition of any domestic animal brought into this Commonwealth in violation of the order and may require the quarantine, disinfection, destruction of goods, products, conveyances, materials or containers brought into this Commonwealth in violation of the order. The order may also require that a person importing domestic animals in violation of the order bear the expenses of postentry requirements of this chapter.” (3 Pa.C.S. § 2329(c)(1)).

M. This Order replaces the previously issued Interstate and International Quarantine Order: Restriction of Movement and Pre-Movement Influenza Testing of Dairy Cattle previously issued on April 20, 2024, (54 Pa.B. 2096).

Order:

With the foregoing recitals incorporated into this Interstate and International Quarantine Order by reference, the Department hereby establishes an Interstate and International Quarantine Order (Quarantine Order) related to importation requirements for dairy cattle. This Interstate and International Quarantine Order is established under authority of the Domestic Animal Law, at 3 Pa.C.S. § 2329(c). The terms of this Quarantine Order are as follows:

1. *Definitions*

Accredited Veterinarian (Category II). A veterinarian approved by the USDA Administrator in accordance with the provisions of 9 CFR (Code of Federal Regulations) Requirements and Standards for Accredited Veterinarians and Suspension or Revocation of Such Accreditation § 161 to perform functions specified in 9 CFR for Category II animals (food and fiber animal species; horses; birds; farm-raised aquatic animals; all other livestock species; and zoo animals that can transmit exotic animal diseases to livestock).

Dairy cattle. Cattle belonging to breeds raised for milk production purposes, or crosses thereof, included in the Genus *Bos*.

Lactating cattle. Dairy cattle that are actively producing milk, including those in early, mid, and late phases of the production cycle.

NAHLN laboratory. A state or federal laboratory that is part of the United States Department of Agriculture (USDA) National Animal Health Laboratory Network and is approved by the USDA National Veterinary Service Laboratory (NVSL) to perform regulatory testing for avian influenza in bovine tissues or specimens.

Non-lactating cattle. Dairy cattle that are not currently producing milk. This includes heifers, male cattle, calves, and dry cows.

Shipment. Each individual group of dairy cattle that have been isolated together for testing prior to importation into Pennsylvania, as required by section 3.c.iii. of this Quarantine Order.

2. *Quarantine Area.* The Quarantine Area affected by this Quarantine Order is any State, Commonwealth, foreign nation, province or territory outside the Commonwealth of Pennsylvania (Pennsylvania).

3. *Prohibitions and requirements.*

a. *Importation Standards.* All dairy cattle entering Pennsylvania shall meet all requirements established in the Domestic Animal Law (3 Pa.C.S. §§ 2301—2390), the Department's regulations at Title 7 of the *Pennsylvania Code* and in this Quarantine Order, (accessible through the following website address: www.pacodeandbulletin.gov).

b. *Movement restrictions.*

i. Dairy cattle from a premises where influenza A virus has been confirmed in dairy cattle, or from within 3 km of HPAI-infected domestic birds, or where dairy cattle on the premises are showing clinical signs of influenza A virus (Including decrease in feed consumption with a simultaneous decrease in rumination and rumen motility; respi-

ratory signs including clear nasal discharge; and subsequent acute drop in milk production. Additional clinical signs may include abnormal tacky or loose feces, lethargy, dehydration, and fever. Severely affected cattle may have thicker, concentrated, colostrum-like milk or produce no milk at all) may not be imported into or unloaded in Pennsylvania until the premises has been declared free of disease by the respective State Animal Health Official.

ii. Lactating dairy cattle from any State, Commonwealth, foreign nation, province or territory may not be imported into, or unloaded in Pennsylvania unless they meet the testing requirements in section c of this document except as provided in subsection xii.

iii. Non-lactating dairy cattle from a State, Commonwealth, foreign nation, province or territory where influenza A virus has been confirmed in dairy cattle may not be imported into, or unloaded in Pennsylvania unless they meet the testing requirements in section c until the state has been declared free of disease by the respective State Animal Health Official.

c. *Testing Requirements.*

i. A representative sample of 30 animals in each shipment must be tested for Influenza A virus within 7 days prior to movement.

ii. If a shipment contains 30 or fewer animals, all animals in that shipment must be tested within 7 days prior to movement.

iii. The animals in each shipment must have been assembled as a group for a period of at least 30 days prior to testing in accordance with subsections i and ii above. New animals may not have been added to the herd or group within the 30-day period preceding testing.

iv. Where the requirements established in subsection iii. above have not been or cannot be complied with, all animals in the shipment, no matter the size of the shipment, must be tested in accordance with subsection ii above.

v. Milk specimens and nasal swabs, as required in subsection vi. and vii. of this section must be collected and submitted by or under the supervision of an Accredited Veterinarian (Category II).

vi. Nasal swabs must be collected for testing in accordance with the provisions of this section from each non-lactating animal on a shipment. Nasal swabs shall be collected in a manner that is in accordance with NVSL guidance provided to the testing laboratory.

vii. A milk specimen must be collected for testing in accordance with the provisions of this section from each lactating animal on a shipment. Milk specimens must be collected in a manner that is in accordance with NVSL guidance to the testing laboratory.

viii. Each specimen or sample collected under subsections vi. and vii. must be tested for Influenza A Virus using polymerase chain reaction (PCR) testing and protocol approved by NVSL.

ix. Testing of all specimens or samples collected under subsections vi. and vii. must be performed at a NAHLN laboratory. The individual specimens may not be pooled by the Accredited Veterinarian (Category II) or any person other than the NAHLN laboratory testing the samples.

x. The person owning or leasing the premises on which the animals are being held for testing prior to shipment into Pennsylvania shall:

A. Assure each animal has official identification.

B. Provide the USDA APHIS Category II accredited practitioner of veterinary medicine overseeing the collection of the specimens or samples with a manifest setting forth the official identification of each animal.

C. The manifest shall set forth the number of animals grouped together for each shipment into Pennsylvania, and the official identification of each animal.

D. The manifest shall accompany each shipment of animals to their final destination in Pennsylvania.

E. The original manifest, or an accurate copy thereof, shall be provided to the owner or lessor of the destination of the dairy cattle in Pennsylvania.

xi. The accredited veterinarian collecting or supervising the collection of the diagnostic specimens must have a veterinarian-client-patient relationship with the farm.

xii. *Exemptions:* The following exemptions from testing required by this Quarantine Order apply:

A. Dairy cattle less than 18 months of age are not required to be tested for Influenza A virus prior to shipment into Pennsylvania.

B. Dairy cattle that are moved into the Commonwealth for the purpose of immediate slaughter at a licensed meat establishment are not required to be tested for influenza A virus, provided that they are slaughtered within 72 hours of arriving and are not commingled with other dairy cattle that are not destined for immediate slaughter. These cattle may enter the Commonwealth on an owner shipper statement that lists official identification or backtag number for each animal in the shipment. Owner shipper statements must meet the definition of 9 CFR § 86.1.

C. Dairy cattle subject to a commuter agreement in which the Pennsylvania Department of Agriculture has determined sufficient biosecurity and other risk mitigations exist to allow predefined movements of cattle to occur in a safe manner. The exemption must be part of or an addendum to a formalized commuter agreement signed by the cattle owner and the state animal health officials of both states.

d. *Test results and movement.*

i. Where a non-negative test result is obtained on any animal within a group of animals that has been grouped for shipment as required by subsection c. iii., no animal in that group may be imported into or unloaded in Pennsylvania.

ii. Testing evidencing a Negative or Not Detected test result for each animal required to be tested in accordance with section c. must accompany each shipment. A copy of the test results is acceptable. The test results must include the name of the NAHLN laboratory where testing was performed, and the accession number.

iii. The test results shall provide the official identification of each animal tested.

iv. A copy of the test results for each shipment, and the manifest required by subsection c. x. shall be retained at the final Pennsylvania destination for a minimum of 3 months from date of arrival.

4. *Remedies for Dairy Cattle Imported in violation of this Quarantine Order.* Any dairy cattle imported into or unloaded in Pennsylvania that are in violation of any provision of this Quarantine Order shall subject the owner, importer, dealer and hauler of such animals to any or any combination of the following: (1) individual quarantine, testing, treatment or euthanizing of the animal(s), (2) return of each animal to its place of origin, (3) disinfection or destruction of any goods, products, conveyances, materials or containers exposed to such animals, and (4) all other penalties as allowed under the DAL and the Department's regulations. All expenses associated with such requirements shall be borne by the person violating this Quarantine Order.

5. *Violations and Penalties.* Any person violating the requirements of this Quarantine Order may be subject to imposition of such quarantine, testing, treatment, euthanization and other disposition of domestic animals, and disinfection or destruction of goods, products, conveyance, materials or containers, expense and post-entry requirements as set forth in this Quarantine Order and at section 2329(c), violation provisions set forth at section 2329(f), criminal and civil penalties established at section 2383, interference violations established at section 2385 and civil remedies set forth at section 2386 of the Domestic Animal Law (3 Pa.C.S. §§ 2329(c), 2329(f), 2383, 2385 and 2386).

6. *No Restriction on Further Action by the Department.* This Quarantine Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported cattle or to limit the Department's authority under the Domestic Animal Law or any other statutes or regulations administered by the Department.

7. *Contact information.* Questions regarding this Quarantine Order may be directed to the Commonwealth of Pennsylvania, Department of Agriculture, Bureau of Animal Health, 2301 North Cameron Street, Harrisburg, PA 17110 or by telephone at 717-772-2852, or email at RA-ahds@pa.gov.

8. *Effective Date.* This Quarantine Order in its entirety shall become effective immediately upon signature of the Secretary of the Pennsylvania Department of Agriculture and shall remain in effect unless rescinded or modified by a subsequent Order.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 24-725. Filed for public inspection May 24, 2024, 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 May 14, 2024.

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, may file comments in writing with the Department, for Bank Supervision, by e-mail to ra-bnbnksbmssnspt@pa.gov or for credit unions, by e-mail to ra-bncusubmissions@pa.gov and trust companies,

by e-mail to ra-bntrustsuprvsninq@pa.gov. Comments must be received no later than 30 days from the date that the notice regarding acceptance 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, or for credit unions or trust companies (717) 783-2253.

APPLICATIONS FOR COMMENT

BANKING INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

OTHER APPLICATION ACTIVITY

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
05-08-2024	Kish Bank Belleville Mifflin County	4215 William Penn Highway Mifflintown Juniata County	Accepted
05-09-2024	ACNB Bank Gettysburg Adams County	160 North Pointe Boulevard Suite 113 Lancaster Lancaster County (Limited-Service Facility)	Accepted

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
05-10-2024	Community Bank Carmichaels Greene County	<i>To:</i> 712 West Main Street Uniontown Fayette County <i>From:</i> 545 West Main Street Uniontown Fayette County	Accepted
05-13-2024	First Bank Hamilton Mercer County, NJ	<i>To:</i> 22 West State Street Media Delaware County <i>From:</i> 940 Baltimore Pike Glen Mills Delaware County	Accepted

CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,
Secretary

[Pa.B. Doc. No. 24-726. Filed for public inspection May 24, 2024, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. 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). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

<i>Section</i>	<i>Category</i>
I	Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received
II	Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs
III	Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity

Section I identifies the following applications and NOIs that have been received by DEP:

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice.

Section II identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

Section III identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to stormwater discharges associated with construction activities. A 30-day public comment period applies to these applications and draft permits. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Additional information may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice.

Applications, NOIs and draft permits, where applicable, may be reviewed at the DEP office that received the application or NOI. Members of the public are encouraged to use DEP's website to obtain additional information as discussed previously.

Comments received within the appropriate comment periods for WQM and NPDES permit applications will be retained by DEP and 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 DEP of the exact basis of a comment and the relevant facts upon which it is based.

DEP office contact information to review applications and NOIs and to submit comments for those applications, when applicable, is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 717-826-5472. Email: RA-EPNPDES_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6340. Email: RA-EPNPDES_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if DEP determines that there is a significant public interest. 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. DEP will postpone its final determination until after a public hearing is held.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

I. Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0624802	Joint DEP/PFBC Pesticides Permit	New	Januszka Cynthia 185 Golf Road Reinholds, PA 17569-9067	South Heidelberg Township Berks County	SCRO
9138116	Joint DEP/PFBC Pesticides Permit	Renewal	Sylvester John 6292 Saw Mill Road New Hope, PA 18938-5664	Solebury Township Bucks County	SERO
0913861	Joint DEP/PFBC Pesticides Permit	Renewal	Camp Onas 609 Geigel Hill Road Ottsville, PA 18942-9707	Tinicum Township Bucks County	SERO
0913868	Joint DEP/PFBC Pesticides Permit	Renewal	Georgetown Condo P.O. Box 710 Holicong, PA 18928-0710	Doylestown Township Bucks County	SERO
0913874	Joint DEP/PFBC Pesticides Permit	Renewal	Phillips Stephen L 6454 Meetinghouse Road New Hope, PA 18938-5642	Solebury Township Bucks County	SERO
0913919	Joint DEP/PFBC Pesticides Permit	Renewal	Rasner Dave 511 S 21st Street Philadelphia, PA 19146-1363	Tinicum Township Bucks County	SERO
0913964	Joint DEP/PFBC Pesticides Permit	Renewal	Allen John 54 Rock Ridge Road Upper Black Eddy, PA 18972-9518	Tinicum Township Bucks County	SERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0916802	Joint DEP/PFBC Pesticides Permit	Renewal	Siegel Peter 6570 Meetinghouse Road New Hope, PA 18938-5644	New Hope Borough Bucks County	SERO
0918823	Joint DEP/PFBC Pesticides Permit	Renewal	Scott Grace 6540 Groveland Road Pipersville, PA 18901	Plumstead Township Bucks County	SERO
1516839	Joint DEP/PFBC Pesticides Permit	Renewal	Colket Brian 707 Hillview Road Malvern, PA 19355-3429	Willistown Township Chester County	SERO
1518820	Joint DEP/PFBC Pesticides Permit	Renewal	Keough Jerry 137 Davis Road Malvern, PA 19355	Willistown Township Chester County	SERO
1518821	Joint DEP/PFBC Pesticides Permit	Renewal	Oaks Springs Farm 852 Providence Road Malvern, PA 19355	Willistown Township Chester County	SERO
3513827	Joint DEP/PFBC Pesticides Permit	Renewal	Oakford Glen Development Association 9 Oakford Glen Waverly Township, PA 18411-8978	South Abington Township Lackawanna County	NERO
3517804	Joint DEP/PFBC Pesticides Permit	Renewal	Glen Oaks Country Club 250 Oakford Road Clarks Summit, PA 18411	Waverly Township Lackawanna County	NERO
3724804	Joint DEP/PFBC Pesticides Permit	New	Tammy Morini 864 Magee Road Portersville, PA 16051-4616	Perry Township Lawrence County	NWRO
3913828	Joint DEP/PFBC Pesticides Permit	Renewal	Saucon Valley CC 2050 Saucon Valley Road Bethlehem, PA 18015-9055	Upper Saucon Township Lehigh County	NERO
4313807	Joint DEP/PFBC Pesticides Permit	Renewal	Temple Grove Campground 347 Hamburg Road Transfer, PA 16154-2603	Delaware Township Mercer County	NWRO
4324806	Joint DEP/PFBC Pesticides Permit	New	James Wagner 170 Longwell Drive Grove City, PA 16127-3838	Liberty Township Mercer County	NWRO
4324807	Joint DEP/PFBC Pesticides Permit	New	Erwin Hostetler 455 Fredonia Road Greenville, PA 16125-9760	Hempfield Township Mercer County	NWRO
4324808	Joint DEP/PFBC Pesticides Permit	New	Susan Moon 28 2nd Street Fredonia, PA 16124-1302	Delaware Township Mercer County	NWRO
4513854	Joint DEP/PFBC Pesticides Permit	Renewal	Penn Estates POA 304 Cricket Drive East Stroudsburg, PA 18301-8996	Stroud Township Monroe County	NERO
4514802	Joint DEP/PFBC Pesticides Permit	Renewal	Pocono Wild Haven Estates P.O. Box 86 Lake Ariel, PA 18436-0086	Middle Smithfield Township Monroe County	NERO
4613854	Joint DEP/PFBC Pesticides Permit	Renewal	Upper Moreland Township Montgomery County 117 Park Avenue Willow Grove, PA 19090-3209	Upper Moreland Township Montgomery County	SERO
4613898	Joint DEP/PFBC Pesticides Permit	Renewal	Kress Kraig 1413 Newman Road Pennsburg, PA 18436	Upper Hanover Township Montgomery County	SERO
4613899	Joint DEP/PFBC Pesticides Permit	Renewal	Lower Moreland Township Montgomery County 640 Red Lion Road Huntingdon Valley, PA 19006-6217	Lower Moreland Township Montgomery County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4618805	Joint DEP/PFBC Pesticides Permit	Renewal	Lederach Golf Course 900 Clubhouse Drive Harleysville, PA 19438	Lower Salford Township Montgomery County	SERO
4619810	Joint DEP/PFBC Pesticides Permit	Renewal	Hoffman David 1314 Mount Pleasant Road P.O. Box 458 Villanova, PA 19085-2109	Lower Merion Township Montgomery County	SERO
4824803	Joint DEP/PFBC Pesticides Permit	New	Callie Sam 176 Park Road Bangor, PA 18013-5204	Upper Mount Bethel Township Northampton County	NERO
4824804	Joint DEP/PFBC Pesticides Permit	New	Romagnoli Skip 709 Totts Gap Road Bangor, PA 18013-5462	Upper Mount Bethel Township Northampton County	NERO
5813813	Joint DEP/PFBC Pesticides Permit	Renewal	Welch Raymond RR 1 Box 1203 Friendsville, PA 18818	Silver Lake Township Susquehanna County	NERO
5813817	Joint DEP/PFBC Pesticides Permit	Renewal	Stanley Lake Home Owners Association 240 Woolever Road Friendsville, PA 18818-8683	Choconut Township Susquehanna County	NERO
6613803	Joint DEP/PFBC Pesticides Permit	Renewal	Schultz Jeffrey 5551 Chestnut Street Emmaus, PA 18049-5004	Washington Township Wyoming County	NERO
6613806	Joint DEP/PFBC Pesticides Permit	Renewal	Milnes Paul B 104 Jayne Road Tunkhannock, PA 18657-7035	Tunkhannock Township Wyoming County	NERO
3691201	Land Application and Reuse of Industrial Waste Individual WQM Permit	Renewal	Darling Ingredients Inc. 4221 Alexandria Pike Cold Spring, KY 41076-1821	East Earl Township Lancaster County	SCRO
0605408	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Bear Creek Management Company, LLC 101 Doe Mountain Lane Macungie, PA 18062	Longswamp Township Berks County	SCRO
0720201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Amendment	Penn England 10341 Fox Run Road Williamsburg, PA 16693-6713	Catharine Township Blair County	SCRO
2122201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Amendment	Barrick Dairy LLC 2653 Walnut Bottom Road Carlisle, PA 17015-9329	Penn Township Cumberland County	SCRO
3909405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Lehigh County Authority P.O. Box 3348 1053 Spruce Road Allentown, PA 18106-0348	Lynn Township Lehigh County	NERO
NOEXSC173	No Exposure Certification	Renewal	ASC Engineering Solutions LLC 330 E 9th Street Waynesboro, PA 17268-2064	Waynesboro Borough Franklin County	SCRO
NOEXSC221	No Exposure Certification	Renewal	Arrow International Inc. 2400 Bernville Road Reading, PA 19605-9607	Muhlenberg Township Berks County	SCRO
NOEXSC335	No Exposure Certification	Renewal	Arrow International Inc. 2400 Bernville Road Reading, PA 19605-9607	Wyomissing Borough Berks County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG041318	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	McLaughlin Deborah 3389 Hoover Heights Harborcreek, PA 16421	Harborcreek Township Erie County	NWRO
PAG041319	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Rodgers Samantha 783 Reed Road Clarion, PA 16214-6941	Highland Township Clarion County	NWRO
PAG041330	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Farabaugh Donna 10873 Eureka Road Edinboro, PA 16412-3721	Franklin Township Erie County	NWRO
PAG041331	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Amanda Brownlee & Randall Motzing 13437 State Highway 285 Conneaut Lake, PA 16316-6415	East Fallowfield Township Crawford County	NWRO
PAG041339	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Kirkwood Thomas 2606 Harlansburg Road New Castle, PA 16101-9686	Scott Township Lawrence County	NWRO
PAG041344	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Larsen Paula 558 Clay Furnace Road Sharpsville, PA 16150-3402	Clark Borough Mercer County	NWRO
PAG043992	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Renard Ryan P 353 Franklin Church Road Dillsburg, PA 17019-9768	Franklin Township York County	SCRO
PAG123507	PAG-12 NPDES General Permit for CAFOs	Renewal	Loht Kenneth K 199 Road Apple Drive McClure, PA 17841-8605	Decatur Township Mifflin County	SCRO
PAG123604	PAG-12 NPDES General Permit for CAFOs	Renewal	Gochenaur Scott 3057 Harvest Road Elizabethhtown, PA 17022-8422	Mount Joy Township Lancaster County	SCRO
PAG123680	PAG-12 NPDES General Permit for CAFOs	Renewal	Zimmerman H Lamar 1908 Shumaker Road Manheim, PA 17545-8227	Rapho Township Lancaster County	SCRO
PAG123704	PAG-12 NPDES General Permit for CAFOs	Renewal	Daniel F Lukens 7075 Old Stage Road McClure, PA 17841-8908	Decatur Township Mifflin County	SCRO
PAG123705	PAG-12 NPDES General Permit for CAFOs	Renewal	Gress Cory L 792 Lick Hollow Road Harrisonville, PA 17228-9348	Licking Creek Township Fulton County	SCRO
PAG123744	PAG-12 NPDES General Permit for CAFOs	Renewal	Randall Brubaker 1908 Valley Road Manheim, PA 17545-9666	Rapho Township Lancaster County	SCRO
PAG123785	PAG-12 NPDES General Permit for CAFOs	Renewal	Noah W Kreider & Sons LLP 1461 Lancaster Road Manheim, PA 17545-9768	East Donegal Township Lancaster County	SCRO
PAG123801	PAG-12 NPDES General Permit for CAFOs	Renewal	North Mountain Gobbler 8310 Fort McCord Road Chambersburg, PA 17202	Hamilton Township Franklin County	SCRO
PAG123803	PAG-12 NPDES General Permit for CAFOs	Renewal	Horst Larry 1450 Hunsicker Road Lancaster, PA 17601-5312	Lykens Township Dauphin County	SCRO
PAG123819	PAG-12 NPDES General Permit for CAFOs	Renewal	Molly Pitcher Milk LLC 75 Goodyear Road Carlisle, PA 17015-9495	Southampton Township Cumberland County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG123836	PAG-12 NPDES General Permit for CAFOs	Renewal	Hemlock Ln Farm LP 121 Hemlock Lane Williamsburg, PA 16693-6531	Catharine Township Blair County	SCRO
PAG123844	PAG-12 NPDES General Permit for CAFOs	Renewal	North Mountain Gobbler 8310 Fort McCord Road Chambersburg, PA 17202	Dublin Township Fulton County	SCRO
PAG123902	PAG-12 NPDES General Permit for CAFOs	Renewal	Shadow Ridge Farm 2418 Bachman Road Lancaster, PA 17602-1802	Strasburg Township Lancaster County	SCRO
PAG123910	PAG-12 NPDES General Permit for CAFOs	Renewal	Noecker Gerry 3485 Tilden Road Mohrsville, PA 19541-9269	Centre Township Berks County	SCRO
PAG123920	PAG-12 NPDES General Permit for CAFOs	Renewal	Huber Harlan 118 Killinger Road Annville, PA 17003-9017	South Annville Township Lebanon County	SCRO
PAG124809	PAG-12 NPDES General Permit for CAFOs	Renewal	Hite Brock N 612 Viall Hill Road Towanda, PA 18848	Terry Township Bradford County	SCRO
PAG124827	PAG-12 NPDES General Permit for CAFOs	Renewal	Shady Rill Farm LLC 252 Tharp Road Mt Pleasant Mills, PA 17853-8310	Washington Township Snyder County	SCRO
PAG124833	PAG-12 NPDES General Permit for CAFOs	Renewal	Martin Jerry 121 Paradise Lane Lewisburg, PA 17837-7848	Buffalo Township Union County	SCRO
PAG124837	PAG-12 NPDES General Permit for CAFOs	Renewal	Joe Jurgielewicz & Son Ltd 189 Cheese Lane Hamburg, PA 19526-8057	Rockefeller Township Northumberland County	SCRO
PAG124872	PAG-12 NPDES General Permit for CAFOs	Renewal	Good View Farm LLC 1317 Glory Barn Road Canton, PA 17724-9248	Canton Township Bradford County	SCRO
PAG124873	PAG-12 NPDES General Permit for CAFOs	Renewal	Four Winds Dairy LLC 400 Vanetten Road Ulysses, PA 16948-9560	Harrison Township Potter County	SCRO
PA0233404	Single Residence STP Individual NPDES Permit	Transfer	Jonathan R & Tammy A Youmans 1605 Pine Run Road Linden, PA 17744-8145	Woodward Township Lycoming County	NCRO
PA0288730	Single Residence STP Individual NPDES Permit	Transfer	Ritchey Christopher L 12438 E Lake Road North East, PA 16428	North East Township Erie County	NWRO
2520422	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Ritchey Christopher L 12438 E Lake Road North East, PA 16428	North East Township Erie County	NWRO
4123401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Jonathan R & Tammy A Youmans 1605 Pine Run Road Linden, PA 17744-8145	Woodward Township Lycoming County	NCRO

II. Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

Northcentral Regional Office

PA0111716, Sewage, SIC Code 4941, **Wonderview Water Co. & Sanitary Facility Inc.**, P.O. Box 488, Bloomsburg, PA 17815-0488. Facility Name: Wonderview Wastewater System. This existing facility is located in Main Township, **Columbia County**.

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

The receiving stream(s), Susquehanna River (WWF, MF), is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.035 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.5
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)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	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 570-327-3693.

The EPA Waiver is in effect.

Northeast Regional Office

PA0276022, Storm Water, SIC Code 2652, **Great Northern Corporation**, 395 Strobe Road, Appleton, WI 54915. Facility Name: Great Northern Lamination. This existing facility is located in Upper Macungie Township, **Lehigh County**.

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

The receiving stream(s), Iron Run (HQ-CWF, MF), is located in State Water Plan watershed 2-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	Inst Min XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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.

Northwest Regional Office

PA0271705, Sewage, SIC Code 4952, 8800, **Andrew Sepan**, 17015 E Ithaca Circle, Aurora, CO 80013-3003. Facility Name: Andrew Sepan SRSTP. This existing facility is located in Knox Township, **Clarion County**.

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

The receiving stream(s), Lauer Run (CWF), is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Northwest Regional Office

PA0272426, Sewage, SIC Code 8800, **Gary McCleary**, 1525 Greenville Mercer Road, Mercer, PA 16137-1827. Facility Name: Gary McCleary SRSTP. This existing facility is located in Jefferson Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to Neshannock Creek (TSF), is located in State Water Plan watershed 20-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Southcentral Regional Office

PA0246468, Concentrated Animal Feeding Operation (CAFO), **Virgil Gutshall Jr (Beaver Ridge Farm)**, 1400 Fowler Hollow Road, Blain, PA 17006-6260.

Gutshall Virgil Jr has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Beaver Ridge Farm, located in Jackson Township, **Perry County**.

The CAFO is situated near Unnamed Tributary to Sherman Creek (HQ-CWF) and Unnamed Tributary to Sherman Creek (HQ-CWF, MF) in Watershed 7-A, which is classified for High Quality—Cold Water, Migratory Fish, and High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 428.97 animal equivalent units (AEUs) consisting of 3,000 swine finishers, 5 beef finishers, and 1 horse. Manure is stored in two separate circular concrete tanks. 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.

Southcentral Regional Office

PA0260550, Concentrated Animal Feeding Operation (CAFO), **Oakryn Family Farm LLC (Oakryn Family Farm LLC)**, 222 Little Britain Church Road, Peach Bottom, PA 17563-9620.

Oakryn Family Farm LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Oakryn Family Farm LLC, located in Fulton Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to Conowingo Creek (HQ-CWF, MF) in Watershed 7-K, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 1,008.52 animal equivalent units (AEUs) consisting of 250 Lactating & Dry Cows, 100 Holstein Heifer, 90 Holstein Calf, 14,000 Layers, and 3,000 Swine Grow Finish. Liquid Manure is stored onsite in a 250' × 100' × 6' Concrete Underbarn Storage and a 120' × 14' Circular Concrete Storage. 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.

Southeast Regional Office

PA0043982, Sewage, SIC Code 4952, **Community Utilities of PA Inc. Broad Run**, 570 Hallet Road, East Stroudsburg, PA 18301-7274. Facility Name: Broad Run STP. This existing facility is located in West Bradford Township, **Chester County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	73	XXX	XXX	22	XXX	44
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	100	XXX	XXX	30	XXX	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Total Nitrogen	133	XXX	XXX	40.0	XXX	80
Ammonia-Nitrogen	20	XXX	XXX	6.0	XXX	12
Nov 1 - Apr 30						
May 1 - Oct 31	6.7	XXX	XXX	2.0	XXX	4
Total Phosphorus	6.7	XXX	XXX	2.0	XXX	4
Nov 1 - Mar 31						
Apr 1 - Oct 31	5.8	XXX	XXX	1.7	XXX	3.4

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

- I. Other Requirements
 - A. No stormwater
 - B. Property Rights
 - C. Sludge Disposal
 - D. Act 537 Approval
 - E. TRC Minimization
 - F. WQM Application

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0051985, Sewage, SIC Code 4952, **Horsham Township Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044-1207. Facility Name: Horsham Township Sewer Authority Park Creek STP. This existing facility is located in Horsham Township, **Montgomery County**.

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

The receiving stream(s), Park Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average	Daily Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Nov 1 - Apr 30	375	563	XXX	20	30 Wkly Avg	40
May 1 - Oct 31	187	281	XXX	10	15 Wkly Avg	20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	563	844	XXX	30	45 Wkly Avg	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Jul 1 - Oct 31	167.0	XXX	XXX	8.9	XXX	17.8
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	75.0	XXX	XXX	4.0	XXX	8
May 1 - Oct 31	39.4	XXX	XXX	2.1	XXX	4.2
Total Phosphorus Nov 1 - Mar 31	22.2	XXX	XXX	1.2	XXX	2.4
Apr 1 - Oct 31	11.1	XXX	XXX	0.6	XXX	1.2
Copper, Total	Report	Report	XXX	Report	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Report	XXX
PFOA (ug/L)	XXX	XXX	XXX	Report	Report	XXX
PFOS (ug/L)	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Zinc, Total (ug/L)	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
PFOA (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Raw Sewage Influent				Avg Qrtly		
PFOS (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Raw Sewage Influent				Avg Qrtly		
Total PFOA and PFOS (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Raw Sewage Influent				Avg Qrtly		
PFBS (ug/L)	XXX	XXX	XXX	Report	Report	XXX
				Avg Qrtly		
HFPO-DA (ug/L)	XXX	XXX	XXX	Report	Report	XXX
				Avg Qrtly		
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		

The proposed effluent limits for Outfall 006 are based on a design flow of 0 MGD.—Limits.

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

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

- Optimization of chlorine dosage
- Notification of designation of responsible operator
- Maintain an O&M plan
- Hauled-in waste restriction
- DRBC's seasonal fecal coliform
- Solids management for non-lagoon system
- SCS for total copper
- WETT without limits
- Stormwater requirements

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

The EPA Waiver is not in effect.

Southeast Regional Office

PA0051497, Industrial, SIC Code 3599, **Lenape Forged Products Corporation**, 1334 Lenape Road, West Chester, PA 19382-6893. Facility Name: Lenape Forged Products Corporation. This existing facility is located in Pocopson Township, **Chester County**.

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

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

The proposed effluent limits for Outfall 001 are based on an average stormwater flow—Limits.

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

The proposed effluent limits for Monitoring Point 101 are based on a design flow of 0.03 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	Report	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	10	XXX	30
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Free	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Total	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Monitoring Point 101 are based on a design flow of 0.03 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Condition
- D. BAT/ELG Reopener
- E. 2-degree Change in Temperature
- F. Stormwater Outfall Requirement

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

The EPA Waiver is not in effect.

Southeast Regional Office

PAI130527, MS4, **Upper Uwchlan Township, Chester County**, 140 Pottstown Pike, Chester Springs, PA 19425-9516.

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 Upper Uwchlan Township, **Chester County**. The receiving stream(s), East Branch Brandywine Creek (HQ-TSF, MF), Unnamed Tributary to Black Horse Creek (HQ-TSF, MF), Black Horse Creek (HQ-TSF, MF), Pickering Creek (HQ-TSF, MF), Marsh Creek (HQ-TSF, MF), Unnamed Tributary to Marsh Creek (HQ-TSF, MF), and Unnamed Tributary to Pickering Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-D and 3-H and is classified for Migratory Fish and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

Southeast Regional Office

PA0244228, Storm Water, SIC Code 3272, 3273, **HYK Construction Company Inc.**, 430 Bridge Road, Collegeville, PA 19426. Facility Name: Rahns Const Material Co. This existing facility is located in Perkiomen Township, **Montgomery County**.

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

The receiving stream(s), Perkiomen Creek (WWF, MF), is located in State Water Plan watershed 3-E and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- I. Stormwater Outfalls and Authorized Non-Stormwater Discharges
- II. Best Management Practices (BMPs)

- III. Routine Inspections
- IV. Preparedness, Prevention and Contingency (PPC) Plan
- V. Stormwater Monitoring Requirements
 - A. Acquire Necessary Property Rights
 - B. Sludge Disposal Requirement
 - C. BMPs to Control TSS and pH
 - D. Remedial Measures if Public Nuisance
 - E. 10-year, 24-Hour Rainfall Event Definition

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0245631, Storm Water, SIC Code 2038, **Universal Pure Co.**, 8 Lee Boulevard, Malvern, PA 19355. Facility Name: Universal Pure Malvern Facility. This proposed facility is located in Malvern Borough, **Chester County**.

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

The receiving stream, Unnamed Tributary to Valley Creek (EV, MF), is located in State Water Plan watershed 3-F and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an average stormwater flow—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	30	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	120	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	5.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

- A. Stormwater Outfalls
- B. Best Management Practices
- C. Stormwater Monitoring
- D. Routine Inspections
- E. PPC Plan
- F. Acquire Necessary Property Rights
- G. Proper Sludge Disposal
- H. No PCBs Discharge

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0025003, Sewage, SIC Code 8412, **Laurel Highlands Outdoor Center**, P.O. Box 107, Ohiopyle, PA 15470-0107. Facility Name: Tub Run Recreation Area. This existing facility is located in Henry Clay Township, **Fayette 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), Youghiogheny River (WWF), is located in State Water Plan watershed 19-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean 25.0	XXX	50.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Daily Max Report	XXX	XXX
				Daily Max		

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.

Southwest Regional Office

PA0028452, Sewage, SIC Code 4952, **Dunkard Township & Bobtown Municipal Authority**, P.O. Box 352, Bobtown, PA 15315-0352. Facility Name: Dunkard Bobtown STP. This existing facility is located in Dunkard Township, **Greene 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, Dunkard Creek (WWF), is located in State Water Plan watershed 19-G 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 .15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	0.15	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	31.3	47.6	XXX	25.0	38.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	37.6	56.3	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	20.7	31.0	XXX	Geo Mean 16.5	24.8	33
Nov 1 - Apr 30						
May 1 - Oct 31	6.9	10.3	XXX	5.5	8.3	11

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Weekly</i>		<i>Average</i>	<i>Weekly</i>	
	<i>Monthly</i>	<i>Average</i>		<i>Monthly</i>	<i>Average</i>	
Ultraviolet light dosage (mjoules/cm ²)	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Weekly</i>		<i>Average</i>	<i>Weekly</i>	
	<i>Monthly</i>	<i>Average</i>		<i>Monthly</i>	<i>Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Weekly</i>		<i>Average</i>	<i>Weekly</i>	
	<i>Monthly</i>	<i>Average</i>		<i>Monthly</i>	<i>Average</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Daily Max Report	XXX	XXX
				Daily Max		

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Operator Notification
- F. Solids Management

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.

Southwest Regional Office

PA0047228, Sewage, SIC Code 4952, **Pennsbury Village Borough, Allegheny County**, 1043 Pennsbury Boulevard, Pittsburgh, PA 15205-1643. Facility Name: Pennsbury Village. This existing facility is located in Pennsbury Village Borough, **Allegheny County**.

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

The receiving stream(s), Tributary 36786 of Chartiers Creek (WWF), is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Average</i>		<i>Average</i>	<i>Maximum</i>	
	<i>Monthly</i>	<i>Weekly</i>		<i>Monthly</i>		
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Average</i>		<i>Average</i>	<i>Maximum</i>	
	<i>Monthly</i>	<i>Weekly</i>		<i>Monthly</i>		
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.07

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Weekly</i>		<i>Average</i>	<i>Weekly</i>	
	<i>Monthly</i>	<i>Average</i>		<i>Monthly</i>	<i>Average</i>	
Flow (MGD)	0.170	Report Daily Max	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	35.5	53.2	XXX	25	37.5	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	42.6	63.8	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 5.5	11.0	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	2.3	Daily Max 4.6	XXX
May 1 - Oct 31	XXX	XXX	XXX	Report	Daily Max XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Daily Max Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Daily Max XXX	XXX	Report

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

- A compliance period for total residual chlorine and dissolved oxygen in Part C. II. A.

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.

Southwest Regional Office

PA0002887, Industrial, SIC Code 3547, **Union Electric Steel Corporation**, P.O. Box 465, Carnegie, PA 15106-0465. Facility Name: Carnegie Plant. This existing facility is located in Carnegie Borough, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of industrial waste, groundwater, and stormwater.

The receiving streams, Chartiers Creek (WWF) and Whiskey Run (WWF), are located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Internal Monitoring Point 105 are based on a design flow of 0.003 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</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
Total Suspended Solids	XXX	XXX	XXX	XXX	62.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0

The proposed effluent limits for Internal Monitoring Point 205 are based on a design flow of 0.0012 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</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
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.028 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Free Available Chlorine	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	31.0	60.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 009 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

Outfalls 006—008, and 010 are authorized to discharge storm water that is not exposed to industrial activities.

In addition, the permit contains the following major special conditions: requirements for chemical additives; requirements for storm water associated with industrial activities; a prohibition on discharges of PCBs and Chlordane; and a requirement to have no net addition of pollutants to non-contact cooling water.

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.

Southwest Regional Office

PA0216097, Industrial, SIC Code 3462, **Johnstown Recovery System LLC**, 100 Iron Street, Johnstown, PA 15906-2610. Facility Name: Johnstown Recovery Systems. This existing facility is located in Johnstown City, **Cambria 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), Conemaugh River (WWF), is located in State Water Plan watershed 18-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 Outfalls 308 and 311 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

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

- Requirements for Stormwater Outfalls

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.

Southwest Regional Office

PA0253359, Industrial, SIC Code 4941, Permittee: **Cambria Somerset Authority**, 227 Franklin Street, Suite 306, Johnstown, PA 15901-1916; Co-permittee: **CPV Fairview, LLC**, 1 North Lexington Avenue, Suite 1400, White Plains, NY 10601-1724. Facility Names: Cambria Somerset Authority and CPV Fairview Energy Center. The existing facilities are located in Quemahoning Township, **Somerset County**, and Jackson Township, **Cambria County**, respectively.

Description of Existing Activity: The application is for renewal of an NPDES permit for existing discharges of untreated excess reservoir supply water and treated industrial waste.

The receiving streams, the Conemaugh River (WWF), Hinckston Run (WWF), and Peggys Run (WWF), are located in State Water Plan watershed 18-D and 18-E and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.8 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
Copper, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	1.5	3.0	3.8
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Zinc, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 4.24 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum		Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.184	XXX	0.430
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
Iron, Total	Report	Report	XXX	1.5	3.0	3.8
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 003 are based on a design flow of 7.42 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Average	Instant.	Average	Daily	
	Monthly	Weekly		Quarterly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.018	XXX	0.041
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Copper, Total (µg/L)	XXX	XXX	XXX	7.74	11.4	11.4
				Avg Mo		
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.8
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 1.19 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Free Available Chlorine	0.170	0.426	XXX	Report	Report	XXX
Temperature (°F)	XXX	XXX	XXX	Report	XXX	110.0
Total Suspended Solids	4.43	14.84	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	Report	Report	XXX
Manganese, Total	Report	Report	XXX	Report	Report	XXX
PFOA (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (µg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 201 are based on a design flow of 0.180 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</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	Report	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 301 are based on a design flow of 1.03 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</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	Report	XXX	XXX	Report
Free Available Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Zinc, Total	XXX	XXX	XXX	Avg Qrtly 1.0	1.0	XXX

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

- No detectable amounts of the 126 Priority Pollutants from chemicals added for cooling tower maintenance
- Operation of the supply water distribution system to ensure that users who have requested not to receive reclaim water from CPV do not receive that water
- Requirements to demonstrate compliance with TRC limits at Outfall 003 for limits below target quantitation limits
- Requirement for CSA to apply for any permits necessary to modify CSA's supply pipeline system
- Requirement to develop and implement a Pollution Prevention Contingency Plan
- Flow monitoring and reporting of water withdrawal volumes, conservation release volumes, and water supply volumes
- Requirements to identify, justify, and maintain the Best Technology Available to minimize adverse impacts from impingement and entrainment at four cooling water intake structures under Section 316(b) of the Clean Water Act

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

The EPA Waiver is not in effect.

Southwest Regional Office

PAI136146, MS4, Whitehall Borough, Allegheny County, 100 Borough Park Drive, Pittsburgh, PA 15236-2042.

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 Whitehall Borough, **Allegheny County**. The receiving stream(s), Unnamed Tributaries to Sawmill Run (WWF), Streets Run (WWF), and Unnamed Tributary to Streets Run (WWF), are located in State Water Plan watershed 19-A and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

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

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

Southwest Regional Office

PA0285269, Storm Water, SIC Code 3826, **Extrel CMS LLC**, 575 Epsilon Drive, Pittsburgh, PA 15238-2812. Facility Name: Extrel CMS LLC. This proposed facility is located in O'Hara Township, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary to Squaw Run (HQ-WWF), is located in State Water Plan watershed 18-A 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 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	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.

III. Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity.

Northeast Regional Office

Applicant: **Saucon Enterprise, c/o Eugene Jasin**

Applicant Address: P.O. Box 63, Line Lexington, PA 18932

Application Number: **PAD390288**

Application Type: New

Municipality/County: Lower Milford Township, **Lehigh County**

Project Site Name: Village Center Plaza Lots 2—4

Total Earth Disturbance Area (acres): 4.11 acres

Surface Waters Receiving Stormwater Discharges: UNT to Saucon Creek (HQ-CWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Construction of 3 residential lots located within the approved Village Center Plaza subdivision along with associated driveways and utilities.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

Northeast Regional Office

Applicant: **CLPF MRPI Nazareth, LLC**

Applicant Address: 1717 McKinney Ave., Suite 1900, Dallas, TX 75202-1253

Application Number: **PAD480177 A-2**

Application Type: Major Amendment

Municipality/County: Palmer Township, **Northampton County**

Project Site Name: MRPI Main Street Site

Total Earth Disturbance Area (acres): 48.0 acres

Surface Waters Receiving Stormwater Discharges: Schoeneck Creek (WWF, MF) and EV Wetlands

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The overall project entails construction of two new warehouse/distribution centers totaling 645,460 square feet. Development of the site will also include construction of one (1) access drive, one (1) emergency access drive, truck courts, employee parking areas, site utilities, landscaping amenities, stormwater collection and conveyance systems and other site improvements. The major amendment includes changes to the previously approved MRC basin and raingardens to avoid conflicts and comply with Act 167 requirements.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

Regional Permit Coordination Office

Applicant: **JFM Holding, LLC**

Applicant Address: 55 Lower Hillside Road, P.O. Box 137, Stevens, PA 17578

Application Number: **PAD380039**

Application Type: New

Municipality/County: Millcreek Township, **Lebanon County**

Project Site Name: John F. Martin & Sons

Total Earth Disturbance Area (acres): 53.7 acres

Surface Waters Receiving Stormwater Discharges: Tributary to Tulpehocken Creek (HQ-CWF, MF) and Mill Creek (TSF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: JFM Holdings is proposing to construct a cold storage facility and related site improvements including parking lots, access drives, private water, public sewer, stormwater collection and conveyance systems, and stormwater management facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

Northeast Regional Office

Applicant: **Provo Pinegood Tamaqua, LLC**

Applicant Address: 795 East Lancaster Avenue, Suite 200, Villanova, PA 19085-1500

Application Number: **PAD540037**

Application Type: New

Municipality/County: Rush Township, **Schuylkill County**

Project Site Name: Proposed Wawa—Tamaqua

Total Earth Disturbance Area (acres): 3.94 acres

Surface Waters Receiving Stormwater Discharges: 1. Nesquehoning Creek (HQ-CWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The development of a 21.1-acre parcel into a proposed 6,049 ft² Wawa Food Market and gas station with six (6) multi-product gasoline dispensers, keeping the existing beverage distributor building, and provide parking lot improvements. The project includes the installation of paving, utilities, landscaping, and stormwater management controls.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

Northwest Regional Office

Applicant: **Penn United Technologies Inc.**

Applicant Address: 799 North Pike Road, Cabot, PA 16023

Application Number: **PAD100023**

Application Type: New

Municipality/County: Jefferson Township, **Butler County**

Project Site Name: Penn United Addition

Total Earth Disturbance Area (acres): 5.29 acres

Surface Waters Receiving Stormwater Discharges: UNT to Little Buffalo Creek (HQ, TSF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: To expand the current commercial facility along Durango Lane in Jefferson Township, Butler County, PA including building construction, parking, roadways, erosion and sediment control facilities, stormwater management facilities, utilities, and all other ancillary amenities creating 5.29 acres of earth disturbance and a total of 5.41 acres of impervious area on the 15-acre site.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 814-332-6078.

Southcentral Regional Office

Applicant: **HSS Investors, LLC**

Applicant Address: 115 Limekiln Road, New Cumberland, PA 17070

Application Number: **PAD210120**

Application Type: New

Municipality/County: Silver Spring Township, **Cumberland County**

Project Site Name: HSS Investors, LLC

Total Earth Disturbance Area (acres): 190.7 acres

Surface Waters Receiving Stormwater Discharges: Hogestown Run (CWF, MF) via EV Wetlands

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Three building warehouse facility.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

Regional Permit Coordination Office

Applicant: **Pennsylvania Turnpike Commission**

Applicant Address: 700 S Eisenhower Blvd, Middletown, PA 17057

Application Number: **PAD310015**

Application Type: New

Municipality/County: East Providence Township, Dublin Township, Taylor Township, Dublin Township, Fannett Township, Lurgan Township, and Metal Township, **Bedford County, Fulton County, Huntingdon County, and Franklin County.**

Project Site Name: PTC Fiber Optic Project 3, Phase 3

Total Earth Disturbance Area (acres): 2.72 acres

Surface Waters Receiving Stormwater Discharges: tributaries of Raystown Branch Juniata River (WWF, MF); tributaries to West Branch Conococheague Creek (CWF, MF); West Branch Conococheague Creek (CWF, MF); Trout Run (EV, MF); tributaries to Clippingers Run (WWF, MF); Clippingers Run (WWF, MF); tributaries of Laughlin Run (WWF,

MF); tributaries to Wooden Bridge Creek (HQ-CWF, MF); tributaries of Lick Branch (HQ-CWF, MF); Wooden Bridge Creek (HQ-CWF, MF); tributaries to Fortune Teller Creek (CWF, MF); Fortune Teller Creek (CWF, MF); tributaries of Licking Creek (CWF, MF); tributaries of Little Aughwick Creek (TSF, MF); Tenmile Run (TSF, MF); tributaries to Ninemile Run (TSF, MF); Ninemile Run (TSF, MF); South Branch Little Aughwick Creek (HQ-CWF, MF); tributaries to South Branch Little Aughwick Creek (HQ-CWF, MF); and tributaries of North Branch Little Aughwick Creek (HQ-CWF, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: This project is for the installation of fiber optic cables along the Pennsylvania Turnpike mainline I-76. The cable will be installed from MP 161.30 to MP 201.24 within the paved shoulder. The cable will primarily be installed via micro-trenching, however there will be portions of open cut trenching outside of paved roadway or within existing conduits. The project will also terminate the fiber at key demarcation locations, such as interchange plaza or maintenance buildings in order to support the communications network. Support activities such as temporary on site laydown yards and soil stockpile areas are included in this project.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

Southwest Regional Office

Applicant: Pittsburgh Water and Sewer Authority

Applicant Address: 1200 Penn Ave., Pittsburgh, PA 15222

Application Number: PAD020080

Application Type: New

Municipality/County: City of Pittsburgh, **Allegheny County**

Project Site Name: Bruecken Pump Station

Total Earth Disturbance Area (acres): 3.81 acres

Surface Waters Receiving Stormwater Discharges: Allegheny River (WWF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The Pittsburgh Water and Sewer Authority (PWSA) is planning to replace the existing Bruecken Pump Station (BPS). This project is required as part of a Consent Order and Agreement (CO&A) with the Pennsylvania Department of Environmental Protection (DEP) that the Pittsburgh Water and Sewer Authority (PWSA) entered on September 6, 2019 and amended May 2020. This project is a key component in the implementation of the planned renewal of the PWSA water supply and transmission system. The BPS currently has six pumps which convey finished water via two 50-inch rising mains to the Highland No. 1 reservoir and two 48-inch rising mains to the Highland No. 2 reservoir. The pumps have a firm capacity of 28 million gallons per day (MGD) and 24 MGD to each Highland Reservoir No. 1 and No. 2, respectively. The Highland No. 2 reservoir also receives flow from the BPS via gravity connection from Lanpher Reservoir, operating in the same pressure district. The BPS also delivers water directly to customers via a hydraulic control structure upstream of the Highland No. 1 reservoir. The Bruecken Pump Station Improvements Project involves the mothballing the existing pump station, demolishing the existing garage building, and constructing a new pump station and orthophosphate buildings where the garage is now located, along with a new wet well and superstructure that will be constructed adjacent to the existing pump station with six new 20 MGD vertical turbine pumps, and a tie in structure from the 84" suction line to the proposed pump station. In addition, new or relocated/replaced water, electrical, gas, and stormwater utilities will be constructed along with two underground stormwater detention facilities that will discharge to two existing stormwater outfalls. No work inside the existing Bruecken pump station building so the pump station building footprint is excluded from the LOD for the Bruecken site.

Special Conditions: All limitations, conditions, procedures, testing, and monitoring which is in the Soil Management Plan (SMP) and site characterization provided with this application are to be followed. No deviation from the SMP is permitted without written authorization from the Department (DEP). If contaminants or conditions with the potential to cause pollution are found during construction which are beyond the scope of the SMP or Act 2 considerations, DEP and the County Conservation District shall be notified and measures implemented to contain potential pollution sources immediately upon discovery. Any contaminated material to be transported and disposed of off-site including but not limited to pumped groundwater may require permitting with DEP's Waste Management or Clean Water programs. These permits should be anticipated and shall be secured prior to earth disturbance.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Southwest Regional Office

Applicant: **Bognar and Company, Inc.**

Applicant Address: 733 Washington Rd, Pittsburgh, PA 15228

Application Number: **PAD560013**

Application Type: New

Municipality/County: Black Township, **Somerset County**

Project Site Name: Bognar Somerset Plan

Total Earth Disturbance Area (acres): 4.2 acres

Surface Waters Receiving Stormwater Discharges: Laurel Run (WWF) and Bromm Run (WWF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: This is a new application for the regrading and restoration of existing clay stockpiles, as required by DEP, at the Bognar Somerset Plant. The plant manufactures carbon products for steel mills. The stormwater volume will not increase from pre- to post-construction, therefore no new stormwater management facilities are proposed. In order to qualify as a restoration project, any disturbed areas will be restored with native meadow seeding.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

Northeast Regional Office

Applicant: **Crazy Trout, LLC**

Applicant Address: 469 Forest Street, Lehigh, PA 18235

Application Number: **PAD130045**

Application Type: New

Municipality/County: Franklin Township, **Carbon County**

Project Site Name: Fazenda Fishing Camp

Total Earth Disturbance Area (acres): 3.94 acres

Surface Waters Receiving Stormwater Discharges: 1. Sawmill Run (EV, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: The development will consist of a lodge (with kitchen facilities and bar) and 10 private cabins. The existing office, fishing ponds and other outbuilding are to remain. The existing building (old klecka store and office) will be utilized as the office. The complex will utilize a private well and on-lot septic system. Existing parking and additional parking is planned to accommodate 50 guests.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

Southwest Regional Office

Applicant: **Peoples Natural Gas Company LLC**

Applicant Address: 375 North Shore Drive, Pittsburgh, PA 15212

Application Number: **PAD630080**

Application Type: New

Municipality/County: Nottingham Township, **Washington County**

Project Site Name: Ginger Hill Road

Total Earth Disturbance Area (acres): 16 acres

Surface Waters Receiving Stormwater Discharges: UNT 39603 to Mingo Creek (HQ-TSF), UNT 63948 to Sawmill Creek (WWF), and Dry Run (WWF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: This is a new application for the development of a new maintenance facility for Peoples Natural Gas. Peoples Natural Gas proposes to raze their existing facility and construct a new maintenance facility consisting of a new 28,090-square foot building, pad grading, stockpile area, impervious parking areas with drive aisles, and an aboveground stormwater management facility. The stormwater management facility, which consists of a Managed Release Concept (MRC) basin and a detention basin, has been designed to manage both the initial improvements and future construction of additional structures.

Special Conditions: 1. Earth disturbance may not commence until all Act 537 authorizations have been obtained.

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling 717-787-8821.

Individuals wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Individuals in need of accommodations should contact the SCC through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ACT 38

NUTRIENT MANAGEMENT PLANS

CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Aaron Warner 18826 New Fording Road Broad Top, PA 16621	Huntingdon County	444.36	792	Swine	NA	Renewal
Willie Weiler— Weiler Creek Farm LLC 190 Musselman Road Bethel, PA 19507	Berks County	21.2	306.20	Poultry (Broilers) and Bulls	NA	Renewal
Green Valley Swine 2266 Junction Road Seven Valleys, PA 17360	York County	256.6	2,150.79	Swine	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should

include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

SAFE DRINKING WATER

Application(s) Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.

Application No. 4124506, Construction, Public Water Supply.

Applicant	Jersey Shore Area Joint Water Authority
Address	1111 Bardo Avenue Jersey Shore, PA 17740
Municipality	Jersey Shore Borough Jersey Shore
County	Lycoming County
Responsible Official	Eric Johnston 1111 Bardo Avenue Jersey Shore, PA 17740
Consulting Engineer	Christopher M Eckenrode 3121 Fairway Drive Altoona, PA 16602
Application Received	May 8, 2024
Description	Replacing its existing water treatment plant.

Application No. 4496031-A20, Construction, Public Water Supply.

Applicant	Tulpenhocken Mountain Spring Water Inc.
Address	750 Point Twp Drive Northumberland, PA 17857
Municipality	City of Sunbury
County	Northumberland County
Responsible Official	Greg Miles 750 Point Twp Drive Northumberland, PA 17857
Consulting Engineer	Jillian M Olsen P.O. Box 267 Sciota, PA 18354

Application Received	May 7, 2024
Description	Addition of a new source.

Application No. 1424510, Construction, Public Water Supply.

Applicant	Pleasant Gap Dollar General
Address	586 East College Avenue Pleasant Gap, PA 16823
Municipality	College Township
County	Centre County
Responsible Official	Chad Shafer 2021 McKinney Ave Suite 1150 Dallas, TX 75201

Consulting Engineer	Robert Schemmerwng 2909 Conococheague Lane Greencastle, PA 17225
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Application Received	May 8, 2024
Description	4 Log Disinfection

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

Application No. 4024504, Construction, Public Water Supply.

Applicant	Acadia Healthcare Company, Inc.
Address	890 Bethel Hill Road Shickshinny, PA 18655
Municipality	Fairmount Township
County	Luzerne County
Responsible Official	Stacy Smith Director of Facilities Acadia Healthcare Company, Inc. 890 Bethel Hill Road Shickshinny, PA 18655
Consulting Engineer	Chase A. Kelch, P.E. Kelch Engineering 2836 Brushy Ridge Road Montoursville, PA 17754

Application Received	April 21, 2024
Description	Permit application for the installation of an iron and manganese removal system and new finished water storage tanks including appurtenant facilities.

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Darin Horst, Environmental Engineer, 717-705-4948.

Application No. 0624507, Construction, Public Water Supply.

Applicant	Pennsylvania-American Water Company
Address	920 Mountain Home Road Sinking Spring, PA 19608
Municipality	Exeter Township

County **Berks County**
 Responsible Official Bruce Aiton
 852 Wesley Drive
 Mechanicsburg, PA 17055

Consulting Engineer Mott MacDonald
 325 Chestnut Street
 Suite 300
 Philadelphia, PA 19106

Application Received February 6, 2024

Description Installation of PFAS treatment
 for Glen Alsace District wells
 No. 8, 9 and 9A.

Application No. 3624510, Construction, Public Water Supply.

Applicant **Eastern Lancaster County School District**

Address 669 East Main Street
 P.O. Box 609
 New Holland, PA 17557

Municipality Earl Township

County **Lancaster County**

Responsible Official Lars White
 669 East Main Street
 P.O. Box 609
 New Holland, PA 17557

Consulting Engineer James R. Holley & Associates,
 Inc.
 18 South George Street
 Suite 300
 York, PA 17401

Application Received April 3, 2024

Description Addition of SLI-DP blended
 potassium phosphate for
 corrosion control.

Contact: Darin Horst, Environmental Engineer, 717-705-4708.

Application No. 0624504, Construction, Public Water Supply.

Applicant **Pennsylvania-American Water Company**

Address 920 Mountain Home Road
 Sinking Spring, PA 19608

Municipality Spring Township

County **Berks County**

Responsible Official Bruce Aiton
 852 Wesley Drive
 Mechanicsburg, PA 17055

Consulting Engineer Mott MacDonald
 325 Chestnut Street
 Suite 300
 Philadelphia, PA 19106

Application Received February 6, 2024

Description Installation of PFAS treatment
 at Penn District Wells No. 19
 and 20.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: RA-EPSWSDW@pa.gov.

Application No. 0224526, Construction, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**

Address 124 Park and Pool Road
 New Stanton, PA 15672

Municipality City of McKeesport

County **Allegheny County**

Responsible Official Michael Kukura
 124 Park and Pool Road
 New Stanton, PA 15672

Consulting Engineer Gibson-Thomas Engineering
 Company, Inc.
 1004 Ligonier Street
 P.O. Box 853
 Latrobe, PA 15650

Application Received May 2, 2024

Description Application received from the
 Municipal Authority of
 Westmoreland County,
 McKeesport, for the construction
 of a new raw water pump
 station, a new chemical injection
 vault, and a new chemical
 storage building.

Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.

Application No. 6324501, Construction, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Address 852 Wesley Drive
 Mechanicsburg, PA 17055

Municipality North Strabane Township

County **Washington County**

Responsible Official Bruce Aiton
 852 Wesley Drive
 Mechanicsburg, PA 17055

Consulting Engineer Gwin, Dobson & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602

Application Received May 13, 2024

Description Pennsylvania-American Water
 Company (PAWC) is proposing to
 install a new prefabricated
 booster pump station (BPS) to
 replace the existing Hannas
 Knob BPS in their McMurray
 District. PAWC is also proposing
 to install a main extension from
 the new proposed Hannas Knob
 BPS discharge to the nearby
 Linden Road gradient.

Application No. 4560874, Construction, Public Water Supply.

Applicant **Highlands Ventures LLC**

Address 231 County Line Road
 Champion, PA 15622

Municipality Middlecreek Township

County **Somerset County**

Responsible Official	Eric Mauck 231 County Line Road Champton, PA 15622
Consulting Engineer	Apex Companies, LLC 165 E. Union Street Somerset, PA 15501
Application Received	May 10, 2024
Description	Installation of a sodium hypochlorite disinfection system to provide 4-log treatment for the Highlands Market water system.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notice(s) of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101–6026.908).

Sections 302–305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where an individual proposes to, or has been required to, respond to a release of a regulated substance at a site. Individuals intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a NOI to Remediate with DEP. A NOI to Remediate filed with DEP provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. An individual who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified individual, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following Notice(s) of Intent to Remediate.

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Your Choice (Former Baron's Service Station), Primary Facility ID # **871214**, 1130 State Route 93, Drums, PA 18222, Sugarloaf Township, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512 on behalf of SAI Sugarloaf Realty, LLC, 1 Buckhorn Road, Bloomsburg, PA 17815, submitted a Notice of Intent to Remediate. Soil was contaminated with heating oil from an underground storage tank. The Notice of Intent to Remediate was published in *The Standard Speaker* on May 2, 2024. Application received: May 9, 2024.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.

4690 Fahringer Drive, Primary Facility ID # **875326**, 4690 Fahringer Drive, York, PA 17406, Hellam Township, **York County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Mr. Shane Kuhn, 4690 Fahringer Drive, York, PA 17406, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with No. 2 Fuel Oil. The site will be remediated to the Statewide health standard. Future use of the site is residential. The Notice of Intent to Remediate was published in *York Daily Record and York Dispatch* on April 22, 2024. Application received: May 1, 2024.

4690 Fahringer Drive, Primary Facility ID # **875326**, 4690 Fahringer Drive, York, PA 17406, Hellam Township, **York County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Edris Oil Service, 1225 Columbia Avenue, York, PA 17404, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with No. 2 Fuel Oil. The site will be remediated to the Statewide Health Standard. Future use of the site is residential. The Notice of Intent to Remediate was published in *York Daily Record and York Dispatch* on April 22, 2024. Application received: May 1, 2024.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Gryphin Coatings, Inc. Facility, Primary Facility ID # **817323**, 3501-3549 Richmond Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. Terence A. O'Reilly, PG, TriState Environmental Management Services, 3937A Bristol Pike, Bensalem, PA 19020 on behalf of George Manosis, Dooling Properties, LLC (successor company to 5627-41 Hegerman Street, LLC), 1817 East Venango Street, Suite 101, Philadelphia, PA 19134, submitted a Notice of Intent to Remediate. George

Manosis, Dooling Properties, LLC (successor company to 5627-41 Hegerman Street, LLC) 1817 East Venango Street, Suite 101, Philadelphia, PA 19134 The Notice of Intent to Remediate was published in the *Metro Philadelphia* on April 24, 2024. Application received: April 23, 2024.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

EQT Lumber Well Pad, Primary Facility ID # **860440**, 454 Martin Hill Road, New Freeport, PA 15352, Springhill Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301 on behalf of EQT Production Company, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15212, submitted a Notice of Intent to Remediate. Soils at the site were impacted by inorganic constituents associated with production fluid. Remediation measures include source removal. The intended future use of the property will be residential and will maintain continued production of the well. The Notice of Intent to Remediate was published in the *Observer-Reporter* on April 7, 2024. Application received: April 18, 2024.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Application(s) Received 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.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager 412-442-4000.

PAD982576258. Safety-Kleen Systems, Inc., 650 Noble Drive, West Mifflin, PA 15122, West Mifflin Borough, **Allegheny County**. A RCRA Part B Permit renewal application was submitted for the Safety-Kleen West Mifflin Service Center located at 650 Noble Drive, West Mifflin, Allegheny County, PA. Application received: April 5, 2024. Deemed administratively complete: May 13, 2024.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMITS@pa.gov.

WMGR081SE002, Keystone Memory Group, LLC, 2221 Cabot Blvd. West, Langhorne, PA 19047, Middletown Township, **Bucks County**. This general permit application is for the renewal of the Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at the 2221 Cabot Blvd West Facility, located at 2221 Cabot Blvd West in Middletown Township, Bucks County. Application received: April 1, 2024. Deemed administratively complete: April 4, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

WMGR123SW056, EQM Gathering OPCO, LLC, 2200 Energy Drive, Canonsburg, PA 15317, Jackson Township, **Greene County**. An application to modify coverage under WMGR123SW056 was received. EQM Gathering OPCO, LLC is proposing to increase truck traffic to the Marlin Aboveground Storage Tank Facility located at 401 Aleppo Road, New Freeport, PA 15352. Application received: February 12, 2024. Deemed administratively complete: May 9, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northwest Region: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

PAD987396322. Scrubgrass Reclamation Company L.P., 2151 Lisbon Road, Kennerdell, PA 16374, Scrubgrass Township, **Venango County**. Beneficial use of Coal Ash Project. Project use is being changed from a solar panel project to a direct air capture of CO₂ project.

All other aspects of the project remain unchanged. Application received: April 26, 2024.

Comments or questions concerning the application should be directed to Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

301366. Bear Lake Properties, LLC, 5459 State Route 29, Springville, PA 18844, Columbus Township, **Warren County**. Bear Lake Properties, LLC currently owns and operates a residual waste transfer facility with five (5) permitted USEPA Class II UIC Saltwater Disposal Wells. Oil and gas liquid wastes are transported to the facility, offloaded, filtered, and disposed into the injection wells. BLP submitted a permit renewal for the transfer facility. Application received: May 10, 2024.

Comments or questions concerning the application should be directed to Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMITTS@pa.gov.

101188. Delaware County Solid Waste Authority, 610 East Baltimore Pike, Media, PA 19063, Chester Township, **Delaware County**. This application is for a ten (10) year permit renewal to continue operation at the Delaware County Transfer Station No. 1, a municipal waste transfer facility, located at 2300 Concord Road in Chester Township, Delaware County. Application received: April 23, 2024. Deemed administratively complete: May 1, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

101103. Delaware County Solid Waste Authority, 610 East Baltimore Pike, Media, PA 19063, Marple Township, **Delaware County**. This application is for a ten (10) year permit renewal to continue operation at the Delaware County Transfer Station No. 3, a municipal waste transfer facility, located at 895 Sussex Boulevard in Marple Township, Delaware County. Application received: April 23, 2024. Deemed administratively complete: May 3, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Re-

lay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

101609. BFI Transfer Systems of Pennsylvania, LLC, 4400 Mount Pisgah Road, York, PA 17406, Upper Merion Township, **Montgomery County**. This application is for a ten (10) year permit renewal of the BFI Transfer Systems of Pennsylvania, LLC's River Road Transfer Station, located at 400 Schuylkill River Road, West Conshohocken, PA in Upper Merion Township, Montgomery County. Application received: April 12, 2024. Deemed administratively complete: April 29, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

101390. Waste Management of Pennsylvania, Inc., 400 Progress Drive, Telford, PA 18969, Hilltown Township, **Bucks County**. This application is for a ten (10) year permit renewal to continue operation at the Waste Management of Pennsylvania, Inc.'s Indian Valley Transfer Station Facility, located at 400 Progress Drive, Telford, PA in Hilltown Township, Bucks County. Application received: April 26, 2024. Deemed administratively complete: April 30, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

301165. Emanuel Tire Management Pennsylvania, LLC, 1251 Conshohocken Road, Conshohocken, PA 19428, Plymouth Township, **Montgomery County**. This application is for permit reissuance due to the transfer of ownership of the Emanuel Tire of Pennsylvania facility from "Emanuel Tire of Pennsylvania, Inc." to "Emanuel Tire Management Pennsylvania, LLC." The Emanuel Tire of Pennsylvania facility is a permitted residual waste facility located at 1251 Conshohocken Road in Plymouth Township, Montgomery County. Application received: April 23, 2024. Deemed administratively complete: May 1, 2023.

Comments or questions concerning the application should be directed to Waste Management Program Manager, 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITTS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Northwest Region: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

WMGM055NW002. WB McKean LLC—McKean RNG Plant, 150 Monument Road # 300, Bala Cynwyd, PA 19004, Sergeant Township, **McKean County**. Construction of a new RNG processing facility that will process and refine landfill gas (LFG) to produce RNG for sale and distribution. Application received: May 7, 2024.

Questions concerning the application should be directed to Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Northwest Region: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

WMGR123NW021. PennEnergy Resources, LLC Ferree Well Pad, 3000 Westinghouse Drive, Suite 300, Cranberry Township, PA 16066, Middlesex Township, **Butler County**. The application requests approval to install one aboveground storage tank and secondary containment at the Ferree Tank Pad site to store, process, and beneficially reuse oil and gas liquid waste. Sources for these waters will include PER projects as well as other generators engaged in similar processes and activities (both unconventional wells and conventional wells). Water will be transmitted to and from the tank using tanker trucks and piping. Application received: May 14, 2024. Withdrawn: May 14, 2024.

Questions concerning the application should be directed to Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

WMGR081SW009. JVS Environmental, LLP, 1466 Cornerstone Road, Friedens, PA 15541, Stonycreek Township, **Somerset County**. An application for renewed coverage under Residual Waste General Permit No. WMGR081SW009 at JVS Environmental, LLP, located at 1466 Cornerstone Road, Friedens, PA 15541, was received. Application received: April 17, 2024. Deemed administratively complete: April 30, 2024.

Questions concerning the application should be directed to Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

WMGR081SW007. Evolution E-Cycling, LLC, 2235 Mary Street, Pittsburgh, PA 15203, City of Pittsburgh, **Allegheny County**. An application for renewed coverage under Residual Waste General Permit No. WMGR081SW007 at Evolution E-Cycling, LLC, located at 2235 Mary Street, Pittsburgh, PA 15203, was received. Application received: March 19, 2024. Deemed administratively complete: April 10, 2024.

Questions concerning the application should be directed to Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department of Environmental Protection (DEP) 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 DEP, 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 DEP received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, DEP'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 DEP Regional Office. Appointments for scheduling a review must be made by calling the appropriate DEP Regional Office. The address and telephone number of the Regional Office is listed before the application notices.

Individuals 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 DEP'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.

Any individual wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if DEP, 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 DEP determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

PLAN APPROVALS

Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) 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.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-30-00194D: EQM Gathering Opco, LLC, 2200 Energy Drive, Canonsburg, PA 15317, Morris Township, Greene County. Application received: February 29, 2024.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval No. PA-30-00194D for modification of an existing tri-ethylene glycol dehydration unit, which is comprised of two (2) dehydration units with a combined total capacity of 240 MMscfd sharing a reboiler and a control device. The facility is proposing to install a new reboiler and a new flare so that these two (2) dehydrators can operate independently at its Callisto Compressor Station located in Morris Township, Greene County.

After modification, the facility will consist of two (2) separate dehydrators each rated at 120 MMscfd, a new reboiler rated at 1.5 MMBtu/hr, and a new enclosed flare rated at 7.0 MMBtu/hr. Each modified dehydrator will be equipped with a dedicated reboiler and an enclosed flare. The emissions will be controlled by two (2) enclosed flares each rated at 7.0 MMBtu/hr.

The Department has determined that the proposed facility satisfies Best Available Technology (“BAT”) requirements. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.13, 123.21, 123.31, 123.41 and 127.12B; 40 CFR Part 63 Subpart HH—National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities and 40 CFR Part 98—Mandatory Greenhouse Gas Reporting Rule. The potential emissions from this project will be: 4.4 tpy NO_x, 3.8 tpy CO, 0.8 tpy PM₁₀, 1.8 tpy VOC, and 1.5 tpy Total HAPs.

The Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently modify the existing Title V Operating Permit No. TVOP-30-00194 in accordance with 25 Pa. Code Subchapter F.

The Plan Approval Application, the Department’s Air Quality Review Memorandum, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Department’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 plan approval by filing a written protest with the Department through Jesse Parihar, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; jparihar@pa.gov; or fax 412-442-4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-30-00194D), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

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 or email, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Sheri L. Guerrieri, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to shguerrier@pa.gov.

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

OPERATING PERMITS

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Norm Frederick, 570-826-2409.

48-00027, Bethlehem LDF Co., Bethlehem Facility, 2335 Applebutter Rd., Bethlehem, PA 18015-6004, Lower Saucon Township, Northampton County. Application received: August 17, 2023. The Department intends to issue a renewal Title V Operating Permit for the landfill

operations and refuse systems facility located in Lower Saucon Township, Northampton County. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G. The main sources at this facility consist of landfill operations and leachate storage. The sources are controlled by a flare. The proposed Title V Operating Permit shall include 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 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca or William Weaver; 717-705-4702.

29-05001: JLG Industries (1 JLG Way, McConnellsburg, PA 17233-9502) for the renewal of the facility's Title V operating permit, at the lift equipment manufacturing facility located in Ayr Township, **Fulton County**. The facility's 2022 actual air emissions were 5.60 tons of CO, 6.80 tons of NO_x, 0.90 ton of PM₁₀, 56.0 tons of VOC, 0.0 ton of SO_x and 1.30 tons of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for sources derived from 25 Pa. Code §§ 123, 127 and 129 for restrictions, monitoring, recordkeeping, and reporting. Source ID 135, a gasoline storage tank is subject to 40 CFR Part 60 Subpart CCCC—Standard of Performance for Gasoline Storage Tanks. Source ID 134 emergency generator RICE engines are subject to NESHAP Subpart ZZZZ. Source IDs 102—106, 114, 115 and 128 are subject to 25 Pa. Code §§ 129.111—129.115 Presumptive RACT. App received November 20, 2023.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

05-05006, Columbia Gas Transmissions, LLC, 210 Harrisburg Road, Artemas, PA 17211, Mann Township, **Bedford County**. Application received: July 25, 2023. To issue a Title V Operating Permit for the Artemas Compressor Station. This is for renewal of the Title V permit. The facility 2022 actual air emissions were the following: 20.00 tons VOC, 4.17 tons PM₁₀, 4.17 tons PM_{2.5}, 5.86 tons total HAPs, 38.00 tons NO_x, 0.18 ton SO_x, and 107.79 tons CO. 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 requirements in the permit, certain sources at the facility are subject to the requirements of 40 CFR 60 Subpart GG—Standards of Performance for Stationary Gas Turbines, 40 CFR 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR 60 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

29-05001, JLG Industries, 1 JLG Way, McConnellsburg, PA 17233-9502, Ayr Township, **Fulton County**. Application received: November 20, 2023.

For the renewal of the facility's Title V operating permit, at the lift equipment manufacturing facility.

The facility's 2022 actual air emissions were 5.60 tons of CO, 6.80 tons of NO_x, 0.90 ton of PM₁₀, 56.0 tons of VOC, 0.0 ton of SO_x and 1.30 tons of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for sources derived from 25 Pa. Code §§ 123, 127 and 129 for restrictions, monitoring, recordkeeping, and reporting. Source ID 135, a gasoline storage tank is subject to 40 CFR Part 60 Subpart CCCC—Standard of Performance for Gasoline Storage Tanks. Source ID 134 emergency generator RICE engines are subject to NESHAP Subpart ZZZZ. Source IDs 102—106, 114, 115 and 128 are subject to 25 Pa. Code §§ 129.111—129.115 Presumptive RACT.

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 Bianca, P.E., West Permitting Section Chief, Air Quality Program, 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 condition, including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the approval.

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 contacting Thomas Bianca at 717-705-4863 or at tbianca@pa.gov.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, 484-250-5920.

46-00162, Hammond Lead Products/Pottstown, 10 S Grosstown Rd, Pottstown, PA 19464, West Pottsgrove Township, **Montgomery County**. Application received: December 22, 2023. This action is for the renewal of the Title V Operating Permit for the operation of a lead oxide manufacturing plant. The facility's primary emission points are Barton manufacturing processing units, calcining, and mills. Particulate matter and lead emissions from each source are collected by baghouses and then controlled by high efficiency particulate air (HEPA) filter systems. The existing facility is considered a Title V facility due to a National Emission Standard for Hazardous Air Pollutants (NESHAP) requirement. All sources located at the facility are subject to the requirements of 40 CFR Part 63, Subpart VVVVVV—National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources (producing NAICS Code 325 materials). The facility-wide potential to emit for all criteria pollutants, including lead, is less than major source threshold levels. The facility is an area source for Hazardous Air Pollutants (HAP). There are no new sources at this facility. The permit contains all applicable requirements including monitoring, recordkeeping and reporting. The Compliance Assurance Monitoring (CAM) requirements of 40 CFR Part 64 do not apply to sources located at Hammond according to 40 CFR 64.2(b)(1)(i). The NESHAP standard for lead (a metal HAP) emissions applicable to Hammond (40 CFR Part 63 Subpart

VVVVVV) was proposed by the Administrator after November 15, 1990 pursuant to Section 112 of the Act. The source is not a major source for Greenhouse Gases (GHG). Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

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

63-00550, USA South Hills Landfill, Inc., 3100 Hill Road, Washington, PA 15129, South Park Township, **Washington County**. Application received: November 8, 2023.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a Title V Operating Permit Modification to USA South Hills Landfill, Inc. for their facility located in Union Township, Washington County and South Park Township, Allegheny County, PA.

A Title V Operating Permit Modification to include a permit condition that was authorized through a Request for Determination on September 14, 2023, per 25 Pa. Code § 127.14(a)(8). It is to add an alternative operating scenario in Section F of the current Title V Operating Permit (TVOP) that was issued on April 19, 2022, with an expiration date of April 19, 2027. It allows the landfill gas to be conveyed to a collocated gas to energy facility owned and operated by a separate company under separate authorization.

Additionally, to remove the requirements of 40 CFR part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants for Source 105—Portable Soil processing Plant. The applicability section of this subpart identifies the following exemption at 40 CFR part 60 .670(a)(2):

The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; plants without crushers or grinding mills aboveground; and wet material processing operations (as defined in § 60.671).

The Portable Soil Processing Plant in the permit is only a screening operation and does not crush or grind materials. Therefore, all requirements of 40 CFR Part 60 Subpart OOO for Source 105—Portable Soil Processing Plant have been removed.

All the sources and all other regulatory requirements in the Title V Operating Permit remain unchanged.

A person may oppose the proposed Title V Operating Permit Modification by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Title V Operating Permit (63-00550) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

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> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

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

OPERATING PERMITS

Notice of Intent to Issue Operating Permit(s) 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 18701-1915, 570-826-2511.

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

39-00023, Allentown Terminals DE, LLC, 900 S Eisenhower Blvd, Middletown, PA 17057-5503, City of Allentown, **Lehigh County**. Application received: April 12, 2024. The Department intends to issue a renewal State-Only Operating Permit (synthetic minor) for the Allentown facility. Sources at this facility include their tanks, loading rack, and fugitive emissions from flanges, pumps, and valves. Sources at this facility also include a Vapor Destruction Unit (VDU) as a control device. The proposed operating permit contains all 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

58-00002, Diaz Manufacturing Co, LLC, 747 Grow Ave, Montrose, PA 18801-1480, Bridgewater Township, **Susquehanna County**. Application received: April 25, 2024. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for the Bridgewater Township facility. Sources at this facility include a boiler and woodworking equipment. Sources at this facility also include a baghouse and a multicloner as control devices. The proposed operating permit contains all 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.

40-00153, Modineer Pulverman, LLC, 1170 Lower Demunds Road, Dallas, PA 18612-9033, Dallas Township, **Luzerne County**. Application received: April 3, 2024. The Department intends to issue an initial State-Only Operating Permit (natural minor) for the Dallas Township facility. Sources at this facility include burn-off ovens and powder coating operations. Sources at this facility also include a baghouse and a cyclone as control devices. The proposed operating permit contains all 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.

Philadelphia: Air Management Services: Air Quality Program, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.

OP22-000044, Verizon Pennsylvania, LLC—Locust Central Office, 1631 Arch Street, Philadelphia, PA 19103, City of Philadelphia, **Philadelphia County**. Application received: September 2, 2022. The City of Phila-

delphia, Air Management Services (AMS) intends to issue a renewal of the Natural Minor Operating Permit (NMOP) for the operation of a data storage facility. The facility's air emission sources are two (2) diesel-fired emergency generators, each rated 1,617 kilowatt (kW). The changes made as part of the renewal includes the following:

- In Table A1-Facility Inventory List, added the genset serial number, engine serial number, and genset rated capacity, and updated the rated capacity of the engine for each emergency generator.

- In Section D: Source Specific Requirements,

- o Added the NO_x emission limit for the emergency generators in Condition D.1.(a)(3) and recordkeeping requirement to ensure compliance with the NO_x emission limit in Condition D.5.(a)(3).

- o Updated formatting for the requirements of 25 Pa. Code §§ 129.201—129.205 for emergency generators in Conditions D.1.(a)(4) and D.2.(a)(6).

- o Updated Condition D.2.(a)(1) to require operation and maintenance of the emergency generators in accordance with specifications in the permit application and with good operating practices.

- o Updated the definition of emergencies for the emergency generators and limit the maximum allowable operating hours for testing, engine tuning, maintenance checks, switch gear testing, and readiness testing of each emergency generator to 100 hours per calendar year. In the NMOP No. N16-000, testing is limited to 120 minutes per month for each generator and two (2) five hour engine run tests during ozone season, engine tuning is limited to one time per calendar year and is limited to eight hours, and switch gear testing is limited to 10 hours per rolling 36 month period for each generator.

- o Updated the links to check AQI forecast to comply with AMR XV requirements in Condition D.2.(a)(5)(iii).

- o In Condition D.3.(b)(2)(i), specified that compliance with the filterable PM emission limit of 25 Pa. Code § 123.13(c)(1)(i) shall be based on method 5 only.

- o Updated Condition D.3.(c) to update source testing requirements.

- o Updated the monitoring requirements in Section D.4 and recordkeeping requirements in Section D.5.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection by contacting the Source Registration Unit at 215-685-7572 or DPHAMS_Service_Requests@phila.gov. Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 7801 Essington Ave., Philadelphia, PA 19153-3240 or e-mailed to DPHAMS_Service_Requests@phila.gov with “Verizon

Pennsylvania LLC—Locust Central Office OP22-000044” in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Individuals in need of accommodations and/or interpretation should contact AMS at DPHAMS_Service_Requests@Phila.gov and/or 215-685-7572. Please include: (1) the name and contact information of the person requesting an accommodation and/or interpretation; (2) the name of the program, service, activity, or location of the request; and (3) a description of the modification and/or interpretation being requested.

Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.

OP20-000012, Furness High School, 1900 S. 3rd St., Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Application received: February 5, 2020. The City of Philadelphia, Air Management Services (AMS) intends to issue an initial Natural Minor Operating Permit (NMOP) for the operation of a school in the City of Philadelphia, Philadelphia County. The facility's air emission sources include four (4) 8.299 MMBtu/hr boilers that burn natural gas and No. 2 oil. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection by contacting the Source Registration Unit at 215-685-7572 or DPHAMS_Service_Requests@phila.gov. Persons wishing to file protest or comments on the previously listed operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 7801 Essington Ave., Philadelphia, PA 19153 or e-mailed to DPHAMS_Service_Requests@phila.gov with “Furness High School, OP20-000012” in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Individuals in need of accommodations and/or interpretation should contact AMS at DPHAMS_Service_Requests@Phila.Gov and/or 215-685-7572. Please include: the name and contact information of the person requesting an accommodation and/or interpretation; (2) the name of the program, service, activity, or location of the request; and (3) a description of the modification and/or interpretation being requested.”

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

22-03109, Dimon Funeral Home & Cremation Services, Inc., 201 East Market Street, Williamstown, PA 17098, Williamstown Borough, **Dauphin County**. Application received: March 19, 2024. To issue a State-Only Operating Permit for their crematory. Potential emissions from the crematory unit are estimated to be the following: 1.73 tpy of CO, 2.49 tpy of NO_x, 1.60 tpy of PM₁₀, 0.72 tpy of SO₂, and 0.18 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.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

38-03057, Porterfield-Scheid Funeral Directors & Cremation Services, Ltd., 980 Isabel Drive, Lebanon, PA 17042, North Cornwall Township, **Lebanon County**. Application received: January 22, 2024. To issue a renewal for the State-Only Operating Permit for the human crematory facility. The facility's potential emissions are 1.65 tpy of CO, 1.99 tpy of NO_x, 0.72 tpy of SO_x, 1.60 tpy of PM and 0.14 tpy of VOC. The Operating Permit will include emission standards and work practice standards along with monitoring, recordkeeping and reporting requirements designed to ensure the facility complies with the applicable air quality regulations.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

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

CORRECTION—previously published on May 4, 2024

04-00412, SA Recycling, LLC, Westgate Drive, Beaver Falls, PA 15010, Koppel Borough, Big Beaver Borough, **Beaver County**. Application received: December 8, 2023. 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 a modified synthetic minor state-only operating permit to SA Recycling, LLC located in Koppel and Big Beaver Boroughs, Beaver County. The modification updates a VOC emission factor and categorizes the facility as a synthetic minor. Sources of emissions consist of one 125 TPH auto shredder controlled by water sprays, a secondary cleaning process controlled by a cyclone system, and a parts washer. Potential emissions from this facility are estimated to be 48.0 TPY VOC; 3.8 TPY PM₁₀; 3.8 TPY PM_{2.5}; 2.3 TPY total HAP; and 0.80 TPY single HAP. Throughput is limited to not exceeding 800,000 tons on a 12-month rolling basis and includes monthly tracking and recording of throughput and hours of operation, among others. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the modified synthetic minor state-only operating permit may submit the information to Tom Joseph, Environmental Engineering Manager, 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 (04-00412) 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> and by contacting Thomas Joseph, Environmental Engineering

Manager, at 412-442-4336 or tjoseph@pa.gov. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lauren Camarda at 412-442-4203 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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 are also subject to 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 (DEP). A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if 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 DEP 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). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

In addition, 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 also contain 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 is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Applications

Effluent Limits—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunc-

tion with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

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 must always be greater than 6.0; less than 9.0.
Alkalinity must always be greater than acidity.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.

Contact: Melanie Ford-Wigfield, 814.472.1900, ra-epcambriadmo@pa.gov.

Mining Permit No. 56070107. NPDES No. PA0262382. Coal Loaders, Inc., 210 East Main Street, Ligonier, PA 15658, Brothersvalley and Summit Townships, **Somerset County.** Permit renewal for the continued operation and restoration of a bituminous surface and auger mine affecting 267.7 acres. Receiving streams: Buffalo Creek and Piney Run to Casselman River classified for the following uses: CWF and WWF. Application received: May 8, 2024.

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

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17840123. NPDES No. PA0609382. River Hill Coal Company, Inc., P.O. Box 141, Kylertown, PA 16847, Karthaus Township, **Clearfield County.** Permit renewal for application for a bituminous surface coal mine and associated NPDES permit affecting 59.8 acres. The renewal is for reclamation only. Receiving stream(s): Unnamed tributary to Saltlick Run classified for the following use(s): HQ-CWF. Application received: April 30, 2024. Accepted: May 9, 2024.

Mining Permit No. 17930117. RES Coal, LLC, 51 Airport Road, Clearfield, PA 16830, Goshen Township, **Clearfield County.** Application for a Change of Post-Mining Land Use from forestland, rural residential and pastureland/land occasionally cut for hay to unmanaged natural habitat with a joint land use of industrial/commercial for a solar farm on an existing bituminous surface coal and auger mine affecting 329.8 acres. Receiving stream(s): Chubb Run, Surveyor Run, and Unnamed Tributaries to West Branch Susquehanna River classified for the following use(s): CWF, MF. Application received: May 8, 2024. Accepted: May 14, 2024.

Mining Permit No. 17090107. RES Coal, LLC, 51 Airport Road, Clearfield, PA 16830, Goshen Township, **Clearfield County.** Application for a Change of Post-Mining Land Use from Forestland, Residential and non-prime Farmland Pastureland to Unmanaged Natural Habitat with a joint land use of Industrial/Commercial for a solar farm on an existing coal surface mining site affecting 442.1 acres. Receiving stream(s): Chubb Run, Surveyor Run, Unnamed Tributaries to the West Branch Susquehanna River classified for the following use(s): CWF, MF. Application received: May 8, 2024. Accepted: May 14, 2024.

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

Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.

Mining Permit No. 63733701. NPDES No. PA0023400. Champion Processing, Inc., 563 Route 18, Burgettstown, PA 15021, Robinson Township, **Washington County.** Renewal application for continued mining to an existing coal refuse disposal area and associated NPDES permit, affecting 192.4 acres. Receiving streams: named and unnamed tributaries to Little Raccoon Run, Raccoon Creek and St. Patrick Run, classified for the following use: WWF. Application received: May 14, 2024.

Noncoal Applications

Effluent Limits—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES 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 must always exceed acidity.
pH must always be greater than 6.0; less than 9.0.

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

Contact: Tracy Norbert, Clerical Assistant 3.

Mining Permit No. 03122001. NPDES No. PA0252417. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, West Franklin Township, Clearfield Township, and Winfield Township, **Armstrong and Butler Counties.** Renewal application for continued mining of an existing large noncoal surface mine, affecting 193.3 acres. Receiving streams: Buffalo Creek, classified for the following use: HQ-TSF. Application received: May 9, 2024.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (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 (DEP) 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 must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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 § 77.522 are pH 6 to 9 and other parameters DEP 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.

Coal NPDES Draft Permits

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

Contact: Bonnie Herbert, Clerical Assistant 3.

NPDES No. PA0235709. Mining Permit No. 56061301. RoxCOAL, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Somerset Township, **Somerset County**. Application received: February 1, 2023. Accepted: April 5, 2023.

A revision to the NPDES permit for a mine pool dewatering system to extract, treat, and discharge water from underground mine pool, with four (4) proposed water treatment setting ponds, affecting 117.0 surface acres. Receiving stream(s): Tributary 45697 to Wells Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL.

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

The proposed effluent limits for Outfall 005 discharging to Tributary 45697 to Wells Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report

NOTICES

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

NPDES No. PA0236624. Mining Permit No. 32221301. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Pine Township, **Indiana County**. Application received: November 4, 2022. Accepted: December 20, 2022.

A new NPDES and mining activity permit, affecting 94.3 proposed surface acres and 5,366.0 proposed underground acres. Receiving stream(s): Unnamed Tributary to North Branch Blacklick Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. Application received: November 4, 2022. Application accepted: December 20, 2022.

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

The proposed effluent limits for Outfall 001 discharging to Unnamed Tributary (# 8) to North Branch Blacklick Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 002 discharging to Tributary 44555 to North Branch Blacklick Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 003 discharging to Tributary 44555 to North Branch Blacklick Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	2,000	4,000	5,000
Sulfate	(mg/l)	-	-	-	Report
OP	(mOs/kg)	-	-	-	Report

The EPA Waiver is not in effect.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.

Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambriadmo@pa.gov.

NPDES No. PA0214507. Mining Permit No. 32901603. Tipple Four J, Inc., P.O. Box 435, Seward, PA 15954, **Indiana County**. Renewal to the NPDES permit and mining activity permit for the Tipple Four J Preparation Plant affecting 8.1 acres. Receiving stream: Crooked Creek classified for the following use: WWF. Application received: December 21, 2022.

Unless otherwise noted, 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 Crooked Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond)	N

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

Outfalls: 001 (All Weather Conditions)

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH (S.U.)	6.0	N/A	N/A	9.0
Total Suspended Solids (mg/L)	N/A	35.0	70.0	90.0
Iron, Total (mg/L)	N/A	1.5	3.0	3.8
Manganese, Total (mg/L)	N/A	2.0	4.0	5.0
Aluminum, Total (mg/L)	N/A	0.75	0.75	0.75
Net Alkalinity (as CaCO ₃ , mg/L)	0.0	N/A	N/A	N/A
Alkalinity, Total (as CaCO ₃ , mg/L)	Report			
Acidity, Total (as CaCO ₃ , mg/L)	Report			
Flow (gpm)	Report			
Temperature (°C)	Report			
Total Dissolved Solids (mg/L)	Report			
Sulfate, Total (mg/L)	Report			
Specific Conductance (µmhos/cm)	Report			

Contact: RA-EPCAMBRIA@pa.gov.

NPDES No. PA0248894. Mining Permit No. 4072SM22. Penn Coal Land, Inc., P.O. Box 68, Boswell, PA 15531, Somerset Township, **Somerset County**. Renewal of NPDES permit affecting approximately 122 acres. Receiving stream: Kimberly Run River classified for the following use: CWF. Application received: March 28, 2024.

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

The following outfall discharges to Kimberly Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>
001	Existing	Treatment Outfall

The following limits apply to dry weather discharges from all facilities to Paddy Run:

<i>Discharge Parameter</i>	<i>DISCHARGE LIMITATIONS</i>				<i>MONITORING REQUIREMENTS</i>	
	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Measurement Frequency (minimum¹)</i>	<i>Sample Type</i>
Total Suspended Solids (mg/L)	N/A	35	70	90	2/Month	Grab
Iron, Total (mg/L)		3.0	6.0	7.0	2/Month	Grab
Manganese, Total (mg/L)		2.0	4.0	5.0	2/Month	Grab
Aluminum, Total (mg/L)		2.0	4.0	5.0	2/Month	Grab
Net Alkalinity (as CaCO ₃ , mg/L)	0.0				2/Month	Calculated

Discharge Parameter	DISCHARGE LIMITATIONS			Instantaneous Maximum	MONITORING REQUIREMENTS	
	Minimum	Average Monthly	Maximum Daily		Measurement Frequency (minimum ¹)	Sample Type
Alkalinity, Total (as CaCO ₃ , mg/L)			Report		2/Month	Grab
Acidity, Total (as CaCO ₃ , mg/L)			Report		2/Month	Grab
pH (S.U.)	6.0			9.0	2/Month	Grab
Specific Conductance (micromhos)			Report		2/Month	Grab
Sulfate			Report		2/Month	Grab
Flow (gpm)			Report		2/Month	Measured
Temperature (°F)			Report		2/Month	Measured

Contact: RA-EPCAMBRIADMO@pa.gov.

CORRECTION—previously published on May 13, 2024

NPDES No. PA0248797. Mining Permit No. 3366BSM84. Penn Coal Land, Inc., P.O. Box 68, Boswell, PA 15531, Brothersvalley Township, **Somerset County**. Renewal of an NPDES permit affecting 12.5 acres related to a coal mining activity permit. Receiving stream: Tubs Run, classified for the following use: CWF. The receiving stream is included in the Buffalo Creek TMDL. Application received: February 20, 2024.

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

The following outfall discharges to Tubs Run:

Outfall Number	New or Existing	Type	Discharge Rate
002	Existing	Treatment Facility	0.08 MGD

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

Outfalls: 002 (All Discharges)

Parameter (unit)	Minimum	30-Day Average	Daily Maximum	Instant Maximum
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	0.75	0.75	0.75
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

PA0248860. Mining Permit No. 4075SM12. Penn Coal Land, Inc., P.O. Box 68, Boswell, PA 15531, Summit Township, **Somerset County**. Renewal of NPDES permit affecting approximately 184 acres. Receiving stream: Casselman River classified for the following use: WWF. Application received: March 28, 2024.

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

The following outfall discharges to Casselman:

Outfall Number	New or Existing	Type
001	Existing	Treatment Outfall

The following limits apply to dry weather discharges from all facilities to Paddy Run

Discharge Parameter	DISCHARGE LIMITATIONS			Instantaneous Maximum	MONITORING REQUIREMENTS	
	Minimum	Average Monthly	Maximum Daily		Measurement Frequency (minimum ¹)	Sample Type
Total Suspended Solids (mg/L)	N/A	35	70	90	2/Month	Grab
Iron, Total (mg/L)		3.0	6.0	7.0	2/Month	Grab
Manganese, Total (mg/L)		2.0	4.0	5.0	2/Month	Grab
Aluminum, Total (mg/L)		0.92	1.8	2.3	2/Month	Grab
Net Alkalinity (as CaCO ₃ , mg/L)	0.0				2/Month	Calculated
Alkalinity, Total (as CaCO ₃ , mg/L)			Report		2/Month	Grab

Discharge Parameter	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
	Minimum	Average Monthly	Maximum Daily	Instantaneous Maximum	Measurement Frequency (minimum ¹)	Sample Type
Acidity, Total (as CaCO ₃ , mg/L)			Report		2/Month	Grab
pH (S.U.)	6.0			9.0	2/Month	Grab
Specific Conductance (micromhos)			Report		2/Month	Grab
Sulfate			Report		2/Month	Grab
Flow (gpm)			Report		2/Month	Measured
Temperature (°F)			Report		2/Month	Measured

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

Contact: Alicia Cook, Clerical Assistant 3, 814-343-3328.

NPDES No. PA0227978. Mining Permit No. 33990102. McKay Coal Company, Inc., P.O. Box 343, Punxsutawney, PA 15676, Perry Township, **Jefferson County.** Renewal of an NPDES permit for discharge of water resulting from coal surface mining affecting 81.7 acres. Receiving stream(s): unnamed tributary to Foundry Run, classified for the following use(s): CWF. Application received: March 14, 2024.

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 Unnamed tributaries to Foundry Run:

Outfall No.	New or Existing	Type	Discharge Rate
001	Existing	Sediment Pond A	Precipitation Induced, 0.272 MGD
002	Existing	Sediment Pond B	Precipitation Induced, 0.439 MGD
003	Existing	Treatment Pond TA	Intermittent (Pumped), 0.72 GPM

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

Outfalls: 003 (All Discharges) Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.1	4.2	5.2
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

Outfalls: 001 and 002 (Discharges during Dry Weather) Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	2.1	4.2	5.2
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (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 (DEP) 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 must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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 § 77.522 are pH 6 to 9 and other parameters DEP 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.

Noncoal NPDES Draft Permits

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

Contact: RA-EPPOTTSVILLEDMO@pa.gov.

NPDES No. PA0034690. Mining Permit No. 5777SM4. Barletta Materials & Construction, Inc., P.O. Box 550, Tamaqua, PA 18252, Nescopeck Township, Luzerne County. Renewal of a NPDES permit affecting 199.8 acres. Receiving stream: Susquehanna River and Unnamed Tributary to the Susquehanna River, classified for the following use: WWF, MF, CWF [TMDLs for PCBs, Mercury, Aluminum, and Iron]. Application received: December 4, 2023.

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 (DEP). 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. Individuals 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 DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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)).

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: David Goerman, WPS, 717-772-5971.

MB990620-0001. First Pennsylvania Resource, LLC, 21148 Beaver Center Road, Conneautville, PA 16406, Beaver Township, Crawford County. U.S. Army Corps of Engineers Pittsburgh District. Application received: May 13, 2024.

Applicant proposes to construct and maintain the Paden Creek Mitigation Bank. The project consists of restoration, enhancement, and conservation activities within approximately 78 acres of the Paden Creek watershed (WWF). The 78 acres comprising the site will be placed under restricted covenants. The project includes activities affecting uplands, floodplains, approximately 4,972 linear feet of water courses; and approximately 17 acres of wetland all within the Paden Creek watershed. The project proposes to result in 4,357 stream credits and 45.92 wetland credits. The project is intended to provide compensatory mitigation for impacts located within the Compensation Service Area 20 North. The project may provide compensatory mitigation credits through the applicant's existing permit MB9915-0001. This application is being jointly evaluated as a mitigation

bank by the Army Corps of Engineers under the 2008 Mitigation Rule. Latitude: 41°, 45', 37.50", Longitude: -80°, 27', 57.47".

Contact: David Goerman, WPS, 717-772-5971.

MB990109-0001. First Pennsylvania Resource, LLC, 405 Church Road, Richlandtown, PA 18955, Richland Township, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: May 13, 2024.

Applicant proposes to construct and maintain the Tohickon Creek Mitigation Bank. The project consists of restoration, enhancement, and conservation activities within approximately 54 acres of the Tohickon Creek watershed (TSF, MF). The 54 acres comprising the site will be placed under restricted covenants. The project includes activities affecting uplands, floodplains, approximately 2,880 linear feet of water courses; and approximately 28 acres of wetland all within the Tohickon Creek watershed. The project proposes to result in 3,221 stream credits and 35.93 wetland credits. The project is intended to provide compensatory mitigation for impacts located within the Compensation Service Area 03 South. The project may provide compensatory mitigation credits through the applicant's existing permit MB9915-0001. This application is being jointly evaluated as a mitigation bank by the Army Corps of Engineers under the 2008 Mitigation Rule. Latitude: 40°, 28', 48.435", Longitude: -75°, 18', 35.9".

MB990459-0002. First Pennsylvania Resource, LLC, 665 Welsh Road, Wellsboro, PA 16901, Charlestown Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: May 13, 2024.

Applicant proposes to construct and maintain the Babb Creek Mitigation Bank. The project consists of restoration, enhancement, and conservation activities within approximately 81 acres within the headwaters of Babb Creek watershed (CWF, MF, EV). The 81 acres comprising the Babb Creek Mitigation Bank will be placed under conservation easements except for those portions located on submerged lands of the Commonwealth. The project includes activities affecting uplands, floodplains, approximately 12,857 linear feet of water courses; and approximately 29 acres of wetland all within the Babb Creek watershed. The project proposes to result in approximately 10,678 stream credits and 27 wetland credits. The project is intended to provide compensatory mitigation for impacts located within the state Compensation Service Area 09. The project may provide compensatory mitigation credits through the applicant's existing permit MB9915-0001. This application is being jointly evaluated as a mitigation bank by the Army Corps of Engineers under the 2008 Mitigation Rule. In addition, seven (7) agricultural rock ford crossings and two (2) culvert crossings are being installed in conjunction with the restoration work. Latitude: 41°, 43', 15.115", Longitude: -77°, 13', 49.48".

MB990502-0001. Water and Land Solutions, LLC, 800 Beulah Road, Penn Hills, PA 15235, Churchill Borough and Penn Hills Township, **Allegheny County and Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: May 13, 2024.

Applicant proposes to construct and maintain the Churchill Mitigation Bank. The project consists of restoration, enhancement, and conservation activities within approximately 55 acres of the Chalfant Run watershed (WWF). The 55 acres comprising the site will be placed under restricted covenants. The project includes activities

affecting uplands, floodplains, approximately 8,081 linear feet of water courses; and approximately 0.25 acre of wetland all within the Chalfant Run watershed. Approximately 3,311 feet of headwater stream is currently culverted or enclosed and will be restored as part of the project. The project proposes to result in 11,112 stream credits and 11 wetland credits. In addition the project will include construction of a passive mine drainage abatement system and appurtenant works to address mine drainage entering the site through an existing discharge. The project is intended to provide compensatory mitigation for impacts located within the Compensation Service Area 19. The project may provide compensatory mitigation credits through the applicant's existing permit MB9915-0004. This application is being jointly evaluated as a mitigation bank by the Army Corps of Engineers under the 2008 Mitigation Rule. Latitude: 40°, 26', 48.01", Longitude: -79°, 50', 18.21".

MB9915-0005. H&H Materials, Inc., Tax Parcels No. 67-591-004 and 67-591-005, Sandy Lake, PA 16145, Sandy Lake Borough, **Mercer County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: May 13, 2024.

Applicant proposes to operate, construct, and maintain the Sandy Lake Wetland Park Mitigation Bank. The project consists of creation and conservation activities within approximately 3.46 acres of the McCutcheon Run and Sawmill Run (WWF) watershed. The 5.25 acres comprising the site will be placed under restricted covenants. The project includes activities affecting mined uplands and floodplains within the McCutcheon Run watershed. The project proposes to result in 0 stream credits and 3.36 wetland credits. The project is intended to provide compensatory mitigation for impacts located within the Compensation Service Area 16. This application was jointly evaluated as a mitigation bank by the Army Corps of Engineers under the 2008 Mitigation Rule and approved. Latitude: 41.35094°, Longitude: -80.09088°.

MB9915-0006. CNX Green Ventures, LLC, Bowlby Hill Road, Spraggs, PA 15362, Wayne Township, **Greene County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: May 13, 2024.

Applicant proposes to operate, construct, and maintain the Blacksville Mitigation Bank. The project consists of restoration, enhancement, and conservation activities within approximately 822 acres of the UNT of Dunkard Creek watershed (WWF) above Lake Wilma. An unknown amount of the 822 acres comprising the site will be placed under restricted covenants. The project includes activities affecting uplands, floodplains, approximately 17,015 linear feet of water courses; and approximately 2.9 acres of wetland all within the watershed. The project proposes to result in 21,804 stream credits and 16.53 wetland credits which includes a proposed credit adjustment for providing restricted covenants in over 29,000 feet of additional headwaters. The project is intended to provide compensatory mitigation for impacts located within the Compensation Service Area 19. This application is being jointly evaluated as a mitigation bank by the Army Corps of Engineers under the 2008 Mitigation Rule. Latitude: 39.731836°, Longitude: -80.200870°.

Contact: RA-EPREGIONALPERMIT@pa.gov.

EA0283224-002. Pittsburgh Water and Sewer Authority, 1200 Penn Avenue, Pittsburgh, PA 15222, City of Pittsburgh, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 12, 2024.

To construct and maintain a stream restoration project within a 515-linear foot reach of an unnamed tributary to Chartiers Creek (WWF). The project proposes approximately 250-linear feet of stream realignment, 60-linear feet of streambank stabilization, 0.47 acre of floodway impacts, 0.02 acre of permanent impacts to wetlands (Other), and the installation of habitat enhancement structures for the purpose of enhancing ecological functions, reducing sediment loads within the watershed, and reconnecting the watercourse to a functional floodplain. The project is located in the Fairywood section of Pittsburgh, situated west to the intersection of Broadhead Fording Road and McAfee Drive (Pittsburgh West, PA Quadrangle) in the City of Pittsburgh, Allegheny County. Latitude: 40.451858°, Longitude: -80.079517°.

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Clarissa Alcorn, Aquatic Biologist 2, 570-321-6525.

E5904224-005. Watrous Water Association, 2430 Elk Run Road, RR1, Box 114, Gaines, PA 16921, West Branch Township and Gaines Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 25, 2024.

The applicant is proposing to construct a 3" and 8" PVC water main along public road shoulders from Galeton to the Village of Watrous. The project will connect to a new 3" main constructed during Phase 1 of this project in Gaines Township, Tioga County. This phase (Phase 2) includes the connection from Phase 1 along Hanky Panky Road, Yahn Road, and Clinton Street to connect to the existing system at the intersection of Clinton Street and Mill Street in Galeton Boro. The project includes a stream crossing of a UNT to Pine Creek and a crossing of Pine Creek (EV, MF) using horizontal directional drilling. No wetland impacts are proposed as part of the project construction, and no threatened or endangered species are known to exist within the project area. Latitude: 41°, 44', 11.13", Longitude: -78°, 38', 2.71".

E5304224-004. Watrous Water Association, 2430 Elk Run Road, RR1, Box 114, Gaines, PA 16921, Galeton Borough Pike Township, **Potter County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 24, 2024.

The applicant is proposing to construct a 3" and 8" PVC water main along public road shoulders from Galeton to the Village of Watrous. The project will connect to a new 3" main constructed during Phase 1 of this project in Gaines Township, Tioga County. This phase (Phase 2) includes the connection from Phase 1 along Hanky Panky Road, Yahn Road, and Clinton Street to connect to the existing system at the intersection of Clinton Street and Mill Street in Galeton Boro. The project includes six stream crossings on UNTs to Pine Creek, and 850 feet of impacts to the floodway of Pine Creek (EV, MF). No wetland impacts are proposed as part of the project construction, and no threatened or endangered species are known to exist within the project area. Latitude: 41°, 44', 11.13", Longitude: -77°, 38', 2.71".

Contact: Jake Carson, Project Manager, 570-327-3565.

E4104121-005. PA DOT Engineering District 3-0, 715 Jordan Ave, Montoursville, PA 17754, Eldred Township and Loyalsock Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 28, 2023.

PA DOT proposes a major amendment to a completed project to restore the roadway side slope on SR 2039, which is located adjacent to the left channel bank of Mill Creek. The amendment includes relocating a log cross vane upstream approximately 40 LF and relocating root wad revetment approximately 40 LF downstream. An additional 239 LF of Rip Rap will be added to the channel bank. The amendment does not change the overall project purpose and need. The amendment should add additional stabilization to the channel restoration project. The project does not propose any additional wetland impacts. Mill Creek is classified as a Trout Stocked Fishery by 25 Pa. Code Chapter 93 Water Quality Standards and a Stocked and Wild Trout Stream by PA Fish and Boat Commission. Latitude: 41°, 17', 42", Longitude: -76°, 56', 16".

Contact: Pete Geanacopoulos, Project Manager, 570.327.3701.

E0804224-007. Towanda Municipal Authority, 724 Main Street, Towanda, PA 18848, Towanda Borough, **Bradford County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 26, 2024.

The project proposes to construct a new Headworks Building, demolish the existing Headworks Building, rehabilitate and repair the Autothermal Thermophilic Aerobic Digestion (ATAD) and ultraviolet (UV) disinfection systems, and complete various other miscellaneous improvements at the plant site. At the end of the project, all disturbed earth will be restored. Access to the site will be provided through maintenance of the existing driveway. The existing outfall to the adjacent Susquehanna River will be maintained. Latitude: 41°, 45', 40.0", Longitude: -76°, 26', 30.8".

Contact: Stephen Kardohely, Project Manager, 814-342-8216.

E1804224-001. Amos Lapp, 182 Burrell Rd, Mill Hall, PA 17751, Lamar Township, Castanea Township, **Clinton County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 26, 2024.

Mr. Amos Lapp is applying for an After-the-Fact Chap. 105 Standard Joint Permit for the construction and maintenance of a barn with concrete surfaced barnyard, culvert crossing, 30' x 40' produce sales facility, 25' x 40' greenhouse. Additional planned construction includes streambank stabilization along Walker Lane, construction of a 20' x 40' open sided pavilion, and a 24' x 26' open sided hay storage building. There are no anticipated adverse impacts to waters of the U.S. or aquatic resources from this construction project. The drainage area at the crossing site is 160 acres. The receiving streams Chubb Run and Little Fishing Creek are listed in 25 Pa. Code Chapter 93 designation as a High Quality—Cold Water Fishery (HQ-CWF) with Migratory Fish (MF). Latitude: 41°, 6', 4.41", Longitude: -77°, 23', 51.85".

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E3902124-003. PA Department of Transportation, Eng District 5-0, 1002 Hamilton Street, Allentown, PA 18101, Upper Milford Township, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District. Application received: April 24, 2024.

To authorize the following water obstructions and encroachments associated with the SR 0029 Section 05S

Project: 1. To construct and maintain an outfall in the floodway of a tributary to Little Lehigh Creek (Stream 6) (HQ-CWF) consisting of a 38" by 60" diameter pipe, endwall and riprap apron. (Impact JP-1) 2. To remove an existing stream crossing and to construct and maintain a new 40' wide 18" diameter single span culvert that will carry SR 0029 over a tributary to Little Lehigh Creek (Stream 2) and maintain appurtenant structure features. (Impact JP-3) 3. To remove an existing stream crossing and to construct and maintain a new 40' wide 24" diameter single span culvert that will carry SR 0029 over a tributary to Little Lehigh Creek (Stream 4) and maintain appurtenant structure features. In addition, approximately 0.03 acre of floodway will be filled for associated culvert and roadway embankment grading. (Impact JP-4) 4. Approximately 0.02 acre of PEM wetland will be permanently filled from the newly constructed JP-4 culvert outlet riprap apron. (Impact JPA-5) 5. To remove an existing stream crossing and to construct and maintain a new 50' wide 60" by 38" single span elliptical culvert that will carry SR 0029 over a tributary to Little Lehigh Creek (Stream 3) and to construct and maintain appurtenant structure features. (Impact JPA 7) 6. To fill approximately 0.001 acre of tributary to Little Lehigh Creek (Stream 6) (HQ-CWF, MF) floodway for stormwater pipe construction. (Impact JPA 10) 7. To remove an existing stream crossing and to construct and maintain a new 306' wide single span stream enclosure that will carry SR 0029 over a tributary to Little Lehigh Creek (Stream 1) and to construct and maintain appurtenant structure features. The stream enclosure will consist of a 3" by 60" box culverts discharging to a series of three 54" diameter pipes followed by a 6' by 4' box culvert. (Impact JP-11) The proposed project is located along SR 0029 starting approximately 0.1 mile north of the SR 0029 and SR 0100 intersection and continues north for approximately 1.6 miles (Allentown West and East Greenville, PA Quadrangles, Latitude: 40.499000°, Longitude: -75.528400° to Latitude: 40.521666°, Longitude: -75.519371°) in Upper Milford Township, Lehigh County.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E1006224-002. Evans City Water and Sewer Authority, 216 Wahl Avenue, Evans City, PA 16033, Callery Borough, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: April 26, 2024.

To relocate the Callery Pump Station, which will encroach on the floodway and floodplain of Breakneck Creek in Callery Borough, Butler County. The relocation of the pump station involves abandoning approximately 600 feet of existing sewer line and the installation of approximately 1,140 feet of new sewer line. The work for the sewer lines has been permitted and approved through GP111006223-015 and GP051006223-005. Latitude: 40.743731°, Longitude: -80.038442°.

E4306224-002. PA Game Commission, 2001 Elmerston Avenue, Harrisburg, PA 17110, Liberty Township, **Mercer County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 5, 2024.

To permanently impact 0.28 acre of PEM Wetland and temporarily impact 0.39 acre of PEM wetland associated with removal of manmade dikes separating various manmade open water pools and ditches within SGL 151. The overall project will create an additional 58.1 acres of functional wetland. Latitude: 41.118749°, Longitude: -80.135731°.

E2006124-001. PADOT Engineering District 1-0, 255 Elm Street, Oil City, PA 16301, Woodcock Township and Hayfield Township, **Crawford County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: May 2, 2024.

To remove the existing structure and to construct and maintain a two-span composite steel plate girder bridge with spans of 154.8 feet each, an out-to-out width of 41.54 feet and a minimum underclearance of 17.5 feet across French Creek in Hayfield and Woodcock Townships, Crawford County. The project will result in 200 linear feet of temporary stream impacts and 68 linear feet of permanent stream impacts to French Creek. No wetlands will be impacted by the project. Latitude: 41.70778°, Longitude: -80.14583°.

E4306224-001. Norfolk Southern Railway Company, 650 W Peachtree Street NW, Atlanta, GA 30308, Sugar Grove Township, **Mercer County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: February 16, 2024.

To remove the existing 93 feet long, approximately 5 feet wide stone culvert; realign the stream resulting in approximately 165 linear feet of stream loss; and construct and maintain a 133 feet long, 9 feet diameter aluminum structural plate culvert pipe with upstream wingwalls, scour protection, and a riprap apron at the outlet resulting in a total of 0.08 acre of permanent watercourse impact and 0.23 acre of temporary floodway impact. Latitude: 41.480500°, Longitude: -80.339028°.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E4403224-001. Jeffrey Sweitzer, 247 Crestview Drive, Mifflin, PA 17058, Oliver Township, **Mifflin County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 24, 2024.

To construct and maintain a single span concrete and steel beam bridge across Musser Run (HQ-CWF, MF) having a span of 24 feet and a 5.2-foot underclearance. The project is located in Oliver Township, Mifflin County. (New Hamilton, PA Quadrangle, Latitude: 40°, 29', 04"; Longitude: -77°, 46', 45").

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Dana Drake, Program Manager.

E02-189A-1. Marathon Petroleum Company, LP, 539 S Main St, Findlay, OH 45840, Jefferson Hills Borough, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 13, 2024.

To: Amend Permit No. E02-189, which granted consent to maintain an existing barge docking facility along the left bank of the Monongahela River at Mile Point 24.7.

The applicant proposes in this amendment to:

1. Dredge approximately 285' long x 1,600' wide x 1' (30,500 cubic yards) deep area in the Monongahela River (WWF), at Mile Point 24.7, along the left bank, in front of the existing barge docking facility,
2. After the aforementioned dredging is completed, to conduct periodic, perpetual maintenance dredging in an approximately 220' long x 1,000' wide area in the

Monongahela River, at Mile Point 24.7, along the left bank, in front of the existing barge docking facility,

For the purpose of providing safe access and mooring of barges after the planned US Army Corps of Engineers removal of the Monongahela River Locks and Dam 3. The project will cumulatively and permanently impact 1,600 LF (9.2 acres) of watercourse.

The project site is located at 1100 Glass House Rd, Jefferson Hills, PA 15025 (Glassport, PA USGS topographic quadrangle; N: -40°, 15', 24"; W: -79°, 54', 45"; Sub-basin 19C; USACE Pittsburgh District), in Jefferson Hills Borough, Allegheny County.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

EA3603223-008. Mountville Borough, 21 East Main Street, Mountville, PA 17554, Mountville Borough,

Lancaster County. U.S. Army Corps of Engineers Baltimore District. Application received: December 19, 2023.

To conduct a stream restoration project along 500-feet of an Unnamed Tributary to Stickler Run (WWF, MF), including 1.) the relocation and maintenance of 500-feet of stream; 2.) the regrading and maintenance of 400-feet of streambank of 3.) the installation and maintenance of 2 J-hooks, 7 cross vanes, 12 root wads, and 12 sections of toe boulder totaling 393-feet; 4.) the installation and maintenance of a 5-foot wide bituminous walkway under a General Permit 11 registration; 5.) the installation and maintenance of a 135-foot vegetated swale under a General Permit 4 registration; 6.) the installation and maintenance of a 15-inch pipe outfall pipe under a General Permit 4 registration; 7.) the installation and maintenance of a temporary timber mat stream crossing under a General Permit 8 registration, all for the purpose of naturalizing the stream channel and correcting erosion. The project is located 0.08 mile from the intersection of Hill Street and Orkney Road (Latitude: 40.042534°, Longitude: -76.438865°) in Mountville Borough, Lancaster County.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 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 official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the "Final Actions Report" on DEP's website at www.dep.pa.gov/CWPpublicNotice.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

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. 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. 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. Individuals 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. 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. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. §§ 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA510002D	Chapter 102 Individual NPDES Permit	Issued	Resource Environmental Solutions LLC 6575 West Loop S Suite 300 Bellaire, TX 77401-3521	Philadelphia City Philadelphia County	SERO
PAD090082	Chapter 102 Individual NPDES Permit	Issued	NP Falls Township Ind LLC 4805 Montgomery Road Suite 310 Cincinnati, OH 45212-2198	Falls Township Bucks County	SERO
PAD090100	Chapter 102 Individual NPDES Permit	Issued	Old Easton Realty LLC 876 N Easton Road Doylestown, PA 18902-1020	Buckingham Township Bucks County	SERO
PAD150230	Chapter 102 Individual NPDES Permit	Issued	East Whiteland Township Chester County 209 Conestoga Road Frazer, PA 19355-1633	East Whiteland Township Chester County	SERO
PAD150269	Chapter 102 Individual NPDES Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	East Vincent Township Chester County	SERO
PAD150311	Chapter 102 Individual NPDES Permit	Issued	Destorage Com Jennersville LLC P.O. Box 139 Rockland, DE 19732-0139	Upper Oxford Township Chester County	SERO
PAD150320	Chapter 102 Individual NPDES Permit	Issued	Providence Place Oxford Assoc 1528 Sand Hill Road Hummelstown, PA 17036-9704	Lower Oxford Township Chester County	SERO
PAD150324	Chapter 102 Individual NPDES Permit	Issued	Owens Jason 2388 Chester Springs Road Chester Springs, PA 19425-3402	Charlestown Township Chester County	SERO
PAD350044	Chapter 102 Individual NPDES Permit	Issued	PPL Electric Utilities Corp 1639 Church Road Allentown, PA 18104-9342	Newton Township Lackawanna County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD360034	Chapter 102 Individual NPDES Permit	Issued	Weaverland Valley Authority 4610 Division Highway East Earl, PA 17519-9200	East Earl Township Lancaster County	SCRO
PAD360117	Chapter 102 Individual NPDES Permit	Issued	Jonas L King 120 Lake Street Ephrata, PA 17522-2415	East Drumore Township Lancaster County	SCRO
PAD480072	Chapter 102 Individual NPDES Permit	Issued	Ron Del Development Co. 3242 Farmersville Road Bethlehem, PA 18020-9777	Lower Nazareth Township Northampton County	NERO
PAD480210	Chapter 102 Individual NPDES Permit	Issued	Nazareth Borough Municipal Authority Northampton County 872 Tatamy Road Nazareth, PA 18064-2562	Lower Nazareth Township Northampton County	NERO
PAD650027	Chapter 102 Individual NPDES Permit	Issued	McDonald Robert 194 Wonderwood Lane Laughlintown, PA 15655-2712	Ligonier Township Westmoreland County	SWRO
PAD670033	Chapter 102 Individual NPDES Permit	Issued	Core5 Ind Partners LLC 1230 Peachtree Street NE Suite 1000 Atlanta, GA 30309-3570	Manchester Borough York County	SCRO
PA0276821	Industrial Stormwater Individual NPDES Permit	Issued	Old Dominion Freight Line Inc. 500 Old Dominion Way Thomasville, NC 27360-8923	Pocono Township Monroe County	NERO
PA0294225	Industrial Stormwater Individual NPDES Permit	Issued	East Penn Ave LLC 336 E Penn Avenue 300 S Freeman Street Robesonia, PA 19551-8902	Heidelberg Township Berks County	SCRO
PAS203502	Industrial Stormwater Individual NPDES Permit	Issued	Bonney Forge Corp 14496 Croghan Pike Mount Union, PA 17066-8869	Shirley Township Huntingdon County	SCRO
0918821	Joint DEP/PFBC Pesticides Permit	Issued	Coleen and Jim Michaels 1467 Blue School Road Perkasie, PA 18944	Bedminster Township Bucks County	SERO
0918823	Joint DEP/PFBC Pesticides Permit	Issued	Scott Grace 6540 Groveland Road Pipersville, PA 18901	Plumstead Township Bucks County	SERO
1024805	Joint DEP/PFBC Pesticides Permit	Issued	Carol Fletcher 128 Guillard Road Prospect, PA 16052-2702	Muddycreek Township Butler County	NWRO
1518820	Joint DEP/PFBC Pesticides Permit	Issued	Keough Jerry 137 Davis Road Malvern, PA 19355	Willistown Township Chester County	SERO
1518821	Joint DEP/PFBC Pesticides Permit	Issued	Oaks Springs Farm 852 Providence Road Malvern, PA 19355	Willistown Township Chester County	SERO
1524803	Joint DEP/PFBC Pesticides Permit	Issued	Johnson Roger 3104 Wells Road Malvern, PA 19355-8666	Charlestown Township Chester County	SERO
3619802	Joint DEP/PFBC Pesticides Permit	Issued	Kissell Hill Commons 616 Paxton Place Lititz, PA 17543-8274	Manheim Township Lancaster County	SCRO
3724803	Joint DEP/PFBC Pesticides Permit	Issued	Mark Miller 202 Pinnacle Circuit Slippery Rock, PA 16057	Scott Township Lawrence County	NWRO
4319801	Joint DEP/PFBC Pesticides Permit	Issued	Lake Latonka POA 420 Latonka Drive Mercer, PA 16137-9373	Coolspring Township Mercer County	NWRO

NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4324806	Joint DEP/PFBC Pesticides Permit	Issued	James Wagner 170 Longwell Drive Grove City, PA 16127-3838	Liberty Township Mercer County	NWRO
4424801	Joint DEP/PFBC Pesticides Permit	Issued	Derry Township Mifflin County 73 Reserve Lane Lewistown, PA 17044-8646	Derry Township Mifflin County	SCRO
4619807	Joint DEP/PFBC Pesticides Permit	Issued	Villas At Linfield 360 W Main Street Collegeville, PA 19426	Limerick Township Montgomery County	SERO
4624803	Joint DEP/PFBC Pesticides Permit	Issued	Green Hill MHC LLC 210 Green Hill Drive Green Lane, PA 18054-2020	Marlborough Township Montgomery County	SERO
4624804	Joint DEP/PFBC Pesticides Permit	Issued	Kim James 915 Mount Pleasant Road Bryn Mawr, PA 19010-1918	Lower Merion Township Montgomery County	SERO
6119811	Joint DEP/PFBC Pesticides Permit	Issued	Mathew Beith 174 Pioneer Road Franklin, PA 16323	Sandycreek Township Venango County	NWRO
3670408	Major Sewage Treatment Facility Individual WQM Permit	Issued	Nebula Realty Trust 123 Gilpin Drive West Chester, PA 19382-7412	Penn Township Lancaster County	SCRO
462S022	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 100 Atlantic Avenue McKeesport, PA 15132-3807	Duquesne City Allegheny County	SWRO
6505411	Major Sewage Treatment Facility Individual WQM Permit	Issued	Greater Greensburg City Sewer Authority Westmoreland County 210 W Otterman Street P.O. Box 248 Greensburg, PA 15601-2225	Hempfield Township Westmoreland County	SWRO
6708410	Major Sewage Treatment Facility Individual WQM Permit	Issued	Dover Township Sewer Authority York County 2480 W Canal Road Dover, PA 17315-3410	Dover Township York County	SCRO
PA0011011	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Plymouth Tube Co. 29W150 Warrenville Road Warrenville, IL 60555-3528	Horsham Township Montgomery County	SERO
PA0247197	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Lancaster City Water Bureau Lancaster County 120 N Duke Street Lancaster, PA 17602-2825	Lancaster City Lancaster County	SCRO
PA0255335	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Allegheny Energy Supply Co. LLC 800 Cabin Hill Drive Greensburg, PA 15601	Union Township Washington County	SWRO
PA0034860	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Nebula Realty Trust 123 Gilpin Drive West Chester, PA 19382-7412	Penn Township Lancaster County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0096652	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Pittsburgh PA Motor Speedway 170 Kelso Road McDonald, PA 15057-2124	North Fayette Township Allegheny County	SWRO
PA0098183	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Sands Inc. 2000 Georgetown Drive Suite 100 Sewickley, PA 15143-8992	Franklin Park Borough Allegheny County	SWRO
PA0098396	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Mt Pleasant MHP LLC 600 Laurelview Drive Mt Pleasant, PA 15666	Bullskin Township Fayette County	SWRO
PA0102601	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Jones Estates Franklin Village PA LLC 2310 S Miami Boulevard Suite 238 Durham, NC 27703-4900	Franklin Township Butler County	NWRO
PA0247898	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	David Fite Realty 103 Fite Way Suite D Quarryville, PA 17566-9394	Providence Township Lancaster County	SCRO
PA0084174	Minor Sewage Facility ≥ 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Envigo Global Svcs Inc. 310 Swamp Bridge Road Denver, PA 17517-8723	West Cocalico Township Lancaster County	SCRO
PA0088528	Minor Sewage Facility ≥ 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Tulpehocken Township Berks County P.O. Box 272 22 Rehrersburg Road Rehrersburg, PA 19550-0272	Tulpehocken Township Berks County	SCRO
PA0217301	Minor Sewage Facility ≥ 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Conemaugh Township Somerset County 1120 Tire Hill Road Johnstown, PA 15905-7707	Conemaugh Township Somerset County	SWRO
PA0266566	Minor Sewage Facility ≥ 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Jackson Township Sewer Authority York County 439 Roth Church Road Spring Grove, PA 17362-8872	Jackson Township York County	SCRO
0277408	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Pittsburgh PA Motor Speedway 170 Kelso Road McDonald, PA 15057-2124	North Fayette Township Allegheny County	SWRO
1024401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Summit Township Authority Butler County 502 Bonniebrook Road Butler, PA 16001	Summit Township Butler County	NWRO
4179403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	WW Freedom Group LLC 229 Brook Lane Tunkhannock, PA 18657-6379	Hepburn Township Lycoming County	NCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0026905	Municipal Sewage Individual NPDES Permit, Major	Issued	Connellsville City Municipal Authority Fayette County P.O. Box 925 Connellsville, PA 15425-0925	Connellsville City Fayette County	SWRO
NOEXNE019	No Exposure Certification	Issued	Quietflex Manufacturing 220 Research Drive Pittston, PA 18640	Jenkins Township Luzerne County	NERO
NOEXSC332	No Exposure Certification	Issued	Adusa Distr LLC 2110 Executive Drive Salisbury, NC 28147-9007	Antrim Township Franklin County	SCRO
NOEXSC424	No Exposure Certification	Denied	Gelest Inc. 281 Industrial Road Glen Rock, PA 17327-8601	Springfield Township York County	SCRO
PAG030274	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sun Chemicals Corp GPI Division 3301 West Hunting Park Avenue Philadelphia, PA 19132	Philadelphia City Philadelphia County	SERO
PAG030309	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	United Chemicals Tech 2731 Bartram Road Bristol, PA 19007-6810	Bristol Township Bucks County	SERO
PAG033508	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Lester R Summers Trucking Inc. 40 Garden Spot Road Ephrata, PA 17522-9803	Ephrata Township Lancaster County	SCRO
PAG034859	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Savage Service Corp 60 Dominic Pace Industrial Parkway Sayre, PA 18840-3301	Sayre Borough Bradford County	NCRO
PAG034993	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Sims Metal East LLC 1 Linden Avenue E Jersey City, NJ 07305-4726	Brady Township Clearfield County	NCRO
PAG035037	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Centre Concrete Co. P.O. Box 859 State College, PA 16804-0859	White Deer Township Union County	NCRO
PAG036123	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Universal Pressure Pumping Inc. 2198 University Drive Lemont Furnace, PA 15456-1026	North Union Township Fayette County	SWRO
PAG036393	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ind Terminal System Inc. P.O. Box 4127 New Kensington, PA 15068-1227	Plum Borough Allegheny County	SWRO
PAG036453	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Union RR Co. 900 Thompson Run Road Monroeville, PA 15146-2106	Monroeville Borough Allegheny County	SWRO
PAG036474	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Andritz Metals USA Inc. P.O. Box 335 Youngstown, PA 15696-0335	Harmony Township Beaver County	SWRO
PAG036480	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Morton Salt Inc. 444 W Lake Street Chicago, IL 60606-0010	Pittsburgh City Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036486	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Dynamet Inc. 195 Museum Road Washington, PA 15301-6135	Chartiers Township Washington County	SWRO
PAG038461	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Concrete Service Corp P.O. Box 930 Fairview, PA 16415-0930	Fairview Township Erie County	NWRO
PAG038472	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Briggs Transportation Inc. 24 Huntley Road Bear Lake, PA 16402-3702	Freehold Township Warren County	NWRO
PAG038473	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Briggs Transportation Inc. 24 Huntley Road Bear Lake, PA 16402-3702	Freehold Township Warren County	NWRO
PAG040093	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Sean and Deonna Wolf 51 Carter Road Thornton, PA 19373-1014	Thornbury Township Delaware County	SERO
PAG045285	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Hammered Dreams LLC 210 Heverly Lane Bellefonte, PA 16823-4163	Boggs Township Clearfield County	NCRO
PAG046477	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Magam Investment Assoc LP P.O. Box 221 Murrysville, PA 15668-0221	Penn Township Westmoreland County	SWRO
PAG046480	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Wolverine Properties LLC 5877 Commerce Street Suite 001 Pittsburgh, PA 15206-3835	Indiana Township Allegheny County	SWRO
PAG048410	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Panko Timothy J Jr 14140 Dickson Road Meadville, PA 16335-8062	West Mead Township Crawford County	NWRO
PAG049163	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Markiewicz Jennifer 10701 Cross Station Road Girard, PA 16417-9167	Venango Township Erie County	NWRO
PAG049164	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Markiewicz Jennifer 10701 Cross Station Road Girard, PA 16417-9167	Venango Township Erie County	NWRO
PAG049184	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Mark and Sarah Willard 8800 Route 59 Lewis Run, PA 16738-1724	Lafayette Township McKean County	NWRO
PAG049290	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Michelle and Mickey Horne 335 Hilltop Lane Washington, PA 15301-1326	Deerfield Township Warren County	NWRO
PAG049423	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Yoder Robert J 613 Conneaut Lake Road Adamsville, PA 16110-1103	Sugar Grove Township Mercer County	NWRO
PAG049504	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Jacqueline and Todd Graham 240 Mount Union Road Portersville, PA 16051-1112	Worth Township Butler County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG066105	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	Rankin Borough Allegheny County 320 Hawkins Avenue Rankin, PA 15104-1008	Rankin Borough Allegheny County	SWRO
PAG123583	PAG-12 NPDES General Permit for CAFOs	Issued	Pigtail Acres LLC 1030 Girl Scout Road Stevens, PA 17578-9784	Clay Township Lancaster County	SCRO
PAG123597	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Daryl L 204 Farmers Drive Myerstown, PA 17067-1631	Bethel Township Lebanon County	SCRO
PAG123651	PAG-12 NPDES General Permit for CAFOs	Issued	Nolt Lawrence 94 Creek Road East Berlin, PA 17316-9119	Washington Township York County	SCRO
PAG123756	PAG-12 NPDES General Permit for CAFOs	Issued	Farm Fresh Egg Products LLC 101 W Harrisburg Avenue P.O. Box 26 Rheems, PA 17570	Rapho Township Lancaster County	SCRO
PAG123849	PAG-12 NPDES General Permit for CAFOs	Issued	Herbrucks of PA LLC 6425 West Grand River Avenue Saranac, MI 48881-9669	Montgomery Township Franklin County	SCRO
PAG123938	PAG-12 NPDES General Permit for CAFOs	Issued	Ziegler Nelson L 1660 N State Route 934 Annville, PA 17003-8535	North Annville Township Lebanon County	SCRO
PAG123947	PAG-12 NPDES General Permit for CAFOs	Issued	Cedar Pine Farms LLC 1015 Heritage Avenue Shippensburg, PA 17257-9267	Todd Township Fulton County	SCRO
PAG158301	PAG-15 NPDES General Permit for Pesticides	Issued	Lake Latonka POA 420 Latonka Drive Mercer, PA 16137-9373	Coolspring Township Mercer County	NWRO
6723407	Pump Stations WQM Individual Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Fairview Township York County	SCRO
2224402	Sewer Extensions WQM Individual Permit	Issued	Lower Swatara Township Municipal Authority Dauphin County 1499 Spring Garden Drive Middletown, PA 17057-3271	Lower Swatara Township Dauphin County	SCRO
3624401	Sewer Extensions WQM Individual Permit	Issued	HHF Real Estate Development LLC 616 Paxton Place Lititz, PA 17543-8274	Manor Township Lancaster County	SCRO
3924403	Sewer Extensions WQM Individual Permit	Issued	Upper Macungie Township Lehigh County 8330 Schantz Road Breinigsville, PA 18031-1510	Upper Macungie Township Lehigh County	NERO
6124401	Sewer Extensions WQM Individual Permit	Issued	Franklin City Gen Authority Venango County 430 13th Street Franklin, PA 16323-1317	Franklin City Venango County	NWRO
PA0210285	Single Residence STP Individual NPDES Permit	Issued	Newton Benjamin 2415 Jackson Avenue Warren, PA 16365-4389	Glade Township Warren County	NWRO
PA0294373	Single Residence STP Individual NPDES Permit	Issued	Maher April 773 White Fox Road Altoona, PA 16601-7452	Logan Township Blair County	SCRO
PA0295671	Single Residence STP Individual NPDES Permit	Issued	Smith Barry A 4932 S Mechanicsville Road Clarion, PA 16214-4734	Limestone Township Clarion County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0295744	Single Residence STP Individual NPDES Permit	Issued	Lazar Bruce 131 Miller Road Sarver, PA 16055-8932	Clinton Township Butler County	NWRO
0724403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Maher April 773 White Fox Road Altoona, PA 16601-7452	Logan Township Blair County	SCRO
1024405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Lazar Bruce 131 Miller Road Sarver, PA 16055-8932	Clinton Township Butler County	NWRO
1624401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Smith Barry A 4932 S Mechanicsville Road Clarion, PA 16214-4734	Limestone Township Clarion County	NWRO
2091403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Panko Timothy J Jr 14140 Dickson Road Meadville, PA 16335-8062	West Mead Township Crawford County	NWRO
2392418	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sean and Deonna Wolf 51 Carter Road Thornton, PA 19373-1014	Thornbury Township Delaware County	SERO
4391404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Yoder Robert J 613 Conneaut Lake Road Adamsville, PA 16110-1103	Sugar Grove Township Mercer County	NWRO
6292401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Newton Benjamin 2415 Jackson Avenue Warren, PA 16365-4389	Glade Township Warren County	NWRO
PA0295582	Small Flow Treatment Facility Individual NPDES Permit	Issued	Cottage Hill Wesleyan Meth Church 231 Broad Street New Bethlehem, PA 16242-1001	Porter Township Clarion County	NWRO
1623404	Small Flow Treatment Facility Individual WQM Permit	Issued	Cottage Hill Wesleyan Meth Church 231 Broad Street New Bethlehem, PA 16242-1001	Porter Township Clarion County	NWRO
1708402	Small Flow Treatment Facility Individual WQM Permit	Issued	Hammered Dreams LLC 210 Heverly Lane Bellefonte, PA 16823-4163	Boggs Township Clearfield County	NCRO
WQG01022401	WQG-01 WQM General Permit	Issued	Wolverine Properties LLC 5877 Commerce Street Suite 001 Pittsburgh, PA 15206-3835	Indiana Township Allegheny County	SWRO
WQG01652403	WQG-01 WQM General Permit	Issued	Magam Investment Assoc LP P.O. Box 221 Murrysville, PA 15668-0221	Penn Township Westmoreland County	SWRO
WQG018370	WQG-01 WQM General Permit	Issued	Markiewicz Jennifer 10701 Cross Station Road Girard, PA 16417-9167	Venango Township Erie County	NWRO
WQG018371	WQG-01 WQM General Permit	Issued	Markiewicz Jennifer 10701 Cross Station Road Girard, PA 16417-9167	Venango Township Erie County	NWRO
WQG018392	WQG-01 WQM General Permit	Issued	Mark and Sarah Willard 8800 Route 59 Lewis Run, PA 16738-1724	Lafayette Township McKean County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG018498	WQG-01 WQM General Permit	Issued	Michelle and Mickey Horne 335 Hilltop Lane Washington, PA 15301-1326	Deerfield Township Warren County	NWRO
WQG018684	WQG-01 WQM General Permit	Issued	Jacqueline and Todd Graham 240 Mount Union Road Portersville, PA 16051-1112	Worth Township Butler County	NWRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC220432	PAG-02 General Permit	Issued	Andrew Hardy 275 Wilson Ave Ellwood City, PA 16117	Upper Paxton Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC010244	PAG-02 General Permit	Issued	Lightsource BP, LLC 400 Montgomery St. 8th Floor San Francisco, CA 94104-1221	Straban Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC040154	PAG-02 General Permit	Issued	Center Township Water Authority 224 Center Grange Road Aliquippa, PA 15001	Center Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC650384	PAG-02 General Permit	Issued	Raymond Snoznik 4455 Old William Penn Highway Murrysville, PA 15668	Penn Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271 SWRO
PAC040141	PAG-02 General Permit	Issued	Pennko Properties, LLC P.O. Box 454 Beaver, PA 15009	Chippewa Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040065A-1	PAG-02 General Permit	Issued	Bettters Real Estate Holdings, LP 100 Bet-Tech Drive Aliquippa, PA 15001	Hopewell Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC021059	PAG-02 General Permit	Issued	GJR Enterprises 53 14th Street Suite 100 Wheeling, WV 26003	Bridgeville Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020550A-1	PAG-02 General Permit	Issued	Wagner Development Company, Inc. 1300 Old Pond Road Bridgeville, PA 15017	North Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020389	PAG-02 General Permit	Issued	South Fayette Township 515 Millers Run Road South South Fayette, PA 15064	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021088	PAG-02 General Permit	Issued	Skilken Gold Real Estate Development 4270 Morse Road Columbus, OH 43230	Ohio Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021016	PAG-02 General Permit	Issued	Trumbell Corporation 217 Malbec Lane Wexford, PA 15090	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC201083	PAG-02 General Permit	Issued	Cosco and Associates, Inc. 215 E. James Lee Boulevard Crestview, FL 32539	Monroeville Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021073	PAG-02 General Permit	Issued	ALDI, Inc. 6000 North Noah Drive Saxonburg, PA 16056	Wilkinsburg Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020106	PAG-02 General Permit	Issued	Murphy, O'Neill & Murphy 360 Southridge Drive Pittsburgh, PA 15241	Bethel Park Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020403	PAG-02 General Permit	Issued	Keystone 76 Development, LLC 100 Crestview Manor Pittsburgh, PA 15228	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021103	PAG-02 General Permit	Issued	Nicole Walker 535 MacLeod Drive Gibsonia, PA 15044	Sewickley Heights Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020431	PAG-02 General Permit	Issued	Stambrosky Homes P.O. Box 238 Presto, PA 15142	Collier Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC560086A-1	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC 3115 Elton Road Johnstown, PA 15904	Somerset Township and Lincoln Township Somerset County	Somerset County Conservation District 6024 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC210356	PAG-02 General Permit	Issued	Rogelio Perez 292 Heisers Lane Carlisle, PA 17015	Mount Holly Springs Borough Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210345	PAG-02 General Permit	Issued	East Pennsboro Ambulance Service Inc. P.O. Box 47 Enola, PA 17025	East Pennsboro Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210349	PAG-02 General Permit	Issued	K Care—UA LLC 1802 Silver Pine Circle Mechanicsburg, PA 17050	Upper Allen Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210354	PAG-02 General Permit	Issued	Travis Burkholder 700 Green Spring Road Newville, PA 17241	North Newton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210354	PAG-02 General Permit	Issued	Smith Land & Improvement Corporation 1810 Market Street Camp Hill, PA 17011	Lower Allen Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210346	PAG-02 General Permit	Issued	JMM, LP 18 Sage Crest Circle Enola, PA 17025	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC670691	PAG-02 General Permit	Issued	Oakwood Drive LLC 160 Ram Drive Hanover, PA 17331	West Manheim Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670687	PAG-02 General Permit	Issued	School District of the City of York 31 North Pershing Avenue York, PA 17401	City of York York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360941	PAG-02 General Permit	Issued	Stonehenge Development, LLC 1419 Rose Virginia Road Reading, PA 19611	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360933	PAG-02 General Permit	Issued	Matthew Smucker 3737 E. Newport Road Gordonville, PA 17529	Salisbury Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC500062	PAG-02 General Permit	Issued	Shawn Good 281 Mountain Trail Rd. Newmanstown, PA 17073	Greenwood Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717-582-8988
PAC500060	PAG-02 General Permit	Issued	PPL Electric Corp 1639 Church Rd. Allentown, PA 18104	Centre Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717-582-8988
PAC090672	PAG-02 General Permit	Issued	Twining Enterprises 1801 Second Street Pike Richboro, PA 18954-2019	Wrightstown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090668	PAG-02 General Permit	Issued	Gary M Steinberg 823 Worthington Mill Road Newtown, PA 18940-9640	Wrightstown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090686	PAG-02 General Permit	Issued	Brooke Enterprises, LLC 4359 County Line Road Chalfont, PA 18914-1825	New Britain Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090678	PAG-02 General Permit	Issued	Chick-Fil-A 5200 Buffington Boulevard Atlanta, GA 30349	Middletown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090442 A-1	PAG-02 General Permit	Issued	Pen Ryn Estate 1201 State Road Bensalem, PA 19047	Bensalem Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090657	PAG-02 General Permit	Issued	Northampton Bucks County Municipal Authority 815 Bustleton pike Richboro, PA 18954-1354	Northampton Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090658	PAG-02 General Permit	Issued	Provco Pinegood Telford LLC 795 E. Lancaster Avenue Bldg 2 Suite 200 Villanova, PA 19085-1500	West Rockhill Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC400303	PAG-02 General Permit	Issued	Leo Kastreva Jr. 15 Andover Road Mountain Top, PA 18707	Wright Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@pa.gov
PAC100329	PAG-02 General Permit	Issued	Lifeway Baptist Church 28 Rolling Road Cranberry Township, PA 16066	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100327	PAG-02 General Permit	Issued	Connoquenessing Volunteer Fire Company 180 Main Street Connoquenessing, PA 16027	Connoquenessing Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100324	PAG-02 General Permit	Issued	Slippery Rock Area School District 201 Keister Road Slippery Rock, PA 16057	Slippery Rock Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100321	PAG-02 General Permit	Issued	PA DOT District 10 2550 Oakland Avenue Indiana, PA 15701	Muddycreek Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC460105	PAG-02 General Permit	Issued	Geryville Storage LLC 224 Cathill Road Sellersville, PA 18073-1504	Upper Hanover Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC460861	PAG-02 General Permit	Issued	Ground Morris LLC 2526 North Broad Street Colmar, PA 18915-9772	Upper Gwynedd Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC460864	PAG-02 General Permit	Issued	Paul Yannessa 403 Longfield Road Glenside, PA 19038-7340	Abington Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC250072	PAG-02 General Permit	Issued	Woodland Hills LLC 13021 Flats Road Waterford, PA 16441	Waterford Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250074	PAG-02 General Permit	Issued	Scott's Development Company 8040 Peach Street Erie, PA 16509	Summit Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250075	PAG-02 General Permit	Issued	David L Thornton 10850 West Main Road North East, PA 16428	North East Borough Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250076	PAG-02 General Permit	Issued	J Thomas Tree Service P.O. Box 9367 Erie, PA 16505	Fairview Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC240033	PAG-02 General Permit	Issued	Brockway Borough Municipal Authority 501 Main Street Brockway, PA 15824	Horton Township Elk County	Elk County Conservation District 850 Washington Street St Mary's, PA 15857 814-776-5373
PAC240034	PAG-02 General Permit	Issued	St Mary's Area Water Authority 967 State Street Saint Marys, PA 15857	City of Saint Mary's Elk County	Elk County Conservation District 850 Washington Street St Mary's, PA 15857 814-776-5373
PAC240035	PAG-02 General Permit	Issued	National Fuel Gas Distribution Corporation 1100 State Street Erie, PA 16501	Spring Creek Township Elk County	Elk County Conservation District 850 Washington Street St Mary's, PA 15857 814-776-5373
PAC250155A1	PAG-02 General Permit	Issued	New Realty LP 8670 Peach Street Erie, PA 16509	Summit Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PA320012C	PAG-02 General Permit	Issued	Rosebud Mining Company 301 Market Street Kittanning, PA 16201	Armstrong Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC040065 A-1	PAG-02 General Permit	Issued	Bettors Real Estate Holdings, LP 100 Bet-Tech Aliquippa, PA 15001	Hopewell Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040141	PAG-02 General Permit	Issued	Pennko Properties, LLC P.O. Box 454 Beaver, PA 15009	Chippewa Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC480190	PAG-02 General Permit	Issued	Sheetz, Inc. 351 Sheetz Way Claysburg, PA 16625	Lower Saucon Township Northampton County	Northampton County Conservation District 14 Gracedale Ave. Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@pa.gov
PAC600081	PAG-02 General Permit	Issued	Ritz-Craft Corporation of PA Matt Ross 15 Industrial Park Road Mifflinburg, PA 17844	West Buffalo Township and Mifflinburg Borough Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860

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. 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Apple Shamrock Dairy Farm LLC 32821 Guys Mills Road Townville, PA 16360	Crawford County	3,380	1.05	Holstein Cows	HQ	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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).

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.

Construction Permit No. 4924501MA, Minor Amendment, Public Water Supply.

Applicant	Tulpenhocken Mountain Spring Water Inc.
Address	750 Point Township Drive Northumberland, PA 17857
Municipality	Point Township
County	Northumberland County
Consulting Engineer	Greg Miles 750 Point Twp Drive Northumberland, PA 17857
Application Received	February 7, 2024
Permit Issued	May 7, 2024

Description

This permit authorizes the permittee to replace the existing Mueller Vapure VCS-1000 water distiller with a Mueller Vapure VCS-1000 water distiller at the Tulpehocken Oak Park Bottling Plant in Point Township, Northumberland County.

Construction Permit No. 1724503MA, Minor Amendment, Public Water Supply.

Applicant	Aqua Pennsylvania Inc.—Treasure Lake Division
Address	762 W Lancaster Avenue Bryn Mawr, PA 19010
Municipality	Sandy Creek Township
County	Clearfield County
Consulting Engineer	William R Gordan Jr 762 West Lancaster Avenue Bryn Mawr, PA 19010
Application Received	April 23, 2024
Permit Issued	May 9, 2024
Description	This permit grants permission to rehabilitate the Bimini Well (Source ID 008).

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Darin Horst, Environmental Engineer, 717-705-4948.

Operation Permit No. 7366413, Public Water Supply.

Applicant	H₂O to Go, Inc.
Address	12 East Elizabeth Street Maytown, PA 17550
Municipality	City of Lancaster
County	Lancaster County
Consulting Engineer	Rettew Associates, Inc. 3020 Columbia Avenue Lancaster, PA 17603
Application Received	April 25, 2024
Permit Issued	April 25, 2024
Description	Operation of Entry Point 174 at ABC Beverage LLC at 43 South Marshall Street, Lancaster, PA 17602.

Contact: Joseph Mattucci, Program Manager, 717-705-4931.

Construction Permit No. 3624502 MA, Minor Amendment, Public Water Supply.

Applicant	Quarryville Borough Authority
Address	300 Saint Catherine Street Quarryville, PA 17566
Municipality	East Drumore Township
County	Lancaster County
Consulting Engineer	Jenna Bishop, P.E. 108 West Airport Road Lititz, PA 17543

Application Received January 30, 2024
 Permit Issued May 10, 2024
 Description This construction permit is for the rehabilitation of the standpipe for Quarryville Borough Authority (Authority) during which repairs to and maintenance of the 1.0 million-gallon (MG) standpipe will occur. This permit also approves the installation of a temporary hydropneumatic tank.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.

Operation Permit No. 0422516, Major Amendment, Public Water Supply.

Applicant **New Sewickley Township Municipal Authority**
 Address 233 Miller Road
 Rochester, PA 15074
 Municipality New Sewickley
 County **Beaver County**
 Consulting Engineer Lennon, Smith
 Souleret Engineering, Inc.
 846 Fourth Avenue
 Coraopolis, PA 15108

Application Received May 8, 2024
 Permit Issued May 10, 2024
 Description Operation of new interconnection with the West View Water Authority and the utilization of West View Water Authority as a new source.

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.

Operation Permit 1423511. PWSID No. **4140815**. **Penns Cave, Inc.**, 222 Penns Cave Road, Centre Hall, PA 16828, Gregg Township, **Centre County**. Application received: May 1, 2024. Permit Issued: May 9, 2024. This permit authorizes the permittee to remove the UV disinfection system, remove the acid neutralizing system, operate six Pentair Wellmate UT-80, 80-gallon storage tanks, operate a Goulds V-250 pressure tank and a Goulds J7S shallow well pump in Gregg Township, Centre County.

Operation Permit 1405502-A1. PWSID No. **4140078**. **Penn Twp Water District**, P.O. Box 125, Coburn, PA 16832, Penn Township, **Centre County**. Application received: December 15, 2023. Permit Issued: May 9, 2024. This permit authorizes operation of the corrosion control treatment for lead/copper and sodium hypochlorite disinfection for Well Nos. 1 and 2.

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.

Construction Permit 3623541. PWSID No. **7360101**. **Southern End Estates, LLC**, 496 Solanco Road, Quarryville, PA 17566, Providence Township, **Lancaster County**. Application received: November 21, 2023. Permit Issued: May 7, 2024. This action authorizes well No. 2 at 10-gpm and modifications to the disinfection and filtration systems at Beaver Valley Mobile Home Park.

NCWSA Operation Permit 7500378. PWSID No. **7500378**. **Tangled Vines Winery, LLC**, 510 Shuler Rd, Shermans Dale, PA 17090, Centre Township, **Perry County**. Application received: March 25, 2024. Permit Issued: May 9, 2024. This action authorizes operation of a new 10-gpm well and pressurization tank at Tangled Vines Winery.

Contact: Thomas Filip, Environmental Engineer, 717-705-4708.

Construction Permit 0123509. PWSID No. **7010932**. **Hillandale Gettysburg, LP**, 3910 Oxford Road, Gettysburg, PA 17325, Tyrone Township, **Adams County**. Application received: December 8, 2023. Permit Issued: May 9, 2024. Installation of Well No. 5 with treatment including cartridge filtration, cation exchange, reverse osmosis for arsenic removal and UV disinfection.

Operation Permit 2224503 MA. PWSID No. **7220036**. **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055, Steelton Borough, **Dauphin County**. Application received: March 15, 2024. Permit Issued: April 30, 2024. Replacement of the clarifier and plant effluent chlorine analyzers.

Operation Permit 47010056. PWSID No. **7010056**. **Adams County Facilities Center**, 117 Baltimore St, Gettysburg, PA 17325, Straban Township, **Adams County**. Application received: March 7, 2024. Permit Issued: April 30, 2024. Replacement of a chlorine analyzer.

Operation Permit 7211000. PWSID No. **7211000**. **CHR Corporation**, 2295 North Susquehanna Trail, Suite C, York, PA 17404, Monroe Township, **Cumberland County**. Application received: March 5, 2024. Permit Issued: May 3, 2024. Rutters Store No. 66, addition of a chlorine analyzer.

Operation Permit 7011025. PWSID No. **7011025**. **M&G Realty, Inc.**, 2100 North George St, York, PA 17404, Tyrone Township, **Adams County**. Application received: March 26, 2024. Permit Issued: April 30, 2024. Rutters Store No. 36, addition of a chlorine analyzer.

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

Transfer Permit 7670128. PWSID No. **7670128**. **JNR Group (HBG) LLC**, 160 S Progress Ave, Suite 1C, Harrisburg, PA 17109, Franklin Township, **York County**. Application received: March 12, 2024. Permit Issued: May 9, 2024. Transfer of ownership for Stoney Run Apartments from Northstar Property Management Company to JNR Group (HBG) LLC.

Operation Permit 3060417. PWSID No. **3060417**. **Reading-Berks County Council of Camp Fire, Inc., d/b/a Camp Adahi & Adahi Kids**, 172 Hartz Store Road, Mohnton, PA 19540, Brecknock Township, **Berks County**. Application received: January 22, 2024. Permit Issued: May 9, 2024. Comprehensive operation permit for Camp Adahi & Adahi Kids for designation of water quality parameters for Lead and Copper Rule treatment (pH adjustment).

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epswsdw@pa.gov.

Operation Permit 5624505MA. PWSID No. **4560009.** **Somerset County General Authority**, 300 North Center Avenue, Suite 500, Somerset, PA 15501, Jenner Township, **Somerset County**. Application received: April 23, 2024. Permit Issued: May 8, 2024. Rehabilitated Clarifier No. 4 (filter media replacement, painting, automation upgrades, etc.)

Construction Permit 0224515. PWSID No. **5020078.** **Findlay Township Municipal Authority**, P.O. Box 409, Clinton, PA 15026, Moon Township, **Allegheny County**. Application received: March 1, 2024. Permit Issued: May 8, 2024. Construction of a new booster pump station at the intersection of Flaughterty Run Road and Moon Clinton Road (Findlay-Moon Booster Pump Station).

Operation Permit 0423507. PWSID No. **5040861.** **Allied Convenience, LLC**, 107 Breckenridge Drive, Wexford, PA 15090, Darlington Borough, **Beaver County**. Application received: May 8, 2024. Permit Issued: May 10, 2024. Rehabilitated filtration system (new Greensand Plus filter media) for the One Stop Shopper water system.

Biosolids Individual Permits (PABIG, ssn and PABIS)

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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. 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.

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

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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 717-787-3483 for more information.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

PUBLIC NOTICE OF PROPOSED CONSENT ORDER AND AGREEMENT UNDER HSCA

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Dennis Low at delow@pa.gov or Dennis Yuen at dyuen@pa.gov.

Berkley Products Company Plant Site, Akron Borough and West Earl Township, **Lancaster County**.

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101, et seq., has entered into a proposed Consent Order and Agreement (CO&A) with Delynn Properties LLC (Purchaser) and Lanco Concrete Supply LLC (Lanco) with regard to real property comprising of one (1), approximately 2.5 acres parcel (Lancaster Parcel No. 210-40730-0-0000), located at 405 South 7th Street, Akron, PA 17501 (the Property). The Property, which is currently owned by Berkley Products Company (Seller) and was historically used for the manufacturing of paints/coatings and reprocessing of solvents, comprises a part of the Berkley Products Company Plant Site (Site) located in West Earl Township, and bordered by the Borough of Akron, Lancaster County. Portions of the Property were leased to the Purchaser's affiliate, Lanco, starting in 2022.

Starting in 1955 the Facility manufactured custom blended coatings and reprocessed waste solvents. Beginning in 1974, the facility began accepting solvent waste from their customers for reprocessing and reuse. In 1980, the Facility was blending waste for cement kiln fuel and consolidating waste for shipment to various disposal facilities.

In response to a February 1989 product spill the Department began a series of site and groundwater investigations at the Site and at the Property. Soil and groundwater investigations by the Department have identified volatile organic compounds (VOCs), including but not limited to trichloroethene, cis-1,2-dichloroethene, vinyl chloride, benzene, ethylbenzene, toluene, 1,2,4-tribromobenzene (TMB), 1,3,5-TMB, xylenes, chlorobenzene, cis-1,3-dichloropropene, methyl ethyl ketone, and methyl isobutyl ketone, were identified in groundwater and soils at the Site. Beginning in 2006, the Department engaged in HSCA interim response actions at the Site to address the groundwater and soil contamination. These response actions included the excavation and disposal of certain contaminated Site soils; installation of vapor mitigation units on impacted residential properties; in-situ chemical oxidation of groundwater plume hotspots; and monitored natural attenuation of Site groundwater. The Department continues to monitor and treat groundwater at the Property and the Site.

Purchaser represents that it has no involvement with the Property other than as a prospective purchaser performing due diligence. Lanco also represents that it had no involvement with the Property other than as a lessor. The Department has no information that either the Purchaser or Lanco ever contributed to the contamination at the Site or were otherwise affiliated with the Seller.

Under the terms and conditions of the CO&A, the Department covenants not to sue the Purchaser and

Lanco for response costs arising from the release or threatened release of hazardous substances at the Site. Purchaser will also submit payment to the Department in the amount of ten thousand dollars (\$10,000) towards the Department's past response costs at the Site.

This notice is provided pursuant to Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, "settlement shall become final upon the filing of the Department's response to significant written comments." The Department has reserved the right to withdraw its consent to the CO&A if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department's discretion, that the CO&A is inappropriate or not in the public interest. A person adversely affected by the settlement may file an appeal with the Pennsylvania Environmental Hearing Board. The public comment period on the CO&A will extend for a period of 60 days from the date of this notice. Persons may submit written comments regarding the CO&A by mail to Dennis Low, Professional Geologist, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110 or by email to delow@pa.gov. Further information, or a copy of the CO&A, can be obtained by contacting Dennis Low at delow@pa.gov or 717-705-4853, or Dennis Yuen at dyuen@pa.gov or 717-783-0367.

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 of Environmental Protection (DEP) 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, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Parys Water Impoundment, Primary Facility ID # **873707**, 521 Fargo Creek Road, Laceyville, PA 18623, Tuscarora Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.

4690 Fahringer Drive, Primary Facility ID # **875326**, 4690 Fahringer Drive, York, PA 17406, Hellam Township, **York County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Mr. Shane Kuhn, 4690 Fahringer Drive, York, PA 17406, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

4690 Fahringer Drive, Primary Facility ID # **875326**, 4690 Fahringer Drive, York, PA 17406, Hellam Township, **York County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Edris Oil Service, 1225 Columbia Avenue, York, PA 17404, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

1501 South 25th Street, Primary Facility ID # **853032**, 1501 South 25th Street, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**. Claude S. Vandever, PG, EnviroSure, Inc., 319 South High Street, West Chester, PA 19380, on behalf of Mike Lagoudakis, Knossos Development, LLC, 2035 Chatham Drive, Bensalem, PA 19020, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with benzo(a)-anthracene, benzo(a)pyrene, benzo(b)fluoranthene and lead. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Union Switch and Signal Division Facility, Primary Facility ID # **828755**, 1789 Braddock Avenue, Pittsburgh, PA 15218, Edgewood and Swissvale Boroughs, **Allegheny County**. Arcadis U.S., Inc., 2100 Georgetown Drive, Suite 402, Sewickley, PA 15143, on behalf of ZF Group, 11202 East Germann Road, Mesa, AZ 85212, submitted a Final Report concerning remediation of soil and groundwater contaminated with 1,1,1-trichloroethane, 1,1-dichloroethane, 1,1-dichloroethene, 2-butanone, acetone, benzene, carbon, disulfide, chloroform, cis-1,2-dichloroethene, cyclohexane, ethylbenzene, isopropylbenzene, methylcyclohexane, xylenes, tetrachloroethene, trans-1,2-dichloroethene, trichloroethene, vinyl, chloride, 1,1-biphenyl, 2,4-dimethylphenol, 2-methylphthalene, 2-methylphenol, 4-methylphenol, acephthene, acephthylene, anthracene, aroclor-1254, aroclor-1260, benzo(a)anthracene, benzaldehyde, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, carbazole, chrysene, dibenz(a,h)anthracene, dibenzofuran, fluoranthene, fluorene, hexachloroethane, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, polychlorinated-biphenyls, pyrene, aluminum, antimony, arsenic, barium, beryllium, boron, cadmium, calcium, chromium, chromium-iv, cobalt, copper, cyanide, iron, lead, magnesium, manganese, mercury, molybdenum, nickel, potassium, selenium, silver, sodium, thallium, vadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

RICE Mac Well Pad, Primary Facility ID # **874962**, 171 Mooney Ridge Road, Waynesburg, PA 15370, Whiteley Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Olympus Athena Well pad, Primary Facility ID # **874966**, 262 Kistler Drive, Export, PA 15632, Washington Township, **Westmoreland County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Olympus Energy, LLC, 501 Technology Drive, Suite 100, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with benzene, tert-butylbenzene, sec-butylbenzene, cyclohexane, ethylbenzene, isopropylbenzene, (cumene), naphthalene, toluene, xylenes, trimethylbenzene, 1,2,4-trimethylbenzene, 1,3,5-acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, 2-methylnaphthalene, phenanthrene, phenol, and pyrene. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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 Stan-

dards Act (act) require the Department of Environmental Protection (DEP) 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 non-residential 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 DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

EQT ARO LLC Mallory Pad A, Primary Facility ID # **871677**, 2361 Hillbilly Hollow Lane, Trout Run, PA 17771, Plunketts Creek Township, **Lycoming County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of EQT ARO, LLC, 2462 Lycoming Creek Road, Williamsport, PA 17701, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 2, 2024.

EQT ARO LLC Salt Run HC Pad A Ext, Primary Facility ID # **871679**, 2003 Leonard Road, Williamsport, PA 17701, Plunketts Creek Township, **Lycoming County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of EQT ARO LLC, 2462 Lycoming Creek Road, Williamsport, PA 17701,

submitted a Final Report concerning remediation of soil contaminated with tri-ethylene glycol and ethylene glycol. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 2, 2024.

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Amcors Well Site, Primary Facility ID # **854241**, 139 Smurkowski Road, Meshoppen, PA 18630, Meshoppen Township, **Wyoming County**. Creston Environmental, P.O. 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine) and lubricating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 9, 2024.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

General Aire Systems, Primary Facility ID # **869012**, 115 North 5th Street, Darby, PA 19023, Darby Borough, **Delaware County**. Shian Knouse, TTI Environmental, Inc., 1253 North Church Street, Moorestown, NJ 08057, on behalf of George Rossi, General Aire Systems; SHR Properties, 115 North 5th Street, Darby, PA 19023, submitted a Final Report concerning remediation of soil and groundwater contaminated with leaded gasoline and unleaded gasoline. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 7, 2024.

2029-2059 York Road, Primary Facility ID # **850612**, 2029-2059 York Road, Jamison, PA 18929, Warwick Township, **Bucks County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Bill Creeger, Pulte Homes of PA LP, 750 US Highway 202, Suite 500, Bridgewater, NJ 08807, submitted a Final Report concerning remediation of soil contaminated with lead, arsenic, the pesticide dieldrin, and No. 2 and No. 6 fuel oil. The Final Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: April 24, 2024.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Dutton Mill Properties LLC, Primary Facility ID # **739750**, 308 East Dutton Mill Road, Brookhaven, PA 19015, Middletown Township, **Delaware County**. Timothy Uhler, GES, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Herbert Sweeney, 308 Dutton Mill Road, Brookhaven, PA 19015, submitted a Risk Assessment/Cleanup Plan concerning remediation of soil and groundwater contaminated with lead, other organics, inorganics and PAHs. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: May 2, 2024.

Matt Blatt Auto, Primary Facility ID # **867036**, 6735-39 Essington Avenue, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. Jason Pero, Resource Control Consultants, LLC, 10 Lippincott Lane, Building 1, Mt. Holly, NJ 08060, on behalf of Roy Greenblatt, Matt Blatt Auto/Swab Enterprises, 501 North Delsea Drive, Glassboro, NJ 08026, submitted a Final Report concerning remediation of groundwater contaminated with used motor oil and PAHs. The Report did not

demonstrate attainment of the Statewide health standards. Issued an administrative deficiency letter: May 7, 2024.

2029-2059 York Road, Primary Facility ID # **850612**, 2029-2059 York Road, Jamison, PA 18929, Warwick Township, **Bucks County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Bill Creeger, Pulte Homes of PA LP, 750 US Highway 202, Suite 500, Bridgewater, NJ 08807, submitted a Final Report concerning remediation of groundwater contaminated with lead, arsenic, the pesticide dieldrin, and No. 2 and No. 6 fuel. The Final Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: April 24, 2024.

Ursinus College, Primary Facility ID # **648108**, 601 Main Street, Collegeville, PA 19426, Collegeville Borough, **Montgomery County**. Gilbert J. Marshall, PG, Marshall Geoscience, Inc., 170 1st Avenue, Collegeville, PA 19426, on behalf of Robert C. Clothier, Esq., Ursinus College, P.O. Box 1000, Collegeville, PA 19426, submitted a Final Report concerning remediation of groundwater contaminated with No. 2 and No. 6 fuel oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 9, 2024.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Greylock Coastal Greene Well Pad, Primary Facility ID # **873398**, 324 Dutch Run Road, Waynesburg, PA 15370, Whiteley Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Greylock Production, LLC, 500 Corporate Landing, Charleston, WV 25311, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Plan demonstrated attainment of the Statewide health standards. Approved: April 9, 2024.

Leatherwood WL Hopkins Well Pad, Primary Facility ID # **873457**, 264 Hopkins Run Road, Sycamore, PA 15364, Morris Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Leatherwood LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 9, 2024.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904); and Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

WMGM044SW002. Michael Brothers Hauling, Inc., 901 Horning Road, Pittsburgh, PA 15236, Baldwin Borough, **Allegheny County**. A permit modification was issued by the Southwest Regional Office for Municipal Waste General Permit No. WMGM044SW002. The modification approves: a) the expansion of public drop-off hours to 7:00 am to 6:00 pm, Monday through Saturday; b) the relocation of the radiation isolation area; and c) the inclusion of a facility closure plan at the Michael Brothers Baldwin Facility located 901 Horning Road, Pittsburgh, PA 15236. Application received: September 25, 2023. Permit modification issued: February 20, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

WMGR123SW015. Range Resources—Appalachia, LLC, 3000 Town Center Blvd, Canonsburg, PA 15317, Smith Township, **Washington County**. A permit modification was issued by the Southwest Regional Office for Residual Waste General Permit No. WMGR123SW015. The modification approves the replacement of twenty 350-bbl aboveground storage tanks with one 30,000-bbl (nominal volume) modular aboveground storage tank as well as the reduction in the number of 500-bbl storage tanks of used drilling fluids from nine to seven at the Bare Tank Pad located 230 Bavington Road, Burgettstown, PA 15021. The surety bond at this facility has been increased from \$424,469.00 to \$1,198,875.00. Application received: November 22, 2023. Permit modification issued: April 24, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR123SW070. Range Resources—Appalachia, LLC, 3000 Town Center Blvd, Canonsburg, PA 15317, Jefferson Township, **Washington County**. A Determination of Applicability for coverage under Residual Waste General Permit No. WMGR123SW070 for the processing and beneficial use of oil and gas liquid waste at the MCC Partners Well Pad Reuse Water Storage Facility, located at 83 Walker Road, Burgettstown, PA 15021, for use as a water supply source to develop or hydraulically fracture

an oil or gas well was issued by the Southwest Regional Office. Application received: November 3, 2023. Permit issued: April 24, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR123SW056. EQM Gathering OPCO, LLC, 2200 Energy Drive, Canonsburg, PA 15317, Jackson Township, **Greene County**. A permit modification for Residual Waste General Permit No. WMGR123SW056 was issued by the Southwest Regional Office. The modification approves updates to the Radiation Protection Plan at the Marlin Aboveground Storage Tank Facility located at 401 Aleppo Road, New Freeport, PA 15352. Application received: June 1, 2023. Permit modification issued: December 22, 2023.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) 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.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: David G. Balog, P.E., NSR Section Chief, 814-332-6328.

GP14-37-00343C: Samuel Teolis Funeral Home & Circle Cremation Services, 309 Spring Avenue, Ellwood City, PA 16117, Ellwood City Borough, **Lawrence County**. Issued a GP-14 renewal for a human crematory with no changes in equipment or operations. Permit expires March 31, 2029. Application received: April 1, 2024. Issued: April 24, 2024.

GP19-61-00223C: Schake Industries Inc.—Seneca Facility, 3467 Route 257, Seneca, PA 16346, Cranberry Township, **Venango County**. Issued a routine GP-19 renewal for previously permitted equipment with no changes. Permit expires February 28, 2029. Application received: October 16, 2023. Issued: March 13, 2024.

AG5-20-00001D: Pin Oak Energy Partners LLC—Fouk Compressor Station, Townline Road, Sprinboro, PA 16435, Beaver Township, **Crawford County**. Issued a routine GP-5 renewal for a natural gas compressor station with no changes in equipment or operations. Permit expires March 31, 2029. Application received: March 18, 2024. Issued: April 1, 2024.

AG5-33-00002B: Fairman Corporation—Big Run Compressor Station, 12353 Route 36, Punxsutawney, PA 15767, Gaskill Township, **Jefferson County**. Issued a GP-5 renewal for an existing natural gas compressor station that did have some equipment changes, including 2 compressor engines that were removed from the site and replaced with a single engine, and storage tank

changes. Permit expires May 1, 2029. Application received: March 28, 2024. Issued: May 1, 2024.

AG5A-03-00001A: Snyder Brothers Inc.—Ringgold Wellpad, 355 Hoover Road, Templeton, PA 16259, Boggs Township, **Armstrong County**. Issued a new GP5-A for Marcellus shale natural gas processing equipment on the wellpad, consisting of five brine storage tanks, an enclosed flare to control emissions from these tanks and truck loadout operations, and various fugitive emission sources. Permit expires February 28, 2029. Application received: January 19, 2024. Issued: March 11, 2024.

AG5A-10-00018A: XTO Energy Inc.—Bergbigler Wellpad, 265 McGrady Hollow Road, Butler, PA 16002, Clearfield Township, **Butler County**. Issued a new GP5-A permit for equipment on the XTO Bergbigler Marcellus Shale Wellpad, including gas heaters, brine and methanol storage tanks, and associated fugitive and ancillary emissions. Permit expires April 30, 2029. Application received: April 18, 2024. Issued: May 9, 2024.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

GP4-36-03190A: Ingham's Powder Coating, 1860 N. Reading Rd., Stevens, PA 17578, East Cocalico Township, **Lancaster County**. For a new burn-off oven, under GP4, at the facility. Application received: April 10, 2024. Issued: May 9, 2024.

Actions(s) Taken on Plan Approval(s) 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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Shailesh Patel, New Source Review Chief, 570-826-2357.

48-00119B: Ultra-Poly Corporation, 102 Demi Road, Portland, PA 18351-8700, Portland Borough, **Northampton County**. For the operation of two (2) Donaldson Torit RF Baghouse Dust Collectors, installed at a previous date, located in Portland Borough, Northampton County. Application received: February 14, 2024. Accepted: February 14, 2024. Issued: May 8, 2024.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: David G. Balog, P.E., NSR Section Chief, 814-332-6328.

33-00140D: Eastern Gas Transmission and Storage Inc.—Punxsutawney Compressor Station, 88 Laska Road, Punxsutawney, PA 15767-5719, Perry Township, **Jefferson County**. Issued a plan approval to Eastern Gas Transmission and Storage, Inc. (Eastern) for the installation and initial operation of two Selective Catalytic Reduction (SCR) control devices at their Punxsutawney Compressor Station facility. This is an existing Title V facility (TV33-00140). This project aims to comply with the presumptive RACT III determination for Sources 131 (Engine 1) and 132 (Engine 2) through the installation of SCR control devices and the subsequent reduction of NO_x emissions. The site address is 88 Laska Rd, Jefferson County (15767) 40°, 54', 36" N, 79°, 01', 09" W. The Plan Approval contains testing, recordkeeping,

emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Permit expiration date is September 30, 2025. Application received: January 3, 2023. Issued: April 15, 2024.

43-00385B: Cronimet Specialty Metals USA Inc.—Greenville facility, 209 Reynolds Industrial Park Rd, Greenville, PA 16125, Pymatuning Township, **Mercer County**. Issued a plan approval for a change in operation of two (2) existing burn-off ovens (Source ID 104 and 105) originally permitted under GP4-43-00385D at the facility located in City of Pymatuning Township, Mercer County. This is an existing natural minor facility. Source 104 and 105, Burn-Off Oven 4 and 5, consists of two (2) Eco Burn-Off Ovens Corp Model EBR-287 and have a throughput of 0.8 MBtu/hr of natural gas and rated at 20 lbs per hour. The units are equipped with low NO_x burners and secondary chambers to reduce emissions. These 2 ovens meet the established BAT for burn-off ovens from the GP4 general permit. Potential emissions from the subject source(s) will be as follows: NO_x CO SO_x PM₁₀ PM_{2.5} VOC 104 0.95 1.45 0.22 0.67 0.63 0.30 105 0.95 1.45 0.22 0.67 0.63 0.30 Throughput restrictions: Burn off ovens shall not be used to burn coatings that contain halogenated hydrocarbons like PVC, or Teflons. Burn off ovens may be used to remove cured hydrocarbon coatings, grease or oils from metal parts. The Burn off ovens may be used for the following list of materials: Drying grindings, Shavings, Swarf, Turnings, Chips, Sludge, Pucked grindings (briquette), Burn-off filters, Filter paper cartridges, Cartridges, & Filter rolls only if the material meets one of the following: The precious metal content must be over 0.05 percent by weight. The combined metal or oxide forms of Ni, Co, Mo, W, V, Cu, Zn, Al, Ti, Si, Fe, B, Cr, Mg, Mn, Zr, Nb, Ta, Sn, Ga, In, total must be over 5 percent by weight. The rare earth metals content must be over 10 percent by weight. Permit expiration date is April 24, 2025. Application received: September 14, 2023. Issued: April 24, 2024.

24-00131Z: SGL Carbon LLC, 900 Theresia St., Saint Marys, PA 15857-1832, City of Saint Marys, **Elk County**. Issued a plan approval to install one (1) new dust collector(s) to control PM emissions from the proposed new sawing operation. This is an existing natural minor facility. Source 104, Sawing Operation, consists of one (1) Mazak "Integrex E-1850V" CNC machine and one (1) Friggi "2 MF 2000x2000x4000 TM Horizontal Dual Column" band saw which will be controlled by a cartridge style dust collector (ID C104). The control device is designed for an inlet volume of 8,000 CFM at 68 degrees Fahrenheit and will control PM emissions. The Sawing Operation processes graphite at a rate of 445 tpy per saw and, for permitting purposes, are assumed to operate 8,760 hours annually. 10,899 lbs/month of graphite dust is loaded into the collector. Permit Expiration Date is October 31, 2025. Application received: August 23, 2023. Issued: April 29, 2024.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon or William Weaver, 717-705-4702.

36-05167A: AHF Products LLC (1067 Dillerville Road, Lancaster, PA 17603-2613) on May 9, 2024, for the installation of hot melt adhesive coating operations at their flooring manufacturing plant in the City of Lancaster, **Lancaster County**. Plan Approval No. 36-05167A is for the installation of hot melt adhesive coating operations to the Luxury Vinyl Tile (LVT) produc-

tion line. Adhesive fumes from the coating operations will be collected by a capture hood and sent to a 4,000 cfm Smog-Hog model SHN electrostatic precipitator (ESP) Application received: January 24, 2024. Issued: May 9, 2024

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

09-0235C: CP Flexible Packaging, 181 Rittenhouse Cir, Bristol, PA 19007-1617, Bristol Township, **Bucks County**. This action is for the installation of a new flexible packaging flexographic printing press (Source ID 260—Press 26) which will exhaust to the existing regenerative thermal oxidizer (C01—RTO) at the facility. Application received: February 15, 2024. Issued: May 9, 2024.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-11-00542: Military Resource Enhancement Specialists, Inc., 3179 Lincoln Highway, Stoystown, PA 15563, Conemaugh Township, **Cambria County**. Plan Approval extension issued on May 13, 2024, expiration date November 28, 2024 to allow shake-down of sources and air cleaning devices at MRES Slag Operation located in Conemaugh Township, Cambria County. Application received: May 10, 2024. Issued: May 13, 2024.

PA-63-00916B: Perryman Company, 213 Vandale Drive, Houston, PA 15342, North Strabane Township, **Washington County**. The Department has evaluated and approved the request for a plan approval extension for a Titanium Conversion Facility at the Perryman Company. This will allow for the temporary operation until the plan approval 63-00916C can be issued. The new expiration date will be November 28, 2024. Application received: April 19, 2024. Authorized: May 14, 2024.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

55-00026B: Hummel Station LLC, 2386 N Old Trail Road, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. The Department extended the temporary operating period for sources at the facility while the Title V Operating Permit application is under Department review for the Hummel Station electric generation station. The plan approval expiration date has been extended. Application received: April 29, 2024. Revised: May 7, 2024. New expiration date: November 7, 2024.

55-00001E: Hummel Station LLC, 2386 N Old Trail Road, Shamokin Dam, PA 17876, **Snyder County**. The Department extended the temporary operating period for sources at the facility while the Title V Operating Permit application is under Department review for the Hummel Station electric generation station. The plan approval

expiration date has been extended. Application received: April 29, 2024. Revised: May 7, 2024. New expiration date: November 21, 2024.

55-00001G: Hummel Station LLC, 2386 N Old Trail Road, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. The Department extended the temporary operating period for sources at the facility while the Title V Operating Permit application is under Department review for the Hummel Station electric generation station. The plan approval expiration date has been extended. Application received: April 29, 2024. Revised: May 7, 2024. New expiration date: November 21, 2024.

14-00002S: Graymont (PA), Inc., 375 Graymont Road, Bellefonte, PA 16823, Spring Township, **Centre County**. The Department extended the plan approval expiration date for temporary operation of the natural gas-fired Rotary Lime Kilns No. 6 and 7 while the Amendment application to incorporate the terms and conditions of the plan approval into the Title V Operating Permit is under review. The plan approval has been extended. Application received: May 2, 2024. Revised: May 7, 2024. New expiration date: November 11, 2024.

49-00063B: Renewal Processing, LLC, 10705 State Route 44, Watsonstown, PA 17777, Lewis Township, **Northumberland County**. The Department extended the temporary operation period of the bakery waste rotary dryer at the Watsonstown facility during the continued shakedown of the equipment and while awaiting the results of the compliance testing. The plan approval expiration date has been extended. Application received: April 9, 2024. Revised: May 3, 2024. New expiration date: November 4, 2024.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: David G. Balog, P.E., NSR Section Chief, 814-332-6328.

24-00131V: SGL Carbon LLC, 900 Theresia St., Saint Marys, PA 15857-1832, City of Saint Marys, **Elk County**. Issued a 6-month plan approval extension to allow the facility more time for stack testing. Extension expires October 31, 2024. Application received: March 29, 2024. Issued: April 25, 2024.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca or William Weaver; 717-705-4702.

67-05004U: Pixelle Specialty Solutions, LLC, 228 South Main Street, Spring Grove, PA 17362-1000. On May 13, 2024, for the installation of two 115 mmBtu/hr natural gas burners in the No. 3 Recovery Boiler (ID 037) which will be limited by an annual fuel limitation of 225.49 mmscf of natural gas, upgrade of the PLC software and various hardware of the Hardwood Digester (ID 112) to increase pulp production by 2.1%, and upgrades to the water removal system of paper machines No. 1 and No. 8 (contained in ID 115) to increase paper production by approximately 8% at the pulp and paper mill in Spring Grove Borough, **York County**. The plan approval was extended. Application received: April 30, 2024. Extension: May 13, 2024.

Contact: Thomas Hanlon or William Weaver, 717-705-4702.

06-05096E: Tower Health System/Reading Hospital, P.O. Box 16052, Reading, PA 19612, West Reading

Borough, **Berks County**. For the reactivation of Cogeneration Plant No. 2 at the Reading Hospital Application received: May 1, 2024. Extension: May 13, 2024.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-30-00072H: Consol Pennsylvania Coal Company, LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill Township, **Greene County**. For plan approval extension to authorize continued temporary operation of sources and controls associated with the Bailey Prep Plant Expansion. Application received: April 23, 2024. Effective: May 28, 2024.

PA-30-00072I: Consol Pennsylvania Coal Company, LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, East Finley Township, **Washington County**. For plan approval extension to authorize continued temporary operation of sources and controls associated with the Enlow Fork Overland Conveyor. Application received: April 23, 2024. Effective: May 28, 2024.

PA-30-00072N: Consol Pennsylvania Coal Company, LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill Township, **Washington County**. For plan approval extension to authorize continued temporary operation of sources and controls associated with the Omnis material handling operations. Application received: April 23, 2024. Effective: June 28, 2024.

PA-63-00936F: MarkWest Liberty Midstream & Resources, LLC, 4600 J Barry Court, Suite 500, Canonsburg, PA 15317, Chartiers Township, **Washington County**. For plan approval extension to authorize continued temporary operation of air contamination sources and controls at the Houston Gas Plant. Application received: April 15, 2024. Effective: May 28, 2024.

PA-04-00740A: Shell Chem Appalachia LLC, 300 Frankfort Road, Monaca, PA 15061, Potter Township, **Beaver County**. Approval to extend the temporary operation of the Shell Polymers Monaca Site located in Potter and Center Townships, Beaver County under PA-04-00740A. Application received: March 8, 2024. Approved: April 11, 2024.

PA-04-00740B: Shell Chem Appalachia LLC, 300 Frankfort Road, Monaca, PA 15061, Potter Township, **Beaver County**. Approval to extend the temporary operation of the Shell Polymers Monaca Site located in Potter and Center Townships, Beaver County under PA-04-00740B. Application received: March 8, 2024. Approved: April 11, 2024.

PA-04-00740C: Shell Chem Appalachia LLC, 300 Frankfort Road, Monaca, PA 15061, Potter Township, **Beaver County**. Approval to extend the temporary operation of the Shell Polymers Monaca Site located in Potter and Center Townships, Beaver County under PA-04-00740C. Application received: March 8, 2024. Approved: April 11, 2024.

Title V Operating Permit(s) Issued 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 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

01-05003: Columbia Gas Transmission LLC, 455 Racetrack Road, Washington, PA 15301-8910, Straban Township, **Adams County**. For the Gettysburg natural gas compressor station. The Title V permit was renewed. Application received: April 28, 2023. Issued: May 2, 2024.

Operating Permit(s) 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 18701-1915, 570-826-2511.

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

39-00058: Packaging Corporation of America, 7451 Cetronia Rd, Allentown, PA 18106-9123, Upper Macungie Township, **Lehigh County**. The Department has issued a renewal State-Only (Natural Minor) Operating Permit for the Upper Macungie Township facility. Sources at this facility include their boilers, corrugator, hogger, flexo, rotary die cutter, converting machine, and emergency generator. This permit also includes a cyclone as a control device. The Operating Permit contains all 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. Application received: February 1, 2024. Accepted: February 1, 2024. Issued: May 8, 2024.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca or William Weaver; 717-705-4702.

21-03128: Penn State Health Holy Spirit Medical Center, 503 North 21st Street, Camp Hill, PA 17011-2288, East Pennsboro Township, **Cumberland County**. For the emergency engines at the hospital facility. Application received: November 29, 2023. Issued: May 9, 2024.

67-05015: Topflight Corporation, 277 Commerce Drive, Glen Rock, PA 17327-8625, Springfield Township, **York County**. For the label printing facility. Application received: March 23, 2023. Issued: May 9, 2024.

01-05030: Hanover Prest Paving Co., 240 Bender Road, Hanover, PA 17331-9079, Mount Pleasant Township, **Adams County**. For the batch asphalt plant Application received: July 3, 2023. Renewed: May 9, 2024.

28-05001: Martin's Famous Pastry Shoppe, 1000 Potato Roll Lane, Chambersburg, PA 17201-8897, Guilford Township, **Franklin County**. For the commercial banking facility. Application received: August 29, 2023. Issued: May 9, 2024.

05-03022: Cronimet Specialty Metals USA, Inc., 172 Friendship Village Road, Bedford, PA 15522-6621, Bedford Township, **Bedford County**. For the operation of a metal and metal alloy processing facility. Application received: November 30, 2023. Issued: May 09, 2024.

Contact: Thomas Hanlon or William Weaver, 717-705-4702.

36-03217: Charles F. Snyder Funeral Home Inc./Willow Street, 3110 Lititz Pike, Lititz, PA 17543, West Lampeter Township, **Lancaster County**. For operation of a human crematory. Application received: February 15, 2024. Issued: May 13, 2024.

22-03057: Dayton Parts LLC, 1300 North Cameron Street, Harrisburg, PA 17103-1010, City of Harrisburg, **Dauphin County**. For the truck parts manufacturing facility. Application received: December 21, 2023. Issued: May 14, 2024.

Contact: *Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

36-03224: Miller Fiberglass, LLC, 905 Strasburg Pike, Strasburg, PA 17579, Strasburg Township, **Lancaster County**. For operation of a custom fiberglass and plastic products manufacturing operation. Application received: December 1, 2023. Issued: May 7, 2024.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

15-00043: Sunoco Malvern Marketing & Terminals, 41 Malin Rd, Malvern, PA 19355-1767, East Whiteland Township, **Chester County**. This action is for the renewal of a Title V Operating Permit for the operation of a bulk gasoline terminal which receives gasoline via underground pipeline and then stores and distributes the gasoline. Application received: November 14, 2023. Issued: May 7, 2024.

46-00179: Lehigh Valley Dairy Farms, 880 Allentown Rd, Lansdale, PA 19446-5206, Upper Gwynedd Township, **Montgomery County**. This action is for the renewal of a State Only, Natural Minor Operating Permit for the operation of a milk processing plant where raw milk (unpasteurized) is received, then pasteurized, homogenized, and finally packaged for distribution. Application received: May 25, 2023. Issued: May 8, 2024.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer 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.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: *Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

06-05069: East Penn Manufacturing Co., Inc., Deka Road, P.O. Box 147, Lyon Station, PA 19536, Richmond Township, **Berks County**. For the lead-acid battery assembly facility. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05069AD. Application received: April 25, 2024. Issued: May 8, 2024.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

15-00009: AGC Chemical, 255 S Bailey Rd, Downingtown, PA 19335-2003, Caln Township, **Chester County**. This action is to modify the use of an alternative surfactant and process rate for the facility's Free Flow Process under the existing State-Only Operating Permit (SOOP) for AGC Chemicals Americas Inc. which manufactures fluoroproducts, including fluoropolymer resins, enhanced fluorinated materials and compounds and fluoroelastomers. This modification does not authorize any increase in air emissions of regulated pollutants from

the facility above previously approved levels. Application received: March 27, 2024. Issued: May 10, 2204.

ACTIONS ON COAL AND NONCOAL 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 (52P.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 National Pollutant Discharge Elimination System (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—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Permits

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

Contact: *Bonnie Herbert, Clerical Assistant 3*

Mining Permit No. 30841317. NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill, Morris and Washington Townships, **Greene County**. To revise the permit and related NPDES permit for development only, affecting 3088.0 underground acres and 3088.0 subsidence control plan acres. Application received: December 14, 2021. Accepted: February 8, 2022. Issued: May 6, 2024.

Noncoal Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.

Contact: *Melanie Ford-Wigfield, 814-472-1900, ra-epcambriadmo@pa.gov.*

Mining Permit No. 4975SM5. NPDES No. PA0612430. Glen-Gery Corporation, 1166 Spring Street, Wyomissing, PA 19610, Oxford Township, **Adams County**. Permit revision to remove 6.38 acres from the permit boundary on a large industrial mineral permit. Total permit acres goes from 110.3 to 103.92 acres. Receiving stream: unnamed tributary to South Branch Conewago Creek classified for the following use: WWF. Application received: December 20, 2023. Permit issued: May 10, 2024.

Contact: *RA-EPCAMBRIADMO@pa.gov.*

Mining Permit No. 6875SM3. NPDES No. PA0612383. Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16802, Armagh Township, **Mifflin County**. NPDES renewal for a limestone quarry affecting 114.7 acres. Receiving stream: unnamed

tributary to Honey Creek, classified for the following use: HQ-CWF. Application received: January 16, 2024. Renewal issued: May 14, 2024.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) 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

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

Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.

Permit No. 65244102. Senex Explosives Inc., 710 Millers Run Road, Cuddy, PA 15031-9742, Rostraver Township, **Westmoreland County.** Blasting activity permit for the construction/demolition of Nobel Environmental Services Westmoreland County Landfill, with an expiration date of May 15, 2025 Application received: May 10, 2024. Issued: May 13, 2024.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) 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, DEP 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.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. 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

Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Andrew Ross, EIT | Project Manager | 570-321-6575.

E1804219-005. Clinton County, 232 East Main Street, Lock Haven, PA 17745, Pine Creek Township and Wayne Township, **Clinton County.** U.S. Army Corps of Engineers Baltimore District.

Bald Eagle Valley Trail—Phases 4 and 5. Application is for a permit amendment for Phase 5 and extension of the previously issued permit. Phase 4 construction has been completed. The Phase 5 design authorized under the initial submission proposed the trail to the south, along River Road. However, the property along the previous alignment was sold during the construction of Phase 4, and the new property owner will not allow construction of the trail at that location. As such, the approved permit amendment will utilize a new trail alignment extending upstream along the west edge an agricultural field and paralleling the W.B. Susquehanna River north to the toe of slope for SR 220 elevated roadway embankment. The trail then turns east and will parallel SR 220 to the end of Fritz Lane. The portion of trail that parallels West Branch Susquehanna River will be 8-feet wide with TSA surface. The portion of trail that parallels SR 220 will be 16-feet wide with Driving Surface Aggregate (DSA) surface to accommodate farm equipment in addition to pedestrians and bicyclists. Latitude: 41.166295°, Longitude: -77.333913°. Application received: October 17, 2023. Permit modification issued: May 14, 2024. Renewed: May 14, 2024.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E4002124-001. PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Jackson Township, **Luzerne County.** U.S. Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the replacement of the bridge conveying a tributary to Browns Creek below SR 1005: 1. To remove an existing stream crossing and to construct and maintain a 38.55' wide pre-cast reinforced concrete box culvert with an 8.5' normal clear span and a 3.5' minimum underclearance and to construct and maintain appurtenant structure features. The proposed stream crossing will carry SR 1005 across a tributary to Browns Creek (CWF, MF). 2. To modify an existing stormwater outfall along the western bank of a tributary to Browns

Creek (CWF, MF) with work consisting of a 20-LF extension of an 8-inch diameter corrugated plastic pipe. The project is located along SR 1005 Section 371 approximately 0.1-mile northwest of the SR 1005/1012 intersection (Kingston, PA Quadrangle Latitude: 41.285790°, Longitude: -75.963839°) in Jackson Township, Luzerne County. Latitude: 41.285790°, Longitude: -75.963839°. Application received: January 8, 2024. Issued: May 9, 2024.

E5402223-004. Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901, Cass Township, Branch Township, **Schuylkill County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the West Creek Stream Restoration Project: 1) A channel change within a 7,500-lf reach of West Creek (CWF, MF) consisting of the regrading of the stream channel and the construction of a 20-ft wide trapezoidal channel having a bed comprised of 3-ft deep R-4/R-7 riprap blended with natural streambed material, 4:1 side slopes, longitudinal slopes ranging from 0.9%—5.4%, and underlain with an impervious PVC liner. The constructed channel will also include fish habitat enhancement structures such as rock cross vanes, hook vanes, rock step pools, and constructed root wads. The purpose of this impact is to minimize the loss of base flow into the mine pool via seepage. 2) A streambank retaining device along the southern bank of West Creek (CWF, MF) consisting of 150-lf of R-7 riprap. 3) A streambank retaining device along the northern bank of West Creek (CWF, MF) consisting of 200-lf of R-7 riprap. 4) A utility line crossing of West Creek (CWF, MF) consisting of a 12-in diameter, concrete-encased ductile iron water line. 5) A streambank retaining device along the northern bank of West Creek (CWF, MF) consisting of 110-lf of R-7 riprap. 6) A streambank retaining device along the southern bank of West Creek (CWF, MF) consisting of 110-lf of R-7 riprap. 7) A streambank retaining device along the northern bank of West Creek (CWF, MF) consisting of 70-lf of R-8 riprap. 8) A streambank retaining device along the southern bank of West Creek (CWF, MF) consisting of 50-lf of R-8 riprap. 9) A streambank retaining device along the northern bank of West Creek (CWF, MF) consisting of 115-lf of R-8 riprap. 10) A streambank retaining device along the southern bank of West Creek (CWF, MF) consisting of a 260-lf concrete block retaining wall ranging in height from 6.63-ft to 14.62-ft. The project begins at the confluence of West Creek and Main Street (T-557) and ends approximately -feet west of the confluence of West Creek and Forest Lane (SR 4008) (Minersville, PA Quadrangle Latitude: 40°, 41', 28"; Longitude: -76°, 18', 7") in Cass and Branch Townships, Schuylkill County. Latitude: 40°, 41', 28", Longitude: -76°, 18', 7". Application received: May 26, 2023. Issued: May 9, 2024.

E4802224-003. Upper Nazareth Township, 100 Newport Avenue, Nazareth, PA 18064, Upper Nazareth Township, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a riparian restoration buffer and a walking path permanently impacting 190 feet of the floodway in Schoeneck Creek (WWF, MF). The walking path will be 6 feet wide. To construct and maintain an outfall, chocked with rip rap, for the riparian restoration buffer permanently impacting 20 feet of Schoeneck Creek (WWF, MF). The project is located in Upper Nazareth Township, Northampton County, PA. (Wind Gap, PA Quadrangle, Latitude: 40°, 75', 05"; Longitude: -75°, 30',

49"). Latitude: 40°, 75', 05", Longitude: -75°, 30', 49". Application received: February 5, 2024. Issued: May 9, 2024.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E1006223-003. Penn Township, 157 East Airport Road, Butler, PA 16002, Penn Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District.

To permanently impact 0.20 acre of Palustrine Emergent and Scrub Shrub Wetlands and 0.69 acre of the assumed 50-foot floodway and 0.17 acre of the 100-year flood plain of Thorn Run for the realignment of T-495 Dodds Road at the intersection of Rockdale Road (Butler, PA Quadrangle N: 40.777061°; W: -79.885000°) in Penn Township, Butler County. The project will also enhance 490 linear feet of Thorn Run and mitigate 0.20 acre of wetland impact by purchase of 2.16 credits through the PA PIESCES Fund. Latitude: 40.777061°, Longitude: -79.885000°. Application received: September 18, 2023. Issued: May 9, 2024.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: ra-ep-ww-sero-105@pa.gov.

E5101223-004. Crown Point Owner, LP, 401 Franklin Street, Suite 2555, Houston, TX 77002, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

To perform water obstruction and encroachment activities within the assumed 50-foot floodway of Walton Run (WWF-MF). These activities include trenching to facilitate the installation of pipe conveyance from stormwater management facilities to a new doghouse manhole over an existing 18-inch RCP conveyance pipe and outfall resulting in 6,253 square feet (0.144 acre) of permanent floodway impact. Utility trenching is located within the overall grading of the floodway resulting in 31,412 square feet (0.721 acre) of permanent floodway impact. This project is located at 10101 Roosevelt Boulevard in Philadelphia County (USGS PA Frankford Quadrangle). Latitude: 40.095328°, Longitude: -75.012200°. Application received: December 26, 2023. Permit issued: May 9, 2024.

Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: D. J. Stevenson, 412-442-4281, RA-EPSW-OGSUBMISSION@pa.gov.

E6307224-001. MarkWest Liberty Midstream & Resources, LLC, 4600 J. Barry Court, Suite 500, Canonsburg, PA 15317, Donegal Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District.

Latitude: 40.103408°, Longitude: -80.467867°. Application received: January 29, 2024. Issued: May 8, 2024.

The project proposes to expose approximately 1,857 lf of one (1) existing 12-in steel gas pipeline (Hunter Pipeline), and approximately 5,497 lf of one (1) existing 12-in steel gas line, 5,519 lf of one (1) existing 16-in steel gas line, and 5,502 lf of one (1) existing 20-in steel gas line (Wilhelm Carpenter Pipeline) in preparation for longwall mining activities under these pipelines. Pipeline exposure is anticipated to last approximately six months and will result in temporary impacts to three (3) Palustrine Emergent (PEM) wetlands and five (5) streams (UNTs to Dutch Fork, a High-Quality Warm Waters Fisheries) and

their associated floodways and permanent indirect impacts to one (1) UNT to Dutch Fork 50' assumed floodway. Proposed project impacts will include installation of temporary flume pipes and riprap aprons, excavation of pipelines, exposure of the pipelines through the aquatic

resources, stockpiling of materials, temporary timber mat stream and wetland crossings, installation of trench drainage in upland areas, installation of topsoil covered rock armor at Stream M (UNT to Dutch Fork) floodway, and restoration post-construction.

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Latitude/ Longitude</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Temp. (Ac)</i>
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	Flume Pipe	HQ-WWF	40.1013560 -80.4731250	272	0	68	0.006
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	Aerial Span Mat Bridge	HQ-WWF	40.1013560 -80.4731250	40	0	10	0.001
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	Excavation	HQ-WWF	40.1013560 -80.4731250	284	0	71	0.006
SC-1/Stream G (UNT to Dutch Fork)	Ephemeral	RipRap Apron	HQ-WWF	40.1013560 -80.4731250	200	0	20	0.005
SC-2/Stream H (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1011370 -80.4741960	240	0	60	0.005
SC-2/Stream H (UNT to Dutch Fork)	Perennial	Aerial Span Mat Bridge	HQ-WWF	40.1011370 -80.4741960	35	0	10	0.001
SC-2/Stream H (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1011370 -80.4741960	210	0	60	0.005
SC-2/Stream H (UNT to Dutch Fork)	Perennial	RipRap Apron	HQ-WWF	40.1011370 -80.4741960	200	0	20	0.005
SC-3/Stream J (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1048600 -80.4761970	460	0	115	0.01
SC-3/Stream J (UNT to Dutch Fork)	Perennial	Aerial Span Mat Bridge	HQ-WWF	40.1048600 -80.4761970	60	0	20	0.001
SC-3/Stream J (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1048600 -80.4761970	330	0	110	0.007
SC-3/Stream J (UNT to Dutch Fork)	Perennial	RipRap Apron	HQ-WWF	40.1048600 -80.4761970	340	0	34	0.007
SC-4/Stream K (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1049250 -80.4761850	74	0	21	0.002
SC-4/Stream K (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1049250 -80.4761850	53	0	21	0.001
SC-5/Stream M (UNT to Dutch Fork)	Perennial	Flume Pipe	HQ-WWF	40.1071660 -80.4775040	50	0	10	0.001
SC-5/Stream M (UNT to Dutch Fork)	Perennial	Aerial Span Mat Bridge	HQ-WWF	40.1071660 -80.4775040	300	0	60	0.007
SC-5/Stream M (UNT to Dutch Fork)	Perennial	Excavation	HQ-WWF	40.1071660 -80.4775040	170	0	62	0.004

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Latitude/ Longitude</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Temp. (Ac)</i>
SC-5/Stream M (UNT to Dutch Fork)	Perennial	RipRap Apron	HQ-WWF	40.1071660 -80.4775040	310	0	17	0.007
SC-2/Stream H (UNT to Dutch Fork)	Floodway	Aerial Span Mat Bridge	HQ-WWF	40.1011370 -80.4741960	250	0	25	0.006
SC-2/Stream H (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1011370 -80.4741960	6660	0	111	0.15
SC-3/Stream J (UNT to Dutch Fork)	Floodway	Aerial Span Mat Bridge	HQ-WWF	40.1048600 -80.4761970	1460	0	73	0.03
SC-3/Stream J (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1048600 -80.4761970	6030	0	134	0.14
SC-4/Stream K (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1049250 -80.4761850	2226	0	106	0.05
SC-5/Stream M (UNT to Dutch Fork)	Floodway	Aerial Span Mat Bridge	HQ-WWF	40.1071660 -80.4775040	340	0	34	0.008
SC-5/Stream M (UNT to Dutch Fork)	Floodway	Excavation	HQ-WWF	40.1071660 -80.4775040	5700	0	114	0.13
SC-5/Stream M (UNT to Dutch Fork)	Floodway	Other; Topsoil Covered Rock Armor	HQ-WWF	40.1071660 -80.4775040	0	2921 (0.07 Ac)	0	0
WC-1/Wetland E	Palustrine Emergent	Excavation	-	40.1011900 -80.4697200	700	0	50	0.02
WC-1/Wetland E	Palustrine Emergent	Aerial Span Mat Bridge	-	40.1011900 -80.4697200	280	0	20	0.006
WC-2/Wetland K	Palustrine Emergent	Excavation	-	40.1010060 -80.4740720	198	0	18	0.005
WC-3/Wetland G	Palustrine Emergent	Excavation	-	40.1049040 -80.4761800	2244	0	68	0.05

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-772-5321.

Contact: Niamh Hays, Water Program Specialist, 717-772-5959.

EA3615223-004. First Pennsylvania Resource, LLC, 317 East Carson Street, Suite 242, Pittsburgh, PA 15219, East Cocalico Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to remove approximately 14,900 cubic yards of legacy sediment and other historic fills from the floodplain along unnamed tributaries to Houston Run (WWF-MF), for the purpose of restoring natural aquatic resources including approximately 3 acres of integrated wetland, stream, and floodplain areas; to realign approximately 1,800 linear feet of

stream for the purpose of restoring watercourses; to place rock stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct temporary stream crossings, rock construction entrances, and other erosion controls during restoration activities. The restoration project is located between Hill Road and the Pennsylvania Turnpike, beginning north-west of the East Cocalico Township Police Department in Denver, PA. Latitude: 40.228333°, Longitude: -76.098056°. Application received: November 17, 2023. Approved: May 10, 2024.

DAM SAFETY

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-772-5321.

Contact: Josh Fair, 717-772-5988.

D39-021EA. John Bohman, Permit Coordinator, Pennsylvania Department of Transportation, 1002 Hamil-

ton Street, Allentown, PA 18101, Upper Milford Township, **Lehigh County**. The Department has reviewed and approved a proposal to remove the Ice Dam to eliminate a threat to public safety and to restore approximately 50 feet of stream channel to a free-flowing condition. The project is located across Leibert Creek (HQ-CWF, MF) (Allentown West, PA Quadrangle), Latitude: 40.5340°, Longitude: -75.5150°. Application received: January 24, 2024.

The Department has reviewed and approved a proposal to remove the Ice Dam to eliminate a threat to public safety and to restore approximately 50 feet of stream channel to a free-flowing condition. The project is located across Leibert Creek (HQ-CWF, MF) (Allentown West, PA Quadrangle, Latitude: 40.5340, Longitude: -75.5150). The project was approved on May 3, 2024.

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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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.

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOGPRG@pa.gov.

ESCGP # 3	ESG295724005-00
Applicant Name	Chesapeake Appalachia LLC
Contact Person	Eric Haskins
Address	14 Chesapeake Lane
City, State, Zip	Sayre, PA 18840
Township(s)	Elkland Township
County	Sullivan County
Receiving Stream(s) and Classification(s)	Elk Creek (EV)
Application received:	March 11, 2024

Issued:	May 13, 2024
ESCGP # 3	ESG295324001-00
Applicant Name	JKLM Energy LLC
Contact Person	Joseph Harrick
Address	2200 Georgetowne Drive Suite 500
City, State, Zip	Sewickley, PA 15143-8753
Township(s)	Allegheny Township
County	Potter County
Receiving Stream(s) and Classification(s)	Woodcock Creek (HQ-CWF), Tributary 58500 to Gross Hollow (HQ-CWF)
Application received:	March 5, 2024
Issued:	May 13, 2024

Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Kate Hogue Clerical Supervisor, 814-332-6868.

ESCGP # 3	ESG081023004-01
Applicant Name	Pennenergy Resources LLC
Contact Person	Cody Salmon
Address	3000 Westinghouse Drive Ste. 300
City, State, Zip	Cranberry Township, PA 16066-5239
Township(s)	Middlesex Township
County	Butler County
Receiving Stream(s) and Classification(s)	UNT to Glade Run (WWF)
Application received:	May 2, 2024
Approved:	May 13, 2024

Contact: Katelyn Hogue, Clerical Supervisor 2, 814-332-6868.

ESCGP # 3	ESG080323013-00
Applicant Name	Snyder Bros Inc.
Contact Person	Carl Rose
Address	P.O. Box 1022
City, State, Zip	Kittanning, PA 16201
Township(s)	Washington Township
County	Armstrong County
Receiving Stream(s) and Classification(s)	Allegheny River (WWF), Huling Run (TSF), Tributary 48058 to Allegheny River (WWF), Tributary 49007 to Huling Run (TSF), Tributary 49008 to Huling Run (TSF), Tributary 49009 to Huling Run (TSF)
Application received:	December 21, 2023
Issued:	May 13, 2024

Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: RA-EPSW-OGSUBMISSION@pa.gov.

ESCP # **ESP07302300100E**
 Applicant Name **CNX Gas Co LLC—RHL-29 Well Site**
 Contact Person Kevin Quinn, (412) 651-5042, kevinquinn@cnx.com
 Address 378 Days Road
 City, State, Zip Richhill, PA 15377
 Township(s) Richhill Township
 County **Greene County**
 Receiving Stream(s) 001. Lat 39.95266, Long
 and Classification(s) -80.51203, Unnamed Tributary to Dunkard Fork, Ch 93 class WWF 002. Lat 39.94430, Long -80.51611, Unnamed Tributary to Dunkard Fork, Ch 93 class WWF
 Application received: May 14, 2024
 Issued: May 13, 2024

Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: William Stevens, Clerical Supervisor 2, 412-442-4134.

ESCGP # 3 **ESG070424003-00 Per B37 Well Pad ESCGP-2 Expedited**
 Applicant Name **PennEnergy Resources LLC**
 Contact Person Richard Watson
 Address 3000 Westinghouse Drive Suite 300
 City, State, Zip Cranberry Twp, PA 16066
 Township(s) New Sewickley Township
 County **Beaver County**
 Receiving Stream(s) UNT to Brush Creek (WWF)
 and Classification(s)
 Application received: April 22, 2024
 Issued: May 13, 2024

CORRECTIVE ACTION UNDER ACT 32, 1989 PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contami-

nants 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.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Dunmore Oil Co. Former Al's Mobil, Storage Tank Facility ID # **35-01491**, 524 Penn Avenue, Scranton, PA 18503, City of Scranton, **Lackawanna County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Dunmore Oil Co., Inc., 1031B Reeves Street, Dunmore, PA 18512, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting Statewide health and site-specific standards.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Chris, 724-598-2206.

PA DOT Eng Dist 110, Storage Tank Facility ID # **37-08625**, 1800 Wilmington Road, New Castle, PA 16105, Neshannock Township, **Lawrence County**. Dewberry Engineers Inc., 600 Parsippany Road, Parsippany, NJ 07054, on behalf of PA DOT, 1800 Wilmington Road, New Castle, PA 16105, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel, leaded and unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Gregory Bowman, Environmental Group Manager, 717-705-4705.

Former McGinniss Airfield, Storage Tank Facility ID # **36-98067**, 1020 Manor Street, Columbia, PA 17512-1828, Columbia Borough, **Lancaster County**. ECS Mid-Atlantic, LLC, 52-6 Grumbacher Road, York, PA 17406, on behalf of Columbia Borough, 308 Locust Street, Columbia, PA 17512, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Pintos Atlantic, Inc., Storage Tank Facility ID # **51-3040**, 1317 S. 3rd St., Philadelphia, PA 19147, City of Philadelphia, **Philadelphia County**. Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of Pnito's Atlantic, 76 Freedom Road, Sewell, NJ 080808, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential site-specific standards.

Hartwells Garage, Storage Tank Facility ID # **09-41939**, 2307 Bristol Pike, Croydon, PA 09001, Bristol Township, **Bucks County**. Interstate Consulting & Energy Inc., 850 Lingo Drive, Warminster, PA 18974, on behalf of JRZ LLC, 451 Magnolia Ave., Croydon, PA 19021, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with leaded gasoline, unleaded gasoline and diesel fuel. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

UnoMart II, Storage Tank Facility ID # **26-05700**, 208 Penn Street, Point Marion, PA 15474, Point Marion Borough, **Fayette County**. Flynn Environmental, Inc., 5640 Whipple Avenue Northwest, North Canton, OH 44720, on behalf of Marrara Bros, Inc., P.O. Box 1177, Kingwood, WV 26537, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

1336 SR # 217, Storage Tank Facility ID # **65-80679**, 1336 State Route 217, Derry, PA 15627, Derry Township, **Westmoreland County**. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Energy Realty OP II LP, 645 Hamilston Street, Suite 400, Allentown, PA 18101, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

Ashville Mart, Storage Tank Facility ID # **11-37804**, 1662 Liberty Street, Ashville, PA 16613, Ashville Borough, **Cambria County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Kelly Burkhardt, 344 Pound Lane, Duncansville, PA 16635, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention

Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion 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.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Getty 69261, Storage Tank Facility ID # **39-41527**, 741 North Cedar Crest Boulevard, Allentown, PA 18104, South Whitehall Township, **Lehigh County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Smeha, LLC, 102 West Tilghman Street, Allentown, PA 18102 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was acceptable to meet the site-specific standards and was approved by DEP on May 14, 2024.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Jordan, 814-332-6172.

Kwik Fill S 10, Storage Tank Facility ID # **10-29324**, 631 West New Castle Street, Zelenople, PA 16063, Zelenople Borough, **Butler County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company, 814 Lexington Avenue, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Unleaded Gasoline. The plan was acceptable to meet the nonresidential Statewide health and site-specific standards and was approved by DEP on May 8, 2024.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Aberdeen Sunoco, Storage Tank Facility ID # **23-41203**, 302 E. Lancaster Ave., Wayne, PA 19087, Radnor Township, **Delaware County**. Claymore Environmental LLC, 650 Germantown Pike, Lafayette Hill, PA 19444, on behalf of Gary Karakelian, 302 E. Lancaster Ave., Wayne, PA 19087, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the nonresidential Statewide health standards and was approved by DEP on May 9, 2024.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Mike & Rob's Sunoco, Storage Tank Facility ID # **02-38345**, 140 Millers Run Road, Bridgeville, PA 15017, South Fayette Township, **Allegheny County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Mike & Rob's Sunoco, 140 Millers Run Road, Bridgeville, PA 15017, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the nonresidential site-specific standards and was approved by DEP on April 10, 2024.

SPECIAL NOTICES

OIL AND GAS MANAGEMENT

Oil & Gas Disposal Well Permit.

Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Kate Hogue, 814-332-6868

The following Oil & Gas Disposal Well permit has been issued.

Disposal Well Permit: # **065-27128**

Applicant Name: **Oil & Gas Disposal Well Permit**

Contact Person: Don Tron

Contact Address: P.O. Box 2117, Centerville, VA 20122

Township: Young Township

County: **Jefferson County**

Application received: December 18, 2023

Issued: May 13, 2024

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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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.

[Pa.B. Doc. No. 24-727. Filed for public inspection May 24, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Extension of Temporary Scheduling of Substance; Nitazene Class of Compounds: Isotonitazene, Protonitazene, Flunitazene, Metodesnitazene, Metonitazene, Etonitazene, Butonitazene and Etodesnitazene as Schedule I Controlled Substances

The Acting Secretary of Health (Secretary) of the Department of Health (Department) is extending the temporary scheduling of any material, compound, mixture or preparation which contains any quantity of the following Nitazene substances, their salts, isomers and salts of isomers: Isotonitazene, Protonitazene, Flunitazene, Metodesnitazene, Metonitazene, Etonitazene, Butonitazene and Etodesnitazene (Nitazene class of compounds), for an additional year. On June 3, 2023, the Secretary issued a final order temporarily scheduling the Nitazene class of compounds that were not at the time listed in any schedule of The Controlled Substance, Drug, Device and Cosmetic Act (act) (35 P.S. §§ 780-101—780-144). This extension of the temporary scheduling will maintain the Nitazene class of compounds in schedule I under the act while the Secretary goes forward with permanently scheduling the Nitazene class of compounds as schedule I substances.

Background

The United States Drug Enforcement Administration (DEA) January 2024 State and Territory Report on Enduring and Emerging Threats shows Nitazenes as an emerging synthetic opioid group that can be more potent than fentanyl and poses an additional opioid threat to the United States.¹ The report also shows that Nitazenes are increasingly being identified in laboratory submissions in combination with fentanyl, heroin and cocaine, three of the top five substances of abuse in the North Atlantic Region, which encompasses this Commonwealth. Nitazenes have a high potential for abuse and pose a substantial risk to the residents of this Commonwealth.

¹ <https://www.dea.gov/sites/default/files/2024-01/Street%20Report%20-%20Jan%202024%20-%20FINAL.pdf>

This prompted the Secretary to schedule the Nitazene class of compounds as schedule I controlled substances on a temporary basis.

Legal Authority and Action

Under section 3 of the act (35 P.S. § 780-103), the Secretary shall control all substances listed in schedules I—V of the act. Under section 3(d) of the act, the Secretary is authorized to schedule any substance on a temporary basis to avoid an imminent hazard to public safety. Under section 3(d)(2) of the act, the temporary scheduling of a substance shall expire at the end of 1 year from the date of publication of the final notice scheduling of the substance, except that the Secretary may, during the pendency of proceedings under subsection (a), extend the temporary scheduling for up to 1 additional year by publishing a subsequent notice in the *Pennsylvania Bulletin* prior to the expiration of the initial notice.

Because the Nitazene class of compounds was temporarily scheduled as schedule I substances by the publication of the final notice scheduling the Nitazene class of compounds on June 3, 2023, and the Secretary is currently going forward with permanently scheduling those substances, the Secretary has the authority to extend the temporary schedule of the Nitazene class of compounds under the act.

Accessibility

For additional information, or persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Department of Health, Melissa Myers, Policy Office, 625 Forster Street, 8th Floor, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3104, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-728. Filed for public inspection May 24, 2024, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a) (relating to utility room):

Sena Kean Nursing and Rehabilitation Center
17083 Route 6
Smethport, PA 16749

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(a) (relating to bathing facilities):

Sena Kean Nursing and Rehabilitation Center
17083 Route 6
Smethport, PA 16749

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 24-729. Filed for public inspection May 24, 2024, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Program Fee Schedule Revisions; 2024 Healthcare Common Procedure Coding System Updates; Fee Adjustments; Prior Authorization Requirements

The Department of Human Services (Department) announces changes to the Medical Assistance (MA) Program Fee Schedule. These changes are effective for dates of service on and after May 28, 2024.

The Department is adding and end-dating procedure codes as a result of the 2024 updates published by the Centers for Medicare & Medicaid Services to the Healthcare Common Procedure Coding System (HCPCS). The Department is also adding other procedure codes and making changes to procedure codes currently on the MA Program Fee Schedule, to include setting limitations and making fee adjustments. As follows, some of the procedure codes being added to the MA Program Fee Schedule will require prior authorization.

Procedure Codes Being Added or End-dated

The Department is adding the following procedure codes, and procedure code and modifier combinations to the MA Program Fee Schedule as a result of the 2024 HCPCS updates. These procedure codes may include the modifiers SG (ASC/SPU facility support component), RT (right), LT (left), 50 (bilateral), 26 (professional component), FP (family planning) or FQ (audio-only communication technology).

<i>Procedure Codes and Modifiers</i>					
58580	58580 (SG)	61889 (RT)	61889 (LT)	61889 (50)	61891 (SG)
61891 (RT)	61891 (LT)	61891 (50)	61892 (SG)	61892 (RT)	61892 (LT)
61892 (50)	76984 (26)	76987 (26)	76988 (26)	76989 (26)	81457
81458	81459	81517	86041	86042	86043
92622	92623	93584	93585	93586	93587
93588	A4287	D2991	G0136	G0136 (FP)	G0136 (FQ)

The Department is adding the following procedure codes, and procedure code and modifier combinations to the MA Program Fee Schedule as a result of the 2024 HCPCS updates. These procedure codes may include the modifiers RT or LT.

<i>Procedure Codes</i>					
A6520 (RT)	A6520 (LT)	A6522 (RT)	A6522 (LT)	A6524 (RT)	A6524 (LT)
A6526 (RT)	A6526 (LT)	A6528	A6522 (RT)	A6522 (LT)	A6554 (RT)
A6554 (LT)	A6566	A6568	A6570	A6572 (RT)	A6572 (LT)
A6575 (RT)	A6575 (LT)	A6578 (RT)	A6578 (LT)	A6581 (RT)	A6581 (LT)
A6582 (RT)	A6582 (LT)	A6583 (RT)	A6583 (LT)	A6585 (RT)	A6585 (LT)
A6586 (RT)	A6586 (LT)	A6587 (RT)	A6587 (LT)	A6588 (RT)	A6588 (LT)
A6589	A6594 (RT)	A6594 (LT)	A6595 (RT)	A6595 (LT)	A6596
A6597	A6598	A6599	A6600	A6601	A6602
A6603	A6604	A6605	A6606	A6607	A6608

The Department is adding the following procedure codes and procedure code and modifier combination to the MA Program Fee Schedule based upon clinical review. These procedure codes may include the modifier SG.

<i>Procedure Codes and Modifiers</i>					
61886	61886 (SG)	90867	90868	90869	93241
93245	93246	93247	93248	A2019	D0190
D0191	Q4158				

Effective for dates of service on and after January 1, 2024, the Department added the following procedure codes to the MA Program Fee Schedule based upon clinical review.

<i>Procedure Codes</i>		
87428	90694	

The Department is end-dating the following procedure codes from the MA Program Fee Schedule as a result of the 2024 HCPCS updates.

<i>Procedure Codes</i>			
0014M	74710	G2066	K1005

Prior Authorization Requirements

The following procedure codes and procedure code and modifier combination being added to the MA Program Fee Schedule require prior authorization, as authorized under section 443.6(b)(7) of the Human Services Code (Code) (62 P.S. § 443.6(b)(7)), regarding reimbursement of certain medical assistance items and services.

<i>Procedure Codes</i>		
A2019	Q4158	

The dental procedure code D2991 being added to the MA Program Fee Schedule will require prior authorization, as authorized under section 443.6(b)(5) of the Code.

Updates to Procedure Codes Currently on the MA Program Fee Schedule

Physician Services

The Department is adjusting the MA Program fees for the following procedure codes for Provider Type (PT)/Specialty (Spec)/Place of Service (POS) combination 31 (Physician)/All/11 (Office) as indicated as follows.

<i>Procedure Codes</i>	<i>PT/Spec/POS</i>	<i>Current Fee</i>	<i>New Fee</i>
93297	31/All/11	\$20.64	\$44.94
93298	31/All/11	\$22.86	\$75.06

Fiscal Impact

The estimated annualized cost is \$10.631 million in total funds.

Public Comment

Interested persons are invited to submit written comments to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120, RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,
Secretary

Fiscal Note: 14-NOT-1631. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$0; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$4,800,000; (4) 2022-23 Program—\$589,137,000; 2021-22 Program—\$644,059,000; 2020-21 Program—\$808,350,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 24-730. Filed for public inspection May 24, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

1332 Waiver Reinsurance Program—Parameters; Notice 2024-07

On July 24, 2020, the Centers for Medicare & Medicaid Services, a division of the United States Department of Health and Human Services, and the United States Department of the Treasury, approved the Insurance Department's 1332 Waiver Application. The approval is effective for a waiver period from January 1, 2021, through December 31, 2025, with a provision for a possible extension at the end of the initial term.

The reinsurance program is a claims-based, attachment point reinsurance program that will reimburse health insurers for claims costs of qualifying Affordable Care Act-compliant individual enrollees, where a percentage of the claims costs exceeding a specified threshold (attachment point) and up to a specified ceiling (reinsurance cap) will be reimbursed. Beginning January 1, 2025, the program adopted parameters will provide an attachment point of \$60,000, a cap of \$100,000 and a coinsurance rate of 50%.

Questions regarding this notice may be addressed to the Bureau of Life, Accident and Health, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, RA-IN-PA1332WAIVER@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-731. Filed for public inspection May 24, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Brookline Manor Rehabilitation and Healthcare, LLC

Brookline Manor Rehabilitation and Healthcare, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Brookline Healthcare Center in Mifflintown, PA. The initial filing was received on May 10, 2024, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-732. Filed for public inspection May 24, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Metropolitan Life Insurance Company; Rate Increase Filing for Several Group LTC Forms (META-134089382); Rate Filing

Metropolitan Life Insurance Company is requesting approval to increase the premium an aggregate 7.38% on 1,815 certificate holders with the following group LTC policy certificate numbers: G.LTC5897R100 and G.LTC5797R100. The certificates were issued under the group master policy G.LTC1697 which is situated in Washington, DC.

Unless formal administrative action is taken prior to July 23, 2024, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov.

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 20 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-733. Filed for public inspection May 24, 2024, 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 proceedings will be governed 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). This administrative hearing will be held virtually by means of Zoom. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

A prehearing telephone conference initiated by this office is scheduled for June 4, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before May 31, 2024.

The video hearing will be held on June 20, 2024, at 10 a.m. The parties and their representatives and witnesses shall join the Zoom hearing through the link supplied in the invitation. The Administrative Hearings Office may be contacted at (717) 783-2126 or ra-hearings@pa.gov.

Appeal of Idris Chabour; Liberty Mutual Personal Insurance Company; File No. 23-118-290041; Doc. No. P24-03-019.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-734. Filed for public inspection May 24, 2024, 9:00 a.m.]

INSURANCE DEPARTMENT

Use of Aerial Imagery by Homeowners Insurers; Notice No. 2024-06

It has recently come to the attention of the Insurance Department (Department) that several insurers have been seeking to nonrenew or midterm cancel homeowners or dwelling fire insurance policies based upon the quality of a property's roof. This notice is intended to advise insurers of the Department's concerns regarding the use of aerial imagery technology to evaluate the condition of a roof and to clarify the importance of providing residents in this Commonwealth the opportunity to challenge aerial imagery results or correct confirmed roof deficiencies before they are cancelled or nonrenewed.

The Department reviewed and investigated consumer complaints pertaining to nonrenewals and midterm cancellations based on roof condition and found that the aerial images relied upon did not definitively show material roofing degradation or damage. Aerial images alone showing discoloration, streaking or other cosmetic damage should not be used as the sole evidence to support cancellation or nonrenewal actions.

The Department does not seek to broadly restrict the use of aerial imagery. In the absence of unequivocal and material damage shown, it would be prudent for an insurer to conduct a physical inspection to validate the specific type of damage that the aerial image purports to evidence.

The Department has also received consumer complaints that insurers are not providing the insured with a notice of cancellation or refusal to renew stating the specific reasons for the nonrenewal or midterm cancellation or providing the insured the opportunity to challenge the results or correct the identified deficiencies. In consideration of the previously referenced concerns, the Department wants to remind insurers of their statutory obligations under the Unfair Insurance Practices Act (act) (40 P.S. §§ 1171.1—1171.15):

- An insurer must specifically state, on policies in force 60 days or more, both the legal and factual reason permitted by section 1171.5(a)(9) of the act, in its notice of termination.
- An insurer may cancel or nonrenew a policy in force 60 days or more if there has been a substantial change or increase in hazard in the risk assumed by the insurer subsequent to the date the policy is issued or a substantial increase in hazards by reason of willful or neglectful acts or omissions by the insured under section 1171.5(a)(9) of the act.
- Prior notice and an opportunity to cure a hazardous condition are prerequisites to a lawful policy termination when the hazard may not be obvious to the insured. *Brock/ Bankers Standard*, P16-10-009 (2017).
- Required notice to cure a latent hazardous condition applies whether the hazard is asserted to be from the inception of the policy or because of the asserted negligent or willful acts or omissions of the insureds. *Philadelphia Contributionship/ Grochowski*, P20-07-013 (2021).
- In the absence of notice and reasonable time for the insured to cure a latent hazardous condition, the insurer does not establish willful or negligent acts or omissions by the insured. *Brock/ Bankers Standard*, P16-10-009 (2017).
- The mere suspicion or question that something has changed is not cause for nonrenewal. *Anderson/ Donegal*, P12-07-010 (2013).

• Simply characterizing a condition of a property as unacceptable fails to establish an increase in risk required for policy termination. An insurer must prove not only that the risk has increased but that the increase has been substantial. *J.C. Penney Cas. Ins. Co. v. Commonwealth, Dep't of Ins.*, 402 A.2d 558 (Pa.Cmwlt. 1979); *Lewis/ Hartford Fire*, P189-11-008 (1990). *Ohio Casualty/ Milliard*, P12-12-015 (2013).

It is important for an insurer to provide an insured with an explanation of the specific reasons the insurer is seeking to cancel or nonrenew the policy so that the insured can take the necessary remedial action or, if the policy is terminated due to repairs not being made, so that the insured is able to seek replacement coverage from other companies.

Questions regarding this notice may be directed to the Bureau of Market Regulation, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, ra-in-markregulation@pa.gov.

MICHAEL HUMPHREYS,
Insurance Commissioner

[Pa.B. Doc. No. 24-735. Filed for public inspection May 24, 2024, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

**Electric Generation Supplier License Cancellation
of Companies with an Expired Financial Security,
Insufficient Financial Security Amount or
Language**

Public Meeting held
May 9, 2024

Commissioners Present: Stephen M. DeFrank, Chairperson; Kimberly Barrow, Vice Chairperson; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

*Electric Generation Supplier License Cancellation of
Companies with an Expired Financial Security,
Insufficient Financial Security Amount or Language;
M-2024-3045251*

Tentative Order

By the Commission:

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license

will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS’s current security expiration date. Each financial instrument must be an original document that displays a “wet” signature or digital signature, preferably in blue ink, and displays a “raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of April 30, 2024, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2009-2138283	AMERICA APPROVED COMMERCIAL, LLC	4/25/2024	Yes
A-2010-2175245	INTEGRITY COMMUNICATIONS OF OHIO, LLC	4/1/2024	Yes

As part of its EGS license validation procedures, the Commission’s Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity’s security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest;

Therefore,

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is

hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier’s assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2024-3045251 must be eFiled to the Pennsylvania Public Utility Commission through the Commission’s eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/>

if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchlavetta@pa.gov rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: May 9, 2024

ORDER ENTERED: May 9, 2024

[Pa.B. Doc. No. 24-736. Filed for public inspection May 24, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources—Technical Reference Manual 2026 Update; Doc. No. M-2023-3044491

On May 9, 2024, the Pennsylvania Public Utility Commission (Commission) entered a Tentative Order proposing several updates to climate-related assumptions in the Technical Reference Manual (TRM), an update to

the building code, expanding the TRM to calculate winter peak demand savings and other general changes. The Commission is proposing 9 new residential and 16 new nonresidential measures to include in the 2026 TRM. The Commission is also proposing updates to residential and nonresidential measures included from the Phase IV TRM.

This notice is to inform electric distribution companies and interested parties that interested persons may file comments to the Tentative Order and proposed updates to the TRM on or before 30 days after this notice is published in the *Pennsylvania Bulletin*. Thereafter, interested parties have 20 days to file and serve reply comments. Filings must reference Doc. No. M-2023-3044491.

Instructions for filing can be found on the Commission's web site at <https://www.puc.pa.gov/filing-resources/file-or-obtain-information/>. Individuals can also sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. Documents filed relative to this docket are available for inspection by searching under the petitioner's docket number on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

Additionally, a Word formatted copy of all comments and reply comments shall be e-mailed to Regi Sam at rsam@pa.gov, Tiffany Tran at tiftran@pa.gov and Adam Young at adyoung@pa.gov. Attachments may not exceed 3 megabytes.

Confidential filings should be clearly marked as such and e-mailed directly to the Commission Secretary, Rosemary Chiavetta at rchlavetta@pa.gov.

The contact person for questions regarding this notice is Tiffany L. Tran, Assistant Counsel, Law Bureau, (717) 783-5413, tiftran@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-737. Filed for public inspection May 24, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2024-3048947. Columbia Gas of Pennsylvania, Inc. Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to one inactive commercial premises in Fayette County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 10, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or they may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North

Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Columbia Gas of Pennsylvania, Inc., 121 Champion Way, Suite 100, Canonsburg, PA 15317

Through and By Counsel for: Candis A. Tunilo, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102, ctunilo@nisource.com; Theodore J. Gallagher, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317, tjgallagher@nisource.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-738. Filed for public inspection May 24, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2023—2027 Submitted in Compliance with 52 Pa. Code § 62.4; Petition for Emergency or Expedited Order Approving Temporary Modifications to the Universal Service and Energy Conservation Plan for 2023—2027

Public Meeting held
May 9, 2024

Commissioners Present: Stephen M. DeFrank, Chairperson; Kimberly Barrow, Vice Chairperson; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2023—2027 Submitted in Compliance with 52 Pa. Code § 62.4; M-2021-3029323

Petition for Emergency or Expedited Order Approving Temporary Modifications to the Universal Service and Energy Conservation Plan for 2023—2027;
P-2024-3048856

Tentative Order

By the Commission:

Before us for disposition is the Petition of Philadelphia Gas Works (PGW), filed on May 3, 2024, at Docket Nos. M-2021-3029323 and P-2024-3048856 (PGW Petition). PGW seeks emergency or expedited approval to temporarily modify the Hardship Fund provisions of its 2023—2027 Universal Service and Energy Conservation Plan (2023 USECP). Through this Order, we tentatively grant PGW's Petition.

Background

2023 USECP (Docket No. M-2021-3029323)

PGW's proposed 2023 USECP was approved by Commission Order entered on January 12, 2023 (January 2023 Order), at Docket No. M-2021-3029323. On January 27, 2023, PGW filed a Petition for Reconsideration of the January 2023 Order, which the Commission granted in part and denied in part by Order entered March 16, 2023

(March 2023 Order). On July 11, 2023, PGW filed a revised 2023 USECP. A Secretarial Letter issued July 12, 2023, reflected a staff determination that the revised 2023 USECP was consistent with the January 2023 and March 2023 Orders. PGW's 2023 USECP, as approved in July 2023, remains in effect until replaced.¹

PGW's 2023 USECP is comprised of four programs to help low-income customers maintain public utility service, including a Hardship Fund program which provides grants to eligible customers that require assistance to meet basic energy needs.² PGW administers its Hardship Fund program in partnership with the Utility Emergency Services Fund (UESF) to provide financial assistance to eligible customers whose natural gas service is terminated or in termination status. PGW contributes up to \$750 via a bill credit to match a UESF grant to help resolve a household heating emergency. PGW also receives customer contributions for its Hardship Fund program through its Dollar Plus program. These contributions are forwarded to UESF so that UESF can provide additional grants. The combination of the PGW matching credit and the UESF grant cannot exceed \$1,500 and must eliminate all debt, with the exception of deferred preprogram arrears for customers enrolled in CRP. 2023 USECP at 29-30.

To qualify for PGW's Hardship Fund, a customer's service must be off or be under threat of termination. Further, the customer must not have received a UESF grant within the past two years, must have applied for Low Income Home Energy Assistance Program (LIHEAP) Cash and Crisis grants (if available), and must have a gross household income at or below 175% of the Federal Poverty Income Guidelines (FPIG). 2023 USECP at 30-31.

Additionally, as part of its 2023 USECP, PGW implemented a two-year pilot program that offers automatic Hardship Fund grants up to \$750 to customers at or below 250% FPIG who had been removed from CRP during recertification for exceeding income eligibility limits, and/or who have a Protection from Abuse (PFA) order or other order issued by a court providing clear evidence of domestic violence against the customer. 2024 USECP at 31-32.

Summary of PGW Petition

PGW's Petition seeks temporary modification to the Hardship Fund provisions of its 2023 USECP. PGW reports that it discovered that UESF approved 344 customers for Hardship Fund grants totaling \$142,199.01 in 2023 but these grants were not paid. As a result, PGW did not distribute matching bill credits to these customers. PGW states that it has placed a hold on affected accounts to ensure their service is not terminated. PGW further reports that UESF is currently not accepting Hardship Grant applications for PGW customers. PGW Petition at ¶ 10.

PGW provided an accounting of its Hardship Fund expenditures in 2023, including expenditures for its pilot program, as shown in Table 1. PGW proposes to use the \$504,059 in unspent 2023 PGW contributions to provide full Hardship Fund benefits (i.e., equivalent to the UESF grant amounts and the PGW bill credits) to the 344 customers approved by UESF in 2023.

¹ All citations related to the "2023 USECP" in this Order refer to PGW's revised USECP filed July 11, 2023.

² The other three universal service programs are the Customer Assistance Program or CAP (PGW's CAP is called the Customer Responsibility Program or CRP), the Low Income Usage Reduction Program or LIURP (PGW's LIURP is called Home Comfort), and the Customer Assistance Referral Evaluation Services program or CARES.

Table 1. PGW Hardship Fund 2023 Budget to Actual Spend

<i>Budget Description</i>	<i>Budget Amount</i>	<i>Actual Spend</i>	<i>Unspent Budget</i>
UESF Operating Budget	\$260,149	\$0	\$260,149
PGW Contribution	\$695,500*	\$191,441	\$504,059
Pilot Program	\$100,000	\$100,000	\$0
Total	\$1,055,649	\$191,441	\$764,208

Source: PGW Petition at ¶ 6.

PGW reports that it attempted, but has been unable, to resolve the issues with UESF and requests Commission approval to make temporary changes to its Hardship Fund program to allow issuance of Hardship Fund grants to PGW low-income customers whose service is off or in threat of termination. PGW asserts the temporary nature of the modifications will allow for UESF to potentially resume its role as the Hardship Fund administrator and grant payor in the future. PGW Petition at ¶ 11.

To address the situation, PGW is seeking approval to include the following Hardship Modifications as an appendix (Appendix O) to its 2023 USECP:

- Allow a non-UESF administrator of PGW's Hardship Fund program;
- Replace UESF as the entity paying Hardship Grants to customers whose service is terminated or in danger of being terminated;
- Designate PGW (or its assignee) as the interim administrator or payor of the Hardship Fund program, effective immediately;
- Redeploy unpaid matching grants to customers whose Hardship Fund grants were approved by UESF in 2023 so that both amounts promised by UESF and PGW's matching bill credits are provided to these customers: and
- Modify the total program budget to remove UESF grant amounts.

PGW Petition at ¶ 14.

Thus, customers who were approved for grants in 2023 would receive the equivalent of the UESF funding and the matching PGW funding up to the \$1,500 limit. Customers who are approved for grants in 2024 would receive grants up to the \$750 limit (i.e., the maximum PGW contribution).

PGW proposes a modified budget for calendar year 2024, as shown in Table 2, that reflects the Hardship Fund expenditures without a UESF grant, based on a maximum \$750 in bill credits issued to eligible customers.

Table 2. Proposed 2024 Hardship Fund Budget Based on Proposed Temporary Modifications

<i>Budgeted Description</i>	<i>Annual Budgeted Amount as reflected in PGW's 2023 USECP</i>	<i>Proposed 2024 Budgeted Amount based on Temporary Modification</i>
Administrator Operating Budget	\$260,149	\$260,149
UESF grants	\$795,500	N/A
PGW Contribution	\$695,500	\$695,500
Pilot Program	\$100,000	\$100,000
Customer/employee contributions (PGW)	\$2,000	\$2,000
Total Calendar Year 2024 Budget	\$1,853,149	\$1,057,649
Average annual participation	1,184	725*

Source: 2023 USECP at 32-33; PGW Petition at ¶ 15.

* PGW reports the annual participation for 2024 "was calculated by taking the previous expected customer count of 1,184 and dividing by half as the total grant is now \$750, and then adding in the expected 133 customers for the Pilot program." PGW Petition at ¶ 15.

PGW avers these interim proposed amendments are in the public interest because they would allow PGW customers to continue receiving Hardship Fund grants consistent with PGW's 2023 USECP. PGW reports that the Office of Consumer Advocate (OCA), the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA), and the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (TURN) do not oppose the Petition. PGW further reports that the Office of Small Business

Advocate (OSBA) took no position on the 2024 Petition. PGW Petition at ¶ 18.

PGW requests expedited approval of the proposed amendments in order to make Hardship Funds available to customers as quickly as possible. PGW adds that expedited approval is particularly important given the objective of Hardship Fund programs to help customers avoid termination of service or promptly restore service that has been terminated. PGW Petition at ¶ 10.

For these reasons, PGW requests that the Commission grant the 2024 Petition and approve the temporary amendments via issuance of an ex parte Emergency Order. Alternatively, PGW requested expedited treatment of the 2024 Petition to have responses due May 7, 2024,

and any changes to the USECP approved at the Public Meeting of May 9, 2024. PGW Petition at 3, ¶ 10.

May 7 Secretarial Letter

On May 7, 2024, the Commission issued a Secretarial Letter denying PGW's Petition. The Commission noted that, pursuant to its regulations, emergency relief is appropriate when there exists a clear and present danger to life or property or in a situation which is uncontested and requires action prior to the next scheduled meeting. See definition of "emergency" at 52 Pa. Code § 3.1. Further, the Commission stated that a petition for emergency order should be granted only when (1) the petitioner's right to relief is clear; (2) the need for relief is immediate; (3) the injury would be irreparable if relief is not granted; and (4) the relief requested is not contrary to the public interest. 52 Pa. Code § 3.2(b).

The Commission found that PGW had not asserted, nor had it provided sufficient facts to establish, that any customers faced immediate termination or were unable to reconnect due to PGW's inability to immediately implement its proposed temporary modifications or until the Petition can be considered on its merits after all stakeholders have been given notice and an opportunity to be heard. Under the circumstances, the Commission concluded that PGW had not established any clear and present danger to life or property or the existence of an uncontested issue that required action prior to the next scheduled public meeting. Nor, the Commission found, had PGW demonstrated its clear right to the requested relief, the need for immediate relief, the irreparability of its alleged injury if relief is not granted, or that the requested relief was not contrary to the public interest. In sum, the Commission found that PGW, through its Petition, had not met the regulatory criteria for issuance of an emergency order. Accordingly, the Commission denied PGW's request for emergency relief pursuant to 52 Pa. Code §§ 3.1—3.4.

Discussion

The Competition Act mandates that the Commission "ensure [that] universal service and energy conservation policies, activities and services for residential natural gas customers are appropriately funded and available in each natural gas distribution company (NGDC) territory." 66 Pa.C.S. § 2203(8) (relating to standards for restructuring of natural gas utility industry). As an NGDC serving over 470,000 customers,³ PGW must administer its universal service programs, including its Hardship Fund, consistent with its Commission-approved USECP. 52 Pa. Code § 62.4 (relating to universal service and energy conservation plans).

In its Petition, PGW states that due to unspecified issues with its program administrator, UESF, its approved Hardship Fund program is not being implemented. As a result, (1) 344 low-income customers who qualified for Hardship Fund grants in 2023 did not receive the benefits they were entitled to and (2) 2024 applications for benefits from eligible PGW customers whose service has been terminated or is under threat of termination are not being accepted. We recognize there is an urgent need to address this situation, as the statutory moratorium on winter terminations for electric and natural gas service expired on April 1, 2024⁴ and Pennsylva-

nia's LIHEAP closed on April 6, 2024. Especially for customers who are not income eligible for CAP and LIHEAP, Hardship Fund programs may be the only payment assistance program available to help them address outstanding arrearages and maintain or restore utility service. Therefore, we find it reasonable and in the public interest to tentatively approve PGW's temporary modifications to the Hardship Fund provisions in its 2023 USECP for the duration of the 2024 calendar year. This approval will become final if no party files an objection within seven calendar days.

While PGW did not meet the criteria for issuance of an emergency order, we nonetheless find merit in PGW's proposal to adopt these program modifications on a temporary basis in order to allow it to carry out the requirements of its Hardship Fund.

This approval will become final if no party files an objection within seven calendar days.

Conclusion

Accordingly, the Commission hereby tentatively grants, consistent with this Tentative Order, the PGW Petition to temporarily amend the Hardship Fund provisions in its 2023 USECP, as specified in proposed Appendix O. This approval will take effect after seven calendar days if no objections are filed and will remain in effect through December 31, 2024.

We also direct PGW to:

- File and serve a status report when it has selected a new administrator for its Hardship Fund program, identifying the name and contact information for the vendor.
- File and serve a petition to rescind, retain, or modify its Hardship Fund provisions by October 1, 2024.
- File and serve monthly status reports on the 2023 Hardship Fund grants to the 344 eligible customers who did not receive their approved grants.
- File and serve monthly status reports identifying the number of Hardship Fund applications received, approved, and paid during calendar year 2024, beginning with January 2024.
- File and serve monthly status reports identifying the number of Hardship Fund applications pending over 30 days to ensure that applications are being timely processed.

Therefore,

It Is Ordered That:

1. The Petition of Philadelphia Gas Works for Emergency or Expedited Order Approving Temporary Modifications to the Universal Service and Energy Conservation Plan for 2023—2027 at Docket No. P-2024-3048856 is tentatively granted consistent with the terms of this Tentative Order.

2. The Commission tentatively approves the temporary modifications to Philadelphia Gas Works' 2023—2027 Universal Service and Energy Conservation Plan/Hardship Fund program as set forth in this Tentative Order through December 31, 2024.

3. The Secretary serve a copy of this Tentative Order on all Parties of Record at Docket No. M-2021-3029232.

³ In 2022, PGW served 487,336 residential customers. 2022 Report on Universal Service and Collections Performance at 7. <https://www.puc.pa.gov/media/2573/2022-universal-service-report-final.pdf>.

⁴ 66 Pa.C.S. § 1406(e) (relating to termination of utility service).

4. The Secretary cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a seven-calendar day comment period.

5. To the extent that any interested party objects to the modifications to Philadelphia Gas Works' Universal Service and Energy Conservation Plan/Hardship Fund program as set forth in this Tentative Order, they must file comments within seven days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket Nos. M-2021-3029323 and P-2024-3048856 shall be submitted to the Pennsylvania Public Utility Commission, Attn.: Secretary, 400 North Street, Harrisburg, PA 17120, or e-filed at <https://efiling.puc.pa.gov/>. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

6. Absent the filing of adverse comments relating to the temporary modifications to Philadelphia Gas Works' Universal Service and Energy Conservation Plan/Hardship Fund program as set forth in this Tentative Order within seven calendar days of the publication of this Tentative Order in the *Pennsylvania Bulletin*, this Tentative Order will become a Final Order by operation of law.

7. Philadelphia Gas Works file all reports and petitions identified in the "Conclusion" section of this Tentative Order and serve them on all parties who participated in the 2023 Universal Service and Energy Conservation Plan proceeding at Docket No. M-2021-3029323.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: May 9, 2024

ORDER ENTERED: May 9, 2024

[Pa.B. Doc. No. 24-739. Filed for public inspection May 24, 2024, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 10, 2024. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by June 10, 2024. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. 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. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the docket number as follows or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2024-3048365. Tortorice Limousine, Inc. (1 Terrapin Drive, McKeesport, Allegheny County, PA 15133) to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating from 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Washington and Westmoreland, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2024-3048718. City Limo-Taxi, Inc., d/b/a Sams Limo Service, Inc. (575 Long Acre Lane, Yardley, Bucks County, PA 19067) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Bucks, Chester, Delaware and Montgomery.

A-2024-3048722. City Limo-Taxi, Inc., d/b/a Sams Limo Service, Inc. (575 Long Acre Lane, Yardley, Bucks County, PA 19067) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Bucks, Chester, Delaware and Montgomery.

A-2024-3048850. L & P Transportation, Inc. (400 East Drinker Street, Dunmore, Lackawanna County, PA 18512) in paratransit service, between points in Lackawanna County, limited to Saturday service for medical appointments.

A-2024-3048867. Gilson Transportation, LLC (381 Walker Township Park Lane, Mifflintown, Juniata County, PA 17059) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Huntingdon, Juniata and Mifflin, to points in Pennsylvania, and return.

A-2024-3048889. Cetronia Ambulance Corps Incorporated, t/a Cetronia Ambulance Corps (4300 Broadway, Allentown, Lehigh County, PA 18104) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Berks, Bucks, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Pike, Schuylkill, Wayne and Wyoming, to points in Pennsylvania, and return. *Attorney:* Christina M. Mellott, 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-2024-3048391. Quinn Moving, LLC (9 Laurel Way, Downingtown, Chester County, PA 19335) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2024-3048999. Lindsey Croto, t/a Little Justins Moving (9 Laurel Way, Downingtown, Chester County, PA 19335) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania. *Attorney:* Karen O. Moury, Esquire, Eckert Seamans Cherin & Mellott, 213 Market Street, 8th Floor, Harrisburg, PA 17101.

Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2024-3048986. Roxanne's Transportation and Hauling, LLC (4283 White Deer Pike, New Columbia, Union County, PA 17856) for the discontinuance and cancellation of its 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 the Counties of Lycoming, Northumberland and Union, to points in Pennsylvania, and return. *Attorney:* John A. Smay, Williams and Smay, 39 South Main Street, P.O. Box 35, Muncy, PA 17756-0035.

A-2024-3049033. Richard J. Bosinec, t/a Richie's Transfer (236 West 7th Avenue, Tarentum, Allegheny County, PA 15084) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, household goods in use, as more thoroughly described in the original ordering paragraphs at A-00099590, F.1, F.1 Am-A.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 24-740. Filed for public inspection May 24, 2024, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than June 10, 2024. 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 Peter Carnival 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. Nos. A-24-05-01, A-24-05-02, A-24-05-03. B & N Sandhu Trans, LLC (2 Violet Lane, Glen Mills, PA 19342): An application for a medallion taxicab certificate of public convenience (CPC) 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:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

Doc. Nos. A-24-05-04, A-24-05-05, A-24-05-06. D & D Sandhu Trans, LLC (2 Violet Lane, Glen Mills, PA 19342): An application for a medallion taxicab CPC 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:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

RICH LAZER,
Executive Director

[Pa.B. Doc. No. 24-741. Filed for public inspection May 24, 2024, 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 Hamilton 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>
ENJ Farms, LLC—Douts Hill Farm 83 Douts Hill Road Pequea, PA 17565	Lancaster County/ Martic Township	412.2	Layers	Amended	Approved
JT Poultry, LLC—Layer Farm 664 Mountain Road Elizabethville, PA 17023	Dauphin County/ Mifflin Township	254.34	Layers	New	Approved
Noah W. Kreider & Sons, LLP— Grantville Farm 36 Pleasant View Road Grantville, PA 17028	Lebanon County/ East Hanover Township	9,106	Layers	New	Approved
Cedar Pine Farms, LLC— Dairy Farm 21561 Great Cove Road McConnellsburg, PA 17233	Fulton County/ Tood Township	591.6	Cattle	New	Approved
Dale R. Frank—Home Farm 3167 Bossler Road Elizabethtown, PA 17022	Lancaster County/ West Donegal Township	0	Cattle	New	Approved
M.W. Smith Farms, LLC— Dairy Farm 850/851 Meadow Grove Road Newport, PA 17074	Perry County/ Buffalo Township	200	Cattle	Amended	Approved
Robert S. Martin—Ridge Valley Farm, III 93 Edmiston Lane Beaver Springs, PA 17812	Snyder County/ Spring Township	453.43	Turkey	Amended	Approved
Hidden Acres Farms, LLC— Home Farm 2115 Rohrer Road Manheim, PA 17545	Lancaster County/ Ralpho Township	358	Swine	Amended	Approved
Matthew B. Leid—Layer Farm Sitler Valley and Berger Road Kutztown, PA 19530	Berks County/ Greenwich Township	236.75	Layers	New	Approved
R&T Family Farms, LLC— Swine Nursery Farm 2088 Cleman Hollow Road Unityville, PA 17774	Lycoming County/ Franklin Township	73.41	Swine	New	Approved
Joel H. Rutt—Broiler Farm 1178 White Oak Road Manheim, PA 17545	Lancaster County/ Ralpho Township	213.97	Broilers	Amended	Approved

RUSSELL REDDING,
Chairperson

[Pa.B. Doc. No. 24-742. Filed for public inspection May 24, 2024, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Commission Meeting

The Susquehanna River Basin Commission (Commission) will conduct its regular business meeting on Thursday, June 13, 2024, at 9 a.m. in person and digitally from the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section as follows. The Commission published a document in the

Federal Register at 89 FR 24889 (April 9, 2024), concerning its public hearing on May 2, 2024, in Harrisburg, PA.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, fax (717) 238-2436.

Supplementary Information

The business meeting will include actions or presentations on the following items: (1) election of Commission officers for Fiscal Year (FY) 2025, (2) reconciliation of FY 2025 budget, (3) approval of contracts, grants and agreements, (4) action on proposed rulemaking for agency procurement, bid protest procedures and other changes to Part 801 and a draft policy entitled "SRBC Procurement

Procedures,” (5) adoption of the proposed 2025—2027 Water Resources Program and (6) actions on 19 regulatory program projects.

This agenda is complete at the time of issuance, but other items may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, notice of these actions will be published in the *Federal Register* after the meeting. Actions specific to projects will also be provided in writing directly to project sponsors.

The meeting will be conducted both in-person at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA and digitally. The public is invited to attend the Commission’s business meeting. Individuals can access the business meeting remotely by means of Zoom at <https://us02web.zoom.us/j/89292000071?pwd=S1E2Q19QNHUyTkhjY3ZoRUJJeXpqUT09> then enter meeting ID 892 9200 0071 and passcode SRBC4423! or by telephone at (305) 224-1968 or (309) 205-3325. The meeting ID is 892 9200 0071.

Written comments pertaining to items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically at <https://www.srbc.gov/meeting-comment/default.aspx?type=3&cat=7>. The draft rulemaking and policy can be viewed on the Commission’s web site at <https://www.srbc.gov/meeting-comment/default.aspx?type=19&cat=43>. Comments are due to the Commission for all items on the business meeting agenda on or before June 10, 2024. Comments will not be accepted at the business meeting noticed herein.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: May 9, 2024

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 24-743. Filed for public inspection May 24, 2024, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

General Permit Notice

The Susquehanna River Basin Commission lists the following General Permits for the project under 18 CFR 806.17(c)(4) (relating to general permits) from April 1, 2024, through April 30, 2024.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.gov. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists General Permits for the project described as follows, under 18 CFR 806.17(c)(4), for the time period previously specified:

1. International Business Machines Corporation—Endicott Facility, General Permit Approval of Coverage

No. GP-01-20240405, Village of Endicott, Broome County, NY; groundwater remediation system withdrawal approved up to 0.300 mgd (30-day average); Approval Date: April 23, 2024.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: May 9, 2024

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 24-744. Filed for public inspection May 24, 2024, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

The Susquehanna River Basin Commission lists the following Grandfathering (GF) Registration for the project under 18 CFR Part 806, Subpart E (relating to registration of grandfathered projects) from April 1, 2024, through April 30, 2024.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.gov. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists GF Registration for the project described as follows, under 18 CFR Part 806, Subpart E, for the time period previously specified:

1. H. H. Knoebel Sons, Inc., d/b/a Knoebels Amusement Resort, GF Certificate No. GF 202404277, Ralpho Township, Northumberland County and Cleveland Township, Columbia County, PA; South Branch Roaring Creek and consumptive use; Issue Date: April 16, 2024.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: May 9, 2024

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 24-745. Filed for public inspection May 24, 2024, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule for the following projects from April 1, 2024, through April 30, 2024.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.gov. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified.

Water Source Approval—Issued Under 18 CFR 806.22(e):

1. The Hershey Company—Hershey Plant (Reese Avenue); ABR-202404001; Derry Township, Dauphin County, PA; Consumptive Use of Up to 0.0500 mgd; Approval Date: April 2, 2024.

2. Penn State Health Holy Spirit Medical Center—Holy Spirit Medical Center; ABR-202404002; East Pennsboro Township, Cumberland County, PA; Consumptive Use of Up to 0.2070 mgd; Approval Date: April 2, 2024.

3. Church & Dwight Co., Inc.—Davies Facility; ABR-202404003; Jackson Township, York County, PA; Consumptive Use of Up to 0.9990 mgd; Approval Date: April 18, 2024.

Water Source Approval—Issued Under 18 CFR 806.22(f):

1. Coterra Energy, Inc.; Pad ID: FrystakC P2; ABR-202404004; Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: April 15, 2024.

2. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Garrison; ABR-201403012.R2; Washington Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 15, 2024.

3. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Leh Drilling Pad # 1; ABR-201204002.R2; Burlington Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 15, 2024.

4. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: TA; ABR-201403011.R2; Colley Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 15, 2024.

5. RENEWAL—EQT ARO, LLC; Pad ID: COP Tract 231 (1000); ABR-20090406.R3; Snow Shoe Township, Centre County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 15, 2024.

6. RENEWAL—Pennsylvania General Energy Company, LLC; Pad ID: SGL 75 Pad F; ABR-201403005.R2; McHenry Township, Lycoming County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: April 15, 2024.

7. RENEWAL—Seneca Resources Company, LLC; Pad ID: PHC 3H; ABR-20090424.R3; Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 15, 2024.

8. RENEWAL—SWN Production Company, LLC; Pad ID: Fiondi—1; ABR-20090404.R3; Middletown Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 15, 2024.

9. RENEWAL—SWN Production Company, LLC; Pad ID: Holbrook # 1; ABR-20090402.R3; Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 15, 2024.

10. RENEWAL—SWN Production Company, LLC; Pad ID: Turner—1; ABR-20090403.R3; Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: April 15, 2024.

11. RENEWAL—SWN Production Company, LLC; Pad ID: Webster—1; ABR-20090401.R3; Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 2.9990 mgd; Approval Date: April 15, 2024.

12. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Manning; ABR-201204009.R2; Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 25, 2024.

13. RENEWAL—Seneca Resources Company, LLC; Pad ID: Edkin 499; ABR-201304018.R2; Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 25, 2024.

14. RENEWAL—Seneca Resources Company, LLC; Pad ID: Flack 502; ABR-201304014.R2; Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 25, 2024.

15. RENEWAL—Seneca Resources Company, LLC; Pad ID: Hepler 235; ABR-201204008.R2; Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: April 25, 2024.

16. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: I. Harvey Drilling Pad; ABR-201404006.R2; Elkland Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 30, 2024.

17. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: SGL 12 D DRILLING PAD; ABR-201704002.R1; Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: April 30, 2024.

18. RENEWAL—Pennsylvania General Energy Company, LLC; Pad ID: SGL75 Pad A; ABR-201404007.R2; McHenry Township, Lycoming County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: April 30, 2024.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: May 9, 2024

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 24-746. Filed for public inspection May 24, 2024, 9:00 a.m.]

PENNSYLVANIA BULLETIN

Volume 54

Number 21

Saturday, May 25, 2024 • Harrisburg, PA

Part II

This part contains
The Courts, Rules and
Regulations and Proposed
Rulemakings



THE COURTS

Title 255—LOCAL COURT RULES

SNYDER COUNTY

Adoption of Local Rules; No. UC-45-2024

Order

And Now, this 9th day of May 2024, it is hereby Ordered and Decreed, that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Snyder County Court of Common Pleas adopts local rule 205.4, effective June 17, 2024, as follows:

Rule 205.4. Electronic Filing and Service of Legal Papers Filed in Civil Dockets.

(a)(1). The Snyder County Court of Common Pleas does hereby permit electronic filing of all legal papers with the Prothonotary through its electronic filing system, **CountySuite Portal**, as well as the electronic service of such papers, under terms more specially provided in Pennsylvania Rule of Civil Procedure 205.4.

(2). As used in this rule, the following words shall have the following meanings:

i. “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;

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

iii. “legal paper,” shall be a pleading or other paper filed with the Prothonotary in any civil action, including attachments and exhibits, even if the legal papers are not adversarial in nature or do not require a response from the non-filing party or parties.

(b). Legal papers shall be presented for filing in a PDF. As authorized by Pa.R.C.P. 205.4(b)(1), in the event a legal paper is presented for filing in a hard-copy format, the Prothonotary shall convert said legal paper into a PDF and shall maintain it in that format. The Prothonotary shall return the hard-copy legal paper to the filing party for retention of required by Pa.R.C.P. 205.4(b)(4).

(c)(1). The Prothonotary shall provide access to CountySuite Portal (CIVIL electronic filing system) at all times, except during periods of required maintenance.

(2) CIVIL legal papers can be filed electronically through **CountySuite Portal**, located on prothonotary’s county website. To obtain access to the Electronic Filing System, counsel or any unrepresented party must first register with the CountySuite Portal for a User Name and Password.

**Registered Users are obligated to maintain proper delivery information and shall notify the CountySuite Portal and the Prothonotary’s office immediately regarding changes in: name, firm, address, facsimile, or e-mail address.

(3) The time and date of filing a legal paper and any receipt of the legal paper filed electronically shall be that registered by the Electronic Filing System. The Prothonotary shall provide, through the CountySuite Portal, an acknowledgement that the legal papers have been received, including the date and time of receipt, in a form which can be printed for retention by the filing party.

(d) A filing party shall pay the cost of the electronic filing of a legal paper by approved credit: MasterCard/VISA/Discover. All costs according to the current Prothonotary fee schedule.

(e)(1) A filing party shall be responsible for any delay, disruption or interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the CountySuite Portal.

(2) No pleading or other legal paper that complies with the Pennsylvania Rules of Civil Procedure shall be refused for filing by the Prothonotary 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.

(3) If a pleading or other legal paper is not accepted upon presentation for filing the Electronic Filing System will immediately notify the party presenting the legal paper for filing.

(4)(i) The Court upon motion shall resolve any dispute arising under paragraphs (1) and (2) of this subdivision.

(ii) If a party makes a good faith effort to electronically file a legal paper but it is not received, accepted or filed by the Electronic Filing System, the Court may order that the paper be accepted and file nunc pro tunc upon a showing that reasonable efforts were made to timely present and file the paper.

(f) As authorized by Pa.R.C.P 205.4(f), the following administrative procedures are adopted:

(1) The electronic filing of legal papers using an authorized User Names and Password shall constitute the filing party’s signature on electronic documents as provided by Pa.R.C.P 1023.1. and, if the filing party is an attorney, shall constitute a certification of authorization to file it as provided in Pa.R.C.P. 202.5.1.

(2) Verification of pleadings, as required by Pa.R.C.P. 206, and 1024, as well as any other documents executed by the client or third parties, such as Affidavits or Certifications of Service, shall be scanned and attached to the electronic filing in a PDF at the time the legal paper is submitted for electronic filing.

(3) Personal Identifiers in civil matters, such as Social Security numbers, dates of birth, financial account numbers and names of minor children, must comply with the safeguards of the **Case Records Public Access Policy** of the Unified Judicial System of Pennsylvania. The Confidential Information Form is required.

(4) The Prothonotary is authorized to refuse a filing of a legal paper submitted without the required filing fee; such legal paper shall only be deemed to have been filed on the date that said filing fee payment was received by the Prothonotary.

(5) The Prothonotary shall maintain a hard copy of any legal paper, notice or Order filed or maintained electronically under this Rule for the Court and Court personnel.

(g)(1) Copies of all legal papers other than original process filed in an action or served upon any party to an action may be served:

(i) as provided by Rule 440; or

(ii) by electronic transmission, other than facsimile transmission, to all parties who have previously submitted electronic filing in the same case, pursuant to the

17th Judicial District—Civil Rule 205.4 and Pa.R.C.P. 205.4(g). The party upon prior written agreement will be served court orders only via e-mail by the Prothonotary, not by the electronic filing system.

(2) Service by electronic transmission is complete when a legal paper is sent:

(i) to the recipient's electronic mail address, or

(ii) to an electronic filing system website and an e-mail message is sent to the filer by the electronic filing system that the legal paper has been filed and is available for review on the system's website (CountySuite Portal).

Note: Once the electronic filing has been accepted or the original process has been filed by the Prothonotary; it shall be the responsibility of the filing party to provide the sheriff with the proper service fee and documents for original service and writs. The electronic system does not include legal service to this department.

An electronic mail address set forth on letterhead is not sufficient basis under this rule to permit electronic service of legal papers.

(3) Copies of all Notices, Orders or Judgments from the Court in any action shall be served according to Rule 440, not through CountySuite electronic filing system.

The District Court Administrator is directed to forward:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

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

3. Incorporation of the local rule into the 17th Judicial District Local Rules and publish on the Snyder County website at www.snydercounty.org within thirty (30) days after the publication of the local rules in the *Pennsylvania Bulletin*.

4. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

LORI R. HACKENBERG,
President Judge

[Pa.B. Doc. No. 24-747. Filed for public inspection May 24, 2024, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated May 13, 2024, Daniel J. McCauley, III, a/k/a Daniel J. McCauley (# 65268), whose registered address is Cave Creek AZ, is suspended from the practice of law in this Commonwealth for a period of 30 days, effective June 12, 2024. In accordance with Rule 217(f), Pa.R.D.E., since

this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 24-748. Filed for public inspection May 24, 2024, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that A.B. Zolfaghari Monfared having been suspended from the practice of law for a period of five years by the Presiding Disciplinary Judge of the Supreme Court of Arizona, the Supreme Court of Pennsylvania issued an Order dated May 7, 2024, suspending A.B. Zolfaghari Monfared (# 67778) from the practice of law in this Commonwealth.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 24-749. Filed for public inspection May 24, 2024, 9:00 a.m.]

SUPREME COURT

**Thirty-Second Judicial District (Delaware County)—
Petition to Co-locate Magisterial District Court
32-1-23 with Magisterial District Court 32-2-37
Pursuant to Rule 101 of the Rules and Standards
with Respect to Offices of Magisterial
District Judges; No. 544 Magisterial Rules Dis-
trict**

Order

Per Curiam

And Now, this 13th day of May, 2024, upon consideration of the 32nd Judicial District's Petition to Co-locate Magisterial District Courts 32-1-23 and 32-2-37 pursuant to Rule 101 of the Rules and Standards with Respect to Offices of Magisterial District Judges, it is hereby *Ordered* and *Decreed* that the Petition is granted. Magisterial District Court 32-2-37 shall be located outside its geographical boundaries and consolidated with Magisterial District Court 32-1-23 at 150 S. MacDade Boulevard, Darby, PA. The relocation and consolidation may occur at the discretion of the President Judge to enable appropriate notice to be provided.

[Pa.B. Doc. No. 24-750. Filed for public inspection May 24, 2024, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 617b, 617c, 623b, 623c, 627b, 627c, 629b, 629c, 631b, 631c, 633b, 633c, 635b, 635c, 639b, 639c, 641b, 641c, 643b, 643c, 645b, 645c, 647b, 647c, 649b, 649c, 653b, 653c, 655b, 655c, 657b, 657c, 659b, 659c, 670b, 670c, 685b, 685c, 687b, 687c, 688b, 688c, 689 AND 689a]

Roulette Side Wagers and Variations; Craps and Mini-Craps Side Wagers and Variations; Minibaccarat Side Wagers and Variations; Midibaccarat Side Wagers and Variations; Baccarat Side Wagers and Variations; Blackjack Side Wagers and Variations; Spanish 21 Side Wagers and Variations; Caribbean Stud Poker Side Wagers and Variations; Four Card Poker Side Wagers and Variations; Let It Ride Side Wagers and Variations; Pai Gow Poker Side Wagers and Variations; Texas Hold 'Em Bonus Poker Side Wagers and Variations; Three Card Poker Side Wagers and Variations; Ultimate Texas Hold 'Em Poker Side Wagers and Variations; Mississippi Stud Side Wagers and Variations; Crazy 4 Poker Side Wagers and Variations; Fortune Asia Poker Side Wagers and Variations; Six-Card Fortune Pai Gow Poker Side Wagers and Variations; Down Under Blackjack Side Wagers and Variations; DJ Wild Stud Poker Side Wagers and Variations; Face Up Pai Gow Poker Side Wagers and Variations; Dreamcatcher

The Pennsylvania Gaming Control Board (“board” or “PGCB”), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers), the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority) and section 204 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204), referred to as the Commonwealth Documents Law (CDL), adopts this final-omitted rulemaking to read as set forth in Annex A and Annex B. The board’s regulations in Annex A and Annex B will be added to Part VII (relating to Gaming Control Board) as part of Subpart K (relating to table games).

Purpose

This final-omitted rulemaking adopts and moves existing temporary regulations related to table games rules and procedures into final-form regulations.

Explanation

The regulations which comprise this final-omitted rulemaking package represent the rules and procedures for table games, variations on table games and side wagers to table games. To date, these games, variations and side wagers have been adopted as temporary regulations under the authority granted to the PGCB. As part of the PGCB review process, which precedes PGCB promulgating temporary table game regulations, the rules and procedures of the games, variations or side wagers, or both, were reviewed, including a mathematical analysis.

In each case it was determined that the game, variation or side wager, or both, met the acceptable parameters to be offered to patrons in this Commonwealth.

Annex A outlines those sections of temporary table games regulations that are being deleted and reserved. Annex B reflects those sections of temporary table games regulations that are being moved into final-form regulation status. The regulations comprising Annex B match the language of the temporary regulations being deleted in Annex A, except for minimal edits relating to cross references or to incorporate consistent language and phrasing.

Section 204 of the CDL establishes three circumstances in which an agency is permitted to promulgate final-omitted regulations: 1. Comments from the public are not appropriate, necessary or beneficial; 2. All persons subject to the regulation are named or given personal notice; and 3. Notice is impracticable, unnecessary or contrary to the public interest.

The regulations of this final-omitted regulation package meet the contemplated criteria for final-omitted regulations under the CDL.

1. Comments from the public are not necessary, appropriate or beneficial.

The regulations in this package represent the rules and procedures of table games, variations or side wagers, or both, which are the intellectual property of PGCB licensees, rendering public comments and edits derived therefrom, unnecessary. The present temporary regulation language adopted by the PGCB, and now being moved into final-form regulation language, represents authorization of games, variations or side wagers, or both, covered by intellectual property rights of PGCB licensees. PGCB licensees are not willing to relinquish their intellectual property protections in these games/wagers as a direct result of public commentary. It is anticipated that alterations in regulatory language which would alter the rules/procedures outside the scope of present intellectual property protections would result in PGCB licensees removing the relevant gaming products from this Commonwealth’s market. As the regulations are specific to a particular licensee’s intellectual property, any edit to the terms of the game amounts to a revocation of an authorized gaming product. A reduction to the number of options available to both the regulated community and gaming patrons will result in a contraction in gaming revenues to operators, and gaming taxes received throughout this Commonwealth.

2. Persons subject to the regulations have received notice.

Except for the present edits relating to cross referencing or incorporation of consistent phrasing, the regulations comprising this final-omitted rulemaking package are presently in force and effect as temporary regulations. To become temporary regulations, the process begins with PGCB licensees making a table games submission, which in part seeks temporary table game regulations be promulgated and in part seeks the PGCB to grant approval for the game/wager to be authorized for play in this Commonwealth. The PGCB’s issuance of authorization for a game or wager provides that the game/wager is subject to the relevant regulatory provisions—be those provisions temporary regulations or final-form regulations. Those entities with the greatest interest in the contents of the

present final-omitted regulations received notice of the relevant regulations as part of the PGCB notification that their requested game/wager has been approved for play in this Commonwealth. Having given notice to the relevant parties, the PGCB has not received comments on the regulatory language, and therefore is moving the temporary regulations forward through the final-omitted rulemaking process.

3. Notice is impracticable, unnecessary or contrary to the public interest.

Specifically, the editing being made represents a corrective measure for which notice and comment is unnecessary, and generally impracticable. Some sections of regulations have been discovered to contain typos. The edits correct these errors and ensure proper cross references.

Fiscal Impact

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

Political subdivisions. This final-omitted rulemaking will have no fiscal impact on political subdivisions of this Commonwealth.

Private sector. This final-omitted rulemaking codifies temporarily approved table games, variations and side wagers into final-form, and thereby provides certificate holders with additional table game options. If a certificate holder decides to offer, or continue to offer, any of the table games, side wagers and/or variations codified under these final-form regulations, the certificate holder will be required to train their dealers on the rules of play and purchase new equipment—specifically table layouts corresponding to the game and wagers offered. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This final-omitted rulemaking will have no fiscal impact on the general public.

Paperwork Requirements

If a certificate holder seeks to offer any of the table games, side wagers or variations contained in these regulations, the certificate holder will be required to submit a Rules Submission form reflecting the choices in how the game will be offered and with the selected side wagers and variations identified. These forms are available on the board's public web site and submitted to board staff electronically.

Effective Date

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

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on February 15, 2024, the Board submitted a copy of the final-omitted rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC), to the chairperson of the Community, Economic and Recreational Development Committee of the Senate and the chairperson of the Gaming Oversight Committee of the House of Representatives. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on March 20, 2024, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on March 21, 2024, and approved the final-omitted rulemaking.

Findings

The board finds that:

(1) Public notice of intention to adopt these amendments and opportunity for public comment may be omitted under section 204 of the CDL and the regulations thereunder, 1 Pa. Code § 7.4 (relating to omission of notice of proposed rulemaking).

(2) The adoption of the regulations prescribed in Annex A and Annex B are necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

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

(1) The regulations of the board, 58 Pa. Code Chapters 617b, 623b, 627b, 629b, 631b, 633b, 635b, 639b, 641b, 643b, 645b, 647b, 649b, 653b, 655b, 657b, 659b, 670b, 685b, 687b, 688b and 689, are amended by deleting §§ 617b.1—617b.3, 623b.1—623b.4, 627b.1—627b.3, 629b.1—629b.4, 631b.1—631b.7, 633b.1—633b.15, 635b.1, 635b.2, 639b.1, 641b.1, 643b.1, 645b.1—645b.3, 647b.1, 649b.1, 653b.1, 655b.1, 657b.1, 659b.1, 670b.1, 685b.1, 687b.1, 688b.1 and 689.1—689.3 to read as set forth in Annex A.

(2) The regulations of the board, 58 Pa. Code Chapters 617c, 623c, 627c, 629c, 631c, 633c, 635c, 639c, 641c, 643c, 645c, 647c, 649c, 653c, 655c, 657c, 659c, 670c, 685c, 687c, 688c and 689a, are amended by adding §§ 617c.1—617c.3, 623c.1—623c.4, 627c.1—627c.3, 629c.1—629c.4, 631c.1—631c.7, 633c.1—633c.15, 635c.1, 635c.2, 639c.1, 641c.1, 643c.1, 645c.1—645c.3, 647c.1, 649c.1, 653c.1, 655c.1, 657c.1, 659c.1, 670c.1, 685c.1, 687c.1, 688c.1 and 689a.1—689a.3 to read as set forth in Annex B.

(3) The chairperson of the board shall certify this order, Annex A and Annex B and submit them to the Office of General Counsel and the Office of Attorney General for approval as to form and legality as required by law.

(4) The chairperson of the board shall certify this order, Annex A and Annex B and submit them to IRRC, the chairperson of the Gaming Oversight Committee of the House of Representatives and the chairperson of the Community, Economic and Recreational Development Committee of the Senate as required by law.

(5) The chairperson of the board shall certify this order, Annex A and Annex B and deposit them with the Legislative Reference Bureau as required by law.

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

DENISE J. SMYLER,
Chairperson

Fiscal Note: 125-246. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 617b. ROULETTE SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§§ 617b.1—617b.3. [Reserved].

CHAPTER 623b. CRAPS AND MINI-CRAPS SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§§ 623b.1—623b.4. [Reserved].

CHAPTER 627b. MINIBACCARAT SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§§ 627b.1—627b.3. [Reserved].

CHAPTER 629b. MIDIBACCARAT SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§§ 629b.1—629b.4. [Reserved].

CHAPTER 631b. BACCARAT SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§§ 631b.1—631b.7. [Reserved].

CHAPTER 633b. BLACKJACK SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§§ 633b.1—633b.15. [Reserved].

CHAPTER 635b. [Reserved]

§§ 635b.1. and 635b.2. [Reserved].

CHAPTER 639b. [Reserved]

§ 639b.1. [Reserved].

CHAPTER 641b. [Reserved]

§ 641b.1. [Reserved].

CHAPTER 643b. [Reserved]

§ 643b.1. [Reserved].

CHAPTER 645b. [Reserved]

§§ 645b.1—645b.3. [Reserved].

CHAPTER 647b. [Reserved]

§ 647b.1. [Reserved].

CHAPTER 649b. [Reserved]

§ 649b.1. [Reserved].

CHAPTER 653b. ULTIMATE TEXAS HOLD 'EM POKER SIDE WAGERS AND VARIATIONS—TEMPORARY REGULATIONS

§ 653b.1. [Reserved].

CHAPTER 655b. [Reserved]

§ 655b.1. [Reserved].

CHAPTER 657b. [Reserved]

§ 657b.1. [Reserved].

CHAPTER 659b. [Reserved]

§ 659b.1. [Reserved].

CHAPTER 670b. [Reserved]

§ 670b.1. [Reserved].

CHAPTER 685b. [Reserved]

§ 685b.1. [Reserved].

CHAPTER 687b. [Reserved]

§ 687b.1. [Reserved].

CHAPTER 688b. [Reserved]

§ 688b.1. [Reserved].

CHAPTER 689. [Reserved]

§§ 689.1—689.3. [Reserved].

Annex B

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 617c. ROULETTE SIDE WAGERS AND VARIATIONS

Sec.

617c.1. B2B Roulette wager.

617c.2. Blazing 7's wager.

617c.3. Lightning Roulette.

§ 617c.1. B2B Roulette wager.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Roulette wager in accordance with § 617a.3 (relating to placement of wagers) the option of placing a B2B Roulette wager. If the certificate holder is offering the B2B Roulette wager, Roulette may be played on a double zero Roulette wheel or a single zero Roulette wheel as described in § 617a.1(c)—(e) (relating to Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as a single zero Roulette wheel).

(b) The layout for a Roulette table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the B2B Roulette wager, in addition to the requirements in § 617a.1, the layout shall contain a separate area designated for the placement of the B2B Roulette wager. The certificate holder shall also have in place a board-approved Roulette reader board that contains a random number generator to determine the payout of the B2B Roulette wager.

(c) A player may place a B2B Roulette wager before each Roulette spin at any time before the croupier calls, "no more bets." A B2B Roulette wager may be made for any amount within the table limits.

(d) After placing a B2B Roulette wager, if the Roulette ball comes to rest on the same number as the previous spin, the B2B Roulette wager will win. The B2B Roulette wager shall lose in all other scenarios.

(e) If a B2B Roulette wager wins, the payout shall be determined by a random number generator, which shall then be displayed on the Roulette reader board. The possible payouts, all of which shall be included in the certificate holder's Rules Submission filed in accordance with § 601a.2, are as follows:

- (1) 1000 to 1.
- (2) 500 to 1.
- (3) 250 to 1.
- (4) 100 to 1.
- (5) 50 to 1.
- (6) 25 to 1.
- (7) 10 to 1.

§ 617c.2. Blazing 7's wager.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Roulette

wager in accordance with § 617a.3 (relating to placement of wagers) the option of placing a Blazing 7's wager which shall win and trigger a Blazing 7's bonus round if the Roulette ball comes to rest in the compartment of the number 7, 17 or 27.

(b) The layout for the Roulette table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Blazing 7's wager, in addition to the requirements in § 617a.1 (relating to Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as single zero Roulette wheel), the layout shall contain a separate area designated for the placement of the Blazing 7's wager as well as an electromechanical release device approved by the Bureau of Gaming Operations and Office of Gaming Laboratory.

(c) After placing a Roulette wager, as required in § 617a.3, a player may place a Blazing 7's wager before each round of Roulette at any time before the croupier calls, "no more bets."

(d) The croupier shall rotate the Roulette ball and complete the round of play in accordance with § 617a.5(a)—(e) (relating to rotation of wheel and ball), stopping all winning and losing Roulette wagers.

(e) If a player has placed a Blazing 7's wager and the Roulette ball comes to rest in the compartment of the number 7, 17 or 27, the player's Blazing 7's wager shall win and trigger the Blazing 7's bonus round spin to determine the payout of the wager.

(f) The Blazing 7's bonus round shall begin with the croupier loading three Roulette balls into the approved electromechanical release device.

(g) The croupier shall activate the Roulette wheel and press the release button on the electromechanical release device, releasing the three Roulette balls on the Roulette wheel simultaneously. The certificate holder may offer a wireless button to a player who has placed a winning Blazing 7's wager that would release the three Roulette balls onto the activated Roulette wheel.

(h) If two or more Roulette balls come to rest in the same compartment on the Roulette wheel, the croupier shall leave one ball in the compartment, remove the others and relaunch the removed Roulette balls.

(i) If two Roulette balls come to rest in the same compartment on the Roulette wheel, the croupier shall not remove the ball that did not come to rest in the same compartment while the other ball is relaunched.

(j) Based upon the compartments that the three Roulette balls come to rest in during the Blazing 7's bonus round, the certificate holder may use one of the four paytables as follows, which shall be specified in its Rules Submission under § 601a.2:

<i>Outcome</i>	<i>Paytable 1</i>	<i>Paytable 2</i>
7-17-27 (all three)	1,000 to 1	299 to 1
7-17-27 (two of three)	100 to 1	100 to 1
7-17-27 (one of three)	17 to 1	17 to 1
Other	7 to 1	7 to 1

<i>Outcome</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
7-17-27 (all three)	1,000 to 1	299 to 1
7-17-27 (two of three)	100 to 1	100 to 1

<i>Outcome</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
7-17-27 (one of three)	17 to 1	17 to 1
Three balls in one color	11 to 1	11 to 1
Other	6 to 1	6 to 1

§ 617c.3. Lightning Roulette.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to players a game variation entitled Lightning Roulette, where each player who placed and wins a straight wager in Roulette accordance with § 617a.3 (relating to placement of wagers) has the ability to win an increased payout based upon the results of a random number generator. If the certificate holder is offering Lightning Roulette, it must be played on a single zero Roulette wheel as described in § 617a.1(c) (relating to Roulette ball; Roulette wheel and table; physical characteristics; double zero Roulette wheel used as a single zero Roulette wheel).

(b) The layout for a Lightning Roulette table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment). A Lightning Roulette table shall have in place a board-approved Roulette random number generator that determines the Lucky Numbers and also determines the specific payout that will be paid for a winning straight wager placed on a Lucky Number.

(c) A player may place a straight wager before each Roulette spin at any time before the croupier calls, "no more bets" in accordance with § 617a.5 (relating to rotation of wheel and ball).

(d) After all wagers have been placed, the random number generator shall be initiated and will select between 1 and 5 numbers on the layout that are the Lucky Numbers. The Lucky Numbers will be illuminated and will also indicate what the increased payout will be for a winning straight wager placed on that Lucky Number.

(e) If the Roulette ball comes to rest in one of the Lucky Numbers and a player has placed a straight wager on that number, the player's straight wager shall win and be paid based upon the increased payout displayed on the layout and listed in subsection (g).

(f) Notwithstanding the provisions of § 617a.4 (relating to payout odds), if a player's straight wager wins but the number the player wagered on is not selected as a Lucky Number by the random number generator, the player shall be paid 29 to 1.

(g) The possible payouts, all of which shall be included in the certificate holder's Rules Submission filed in accordance with § 601a.2, that may be selected by the random number generator are as follows:

- (1) 499 to 1.
- (2) 399 to 1.
- (3) 349 to 1.
- (4) 299 to 1.
- (5) 249 to 1.
- (6) 199 to 1.
- (7) 149 to 1.
- (8) 99 to 1.
- (9) 49 to 1.

CHAPTER 623c. CRAPS AND MINI-CRAPS SIDE WAGERS AND VARIATIONS

- Sec.
- 623c.1. Hot Roller Craps.
- 623c.2. Lucky Shooter wager.
- 623c.3. Bonus Craps alternate payable option; change in wager verbiage.
- 623c.4. Hot Shooter jackpot wager.

§ 623c.1. Hot Roller Craps.

(a) The layout for a Craps table shall be submitted to Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment). The layout shall:

(1) Comply with the requirements in § 623a.2 (relating to Craps and Mini-Craps tables; physical characteristics).

(2) If the certificate holder offers Hot Roller Craps:

(i) No more than 16 areas designated for the placement of a Hot Roller wager. The Hot Roller wager areas must be located around the perimeter of the layout, corresponding to player positions at the table, and sequentially numbered in a clockwise direction with the area numbered 1 being located immediately to the left of the boxperson.

(ii) A designated area of the layout for the relocation and identification of all Hot Roller wagers placed by players. The designated area must be located in front of the boxperson and contain numbered areas which correspond to the location of the numbered areas described in subparagraph (i).

(iii) A designated area of the layout for the placement of marker buttons with the following:

(A) A number 4 showing a 1 and 3 dice and a 2 and 2 dice.

(B) A number 5 showing a 1 and 4 dice and a 2 and 3 dice.

(C) A number 6 showing a 1 and 5 dice, a 2 and 4 dice, and a 3 and 3 dice.

(D) A number 8 showing a 2 and 6 dice, a 3 and 5 dice, and a 4 and 4 dice.

(E) A number 9 showing a 3 and 6 dice and a 4 and 5 dice.

(F) A number 10 showing a 4 and 6 dice and a 5 and 5 dice.

(iv) The payout odds for the Hot Roller wager.

(b) A Hot Roller wager may be made only prior to the come out roll and may not be reduced, increased or removed until resolved in accordance with subsection (g). A Hot Roller wager shall be made by placing value chips or plaques on the appropriate area of the layout. A verbal Hot Roller wager may not be accepted. The Hot Roller wager shall have no bearing on any other wagers made by a player.

(c) After placing a Hot Roller wager, the dealer shall place each player's wager in the corresponding designated area in front of the boxperson where the wagers shall remain until they are either collected or paid.

(d) With each throw of the dice, the dealer shall place a marker button in the area of the table layout containing the corresponding depiction of the dice which were just thrown. For example, if a shooter throws a 1 and 3, the dealer shall place the marker button in the box on the table layout that contains a 1 and 3 dice located below the number 4.

(e) Marker buttons shall be maintained by the boxperson or dealers at the Craps table and must be visually distinguishable from and have a diameter different than any authorized value chip utilized in the licensed facility.

(f) Once all dice combinations for a specific number on the layout are thrown, the dealer shall place a marker button on the corresponding number combination. For example, if a shooter throws a 1 and 3 and then throws a 2 and 2, the dealer shall place a marker button on the number 4.

(g) A Hot Roller wager shall be settled when a shooter throws a 7. A Hot Roller wager shall win if at least two different number combinations are thrown by the shooter before a 7 is thrown and shall lose if the shooter throws a 7 on the come out roll or if fewer than two different number combinations are thrown by the shooter before a 7 is thrown. For example, if a shooter throws the two ways to make a 4 (marker buttons have been placed on the 1 and 3 and the 2 and 2), the two ways to make a 5 (marker buttons have been placed on the 2 and 3 and the 4 and 1) and both ways to make a 9 (marker buttons have been placed on the 3 and 6 and the 4 and 5) and then throws a 7, all players who placed a Hot Roller wager shall be paid out for any three number combination.

(h) A winning Hot Roller wager shall be paid at the payout odds contained in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Outcome</i>	<i>Paytable A</i>	<i>Paytable B</i>
All six number combinations	200 to 1	300 to 1
Any five number combinations	50 to 1	50 to 1
Any four number combinations	20 to 1	20 to 1
Any three number combinations	10 to 1	10 to 1
Any two number combinations	5 to 1	5 to 1

§ 623c.2. Lucky Shooter wager.

(a) If the certificate holder offers Craps on a fully automated electronic gaming table, the certificate holder may offer players the option to place a Lucky Shooter wager.

(b) The layout for a Craps table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Lucky Shooter wager, in addition to the requirements in § 623a.2 (relating to Craps and Mini-Craps tables; physical characteristics) the electronic layout shall contain a separate area designated for the electronic placement of the Lucky Shooter wager for each player.

(c) A player may place a Lucky Shooter wager by electronically placing a value chip on the designated area of the table layout prior to the shooter throwing the dice on the come out roll to establish a point.

(d) If on the come out roll the shooter throws:

(1) A 2, 3 or 12, the Lucky Shooter wager shall be lost and collected.

(2) A 7 or 11, the Lucky Shooter wager shall be paid out for the 7 or 11 as provided in subsection (e) and remain working for the next come out roll.

(3) A 4, 5, 6, 8, 9 or 10, the point shall be established for purposes of the Lucky Shooter wager. If the player rolls at least two or three of the other 5 numbers, depending on the payout table selected by the certificate holder, in any order during the next 5 rolls, the player's winning Lucky Shooter wager shall be paid in accordance with subsection (e). If any number other than one of the remaining, not already rolled numbers is rolled, the Lucky Shooter wager shall then be settled. For example:

(i) If a 9 is rolled, then a 10, 4, 6 and another 10, the player shall be paid out for 3 of the other 5 points as provided in subsection (e).

(ii) If a 9 is rolled, then a 10, 4, 6, 8, 5, then another 9 on the sixth roll, the player shall be paid out for rolling 5 of the 5 points and the established point as provided in subsection (e).

(iii) If a 6 is rolled, then a 9, then another 6, the losing Lucky Shooter wager shall be collected.

(e) The certificate holder shall pay out a winning Lucky Shooter wager at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
5 of 5 other points and established point	1000 for 1	500 for 1	1000 for 1	500 for 1
5 of 5 other points	150 for 1	100 for 1	150 for 1	100 for 1
4 of 5 other points	15 for 1	10 for 1	20 for 1	10 for 1
3 of 5 other points	5 for 1	4 for 1	5 for 1	5 for 1
2 of 5 other points	N/A	2 for 1	N/A	2 for 1
1st roll of 7 or 11	1 for 1	1 for 1	1 for 1	1 for 1

§ 623c.3. Bonus Craps alternate payable option; change in wager verbiage.

(a) If the certificate holder offers Craps as described in Chapter 623a (relating to Craps and Mini-Craps), specifically the Bonus Craps side wager as described in § 623a.3(a)(43) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer players an alternate payable to the payable outlined in § 623a.5(h) (relating to payout odds) and shall change the verbiage of one of the Bonus Craps wagers.

(b) The Bonus Craps wager previously named "All or Nothing at All wager" shall be renamed to "Make 'Em All wager," and the certificate holder shall update its layout and submit it to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), if necessary.

(c) If a Bonus Craps side wager wins, the certificate holder may use one of the two following paytables, which shall be specified in its Rules Submission under § 601a.2:

<i>Wager</i>	<i>Paytable 1</i>	<i>Paytable 2</i>
All Small	34 to 1	30 to 1
All Tall	34 to 1	30 to 1
Make 'Em All	175 to 1	150 to 1

(d) Notwithstanding the provisions in this section, the remaining rules and procedures for Bonus Craps as described in § 623a.12 (relating to additional procedures and rules for Bonus Craps) shall remain in effect.

§ 623c.4. Hot Shooter jackpot wager.

(a) If the certificate holder offers Craps on a fully automated electronic gaming table or a hybrid gaming table, the certificate holder may offer players the option to place a Hot Shooter jackpot wager.

(b) The layout for a Craps table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate

holder offers the Hot Shooter jackpot wager, in addition to the requirements in § 623a.2 (relating to Craps and Mini-Craps tables; physical characteristics), the electronic or hybrid layout shall contain a separate area designated for the electronic placement of the Hot Shooter jackpot wager for each player.

(c) A player may place a Hot Shooter jackpot wager by electronically placing a value chip on the designated area of the table layout prior to the shooter throwing the dice on the come out roll to establish a point.

(d) If after the come out roll the shooter:

(1) Throws the dice 7 times or less before the next 7 out, the Hot Shooter jackpot wager shall lose.

(2) Throws the dice 8 times to 15 times before the next 7 out, the Hot Shooter jackpot wager shall push.

(3) Throws the dice 16 times or more before the next 7 out, the Hot Shooter jackpot wager shall win and be paid in accordance with subsection (e).

(e) The certificate holder shall pay out a winning Hot Shooter jackpot wager at the odds in the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Outcome</i>	<i>Paytable</i>
8 to 15 rolls	Push
16 to 23 rolls	2 to 1
24 to 31 rolls	4 to 1
32 to 39 rolls	6 to 1
40 to 44 rolls	11 to 1
45 to 49 rolls	29 to 1
50 or more rolls	99 to 1

CHAPTER 627c. MINIBACCARAT SIDE WAGERS AND VARIATIONS

- Sec. 627c.1. Perfect Pairs wager.
- 627c.2. Commission-free Minibaccarat.
- 627c.3. Royal 9 progressive wager.

§ 627c.1. Perfect Pairs wager.

(a) The layout for a Minibaccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Perfect Pairs wager authorized under subsection (b), the layout shall contain separate areas designated for the placement of the Perfect Pairs wager on the player hand and the banker hand for each player.

(b) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player the option of placing a Perfect Pairs wager on the player hand or the banker hand, or both. The Perfect Pairs wager shall win if the initial two cards dealt to the player hand or banker hand or both contain a colored pair, mixed pair or perfect pair. For purposes of the Perfect Pairs wager, only cards that are identical in either number or type will be considered of the same rank. For example: two jacks or two 4s.

(c) After the dealer positions the cards in accordance with § 627a.8(c)(1) or (2) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the point count of the player's hand and the banker's hand and shall settle a Perfect Pairs wager by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager on the player's hand or the banker's hand and the initial two cards dealt to the player's hand or banker's hand:

(1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (d). If a player placed a Perfect Pairs wager on both the player's hand and banker's hand, and both the player's hand and banker's hand contain a colored pair, mixed pair or perfect pair, the player shall receive a payout in accordance with subsection (d) for both winning hands.

(2) Do not contain a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.

(d) The certificate holder shall pay out a winning Perfect Pairs wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C
Perfect pair	25 to 1	30 to 1	25 to 1
Colored pair	12 to 1	10 to 1	15 to 1
Mixed pair	6 to 1	5 to 1	5 to 1

(e) As used in this section, the following words and terms shall have the meanings given to them in this subsection:

Colored pair—The initial two cards dealt to the player or banker that are of the same rank and the same color but different suits.

Mixed pair—The initial two cards dealt to the player or banker that are of the same rank but different colors.

Perfect pair—The initial two cards dealt to the player or banker that are of the same rank, the same color and the same suit.

§ 627c.2. Commission-free Minibaccarat.

(a) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer commission-free Minibaccarat in which no commission is collected.

(b) In addition to the requirements in § 627a.2(a) and (b)(1)—(4), (relating to Minibaccarat table physical characteristics), the layout for commission-free Minibaccarat shall contain:

(1) Separate areas designated for the placement of the Player Pair wager authorized under subsection (c)(1).

(2) Separate areas designated for the placement of the Banker Pair wager authorized under subsection (c)(2).

(3) Separate areas designated for the placement of the Lucky Six wager for each player, as authorized under subsection (c)(3).

(c) In addition to the wager on the player hand, banker hand and tie hand, which shall win or lose as provided in § 627a.7(a) (relating to wagers), a player may place the following optional wagers if offered by the certificate holder:

(1) Player Pair wager, which shall win if the initial two cards dealt to the player's hand are a pair such as two 9s or two queens and shall lose if the initial two cards dealt to the player's hand are not a pair.

(2) Banker Pair wager, which shall win if the initial two cards dealt to the banker's hand are a pair and shall lose if the initial two cards dealt to the banker's hand are not a pair.

(3) A Lucky Six wager, which shall win if the point count of the banker's hand is a 6 and is higher than the point count of the player's hand and shall lose if:

(i) The point count of the banker's hand is a 6 but is lower than the point count of the player's hand.

(ii) The point count of the banker's hand is not a 6.

(d) Commission-free Minibaccarat shall be dealt and played in accordance with §§ 627a.3—627a.8. If a player placed a Player Pair wager or Banker Pair wager, the wager shall be settled prior to dealing a third card to the player's hand or banker's hand. A winning pair wager shall be paid out in accordance with subsection (g). After settling a pair wager, the game shall resume by dealing any third cards that are required to be dealt in accordance with §§ 627a.9 and 627a.10 (relating to procedure for dealing a third card; and rules for determining whether a third card shall be dealt).

(e) After each hand has received all the cards to which it is entitled under §§ 627a.9 and 627a.10, the dealer shall announce the final point count of each hand, indicating which hand has won the round. If two hands have equal point counts, the dealer shall announce "tie hand." If the point counts of the banker's hand and player's hand results in a Lucky Six, the dealer shall announce "Lucky Six."

(f) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager. A winning wager on the player's hand shall be paid in accordance with subsection (h). A winning wager on the banker's hand shall be paid in accordance with subsection (i). A winning tie wager shall be paid in accordance with subsection (j). A Lucky Six wager shall be paid in accordance with subsection (k).

(g) A winning pair wager on either the player's hand or banker's hand shall be paid at odds of 11 to 1.

(h) A winning wager made on the player's hand shall be paid at odds of 1 to 1.

(i) A winning wager made on the banker’s hand shall be paid at odds of 1 to 1, except if the banker’s hand wins with a point count of 6, then the winning wager on the banker’s hand shall be paid out at odds of 1 to 2.

(j) A winning tie wager shall be paid at odds of 8 to 1.

(k) When the banker’s hand wins with a total of six points:

(1) With only two cards dealt to the banker’s hand, the winning Lucky Six wager shall be paid at odds of 12 to 1.

(2) With three cards dealt to the banker’s hand, the winning Lucky Six wager shall be paid at odds of 20 to 1.

(l) At the conclusion of a round of play, the dealer shall remove all cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute. Irregularities during play shall be handled in accordance with § 627a.13 (relating to irregularities).

§ 627c.3. Royal 9 progressive wager.

(a) The layout for a Minibaccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Royal 9 progressive wager authorized under subsection (c), the layout shall contain a separate area designated for the placement of the Royal 9 progressive wager for each player. The Minibaccarat table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of a Royal 9 progressive wager. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Royal 9 progressive wager.

(2) A device that controls or monitors the placement of progressive payout wagers at the gaming table including a mechanism, such as a lock-out button, that prevents the placement of a Royal 9 progressive wager that a player attempts to place after the dealer has begun dealing the cards.

(b) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Minibaccarat wager in accordance with § 627a.7(b) (relating to wagers), the option of placing a Royal 9 progressive wager which shall win if the first two cards to either the banker hand or player hand consist of a face card (king, queen or jack) and a nine.

(c) After placing a Minibaccarat wager, as required in § 627a.7(b), and any optional wagers, including the Royal 9 progressive wager, the dealer shall deal the cards in accordance with § 627a.8(a)—(c) (relating to hands of player and banker; procedure for dealing initial two cards to each hand).

(d) A winning Royal 9 progressive wager as outlined in subsection (e) will be paid by the dealer in accordance with subsections (f) and (g). The dealer will then complete the dealing procedures in § 627a.9 (relating to procedure for dealing a third card).

(e) Winning Royal 9 progressive wagers are as follows:

(1) *Royal 9*—Either the player hand or banker hand contains a Royal 9.

(2) *Suited Royal 9*—Either the player or banker hand contains a Royal 9 where both cards are of the same suit.

(3) *Royal 9 tie hand*—Both player hand and banker have a Royal 9; not necessarily the same Royal 9 combination.

(4) *Suited Royal 9 tie hand*—Both player and banker have a suited Royal 9; not necessarily the same suited Royal 9.

(5) *Personal progressive combinations*—Each player position has a unique combination consisting of a king and a nine which is printed on the layout in front of the wagering area which can trigger a progressive payout.

(6) *Mega jackpot*—Personal king 9 versus Personal king 9—The player hand and banker hand both contain the same king and nine combination that is a personal progressive combination assigned to a player position.

(7) *Major jackpot*—Personal king 9 on banker hand—The banker hand contains the king 9 combination that is a personal progressive combination assigned to a player position.

(8) *Minor jackpot*—Personal king 9 on player hand—The player hand contains the king 9 combination that is a personal progressive combination assigned to a player position.

(9) *Mega envy*—Any player position’s king 9 versus king 9—The banker hand and player hand contains the same king 9 combination that is assigned to one of the player positions. It does not matter if the player position is occupied or if there is a wager in the player position that contains the winning king 9 combination.

(f) Royal 9 progressive wager payable for \$5 wager.

(1) If a table game certificate holder offers a \$5 denomination Royal 9 progressive wager, the Royal 9 progressive wager pay table is as follows:

<i>Hand</i>	<i>Paytable</i>
Personal king 9 v. personal king 9	100% of mega jackpot
Personal king 9 on banker hand	100% major jackpot
Personal king 9 on player hand	100% minor jackpot
Mega envy—any position’s king 9 v. king 9	\$5,000
Suited Royal 9 tie hand	\$1,500
Royal 9 tie hand	\$250
Suited Royal 9	\$50
Royal 9	\$25

(2) The rate of progression for the meters used for the Royal 9 progressive wager must be specified in the certificate holder’s Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$5 denomination Royal 9 progressive wager, the initial and reset amounts must also be in the Rules Submission and shall be at least \$50,000 for the mega jackpot, \$450 for the major jackpot, and \$450 for the minor jackpot.

(g) Royal 9 progressive wager payable for \$1 wager.

(1) If a table game certificate holder offers a \$1 denomination Royal 9 progressive wager, the Royal 9 progressive wager pay table is as follows:

<i>Hand</i>	<i>Paytable</i>
Personal king 9 v. personal king 9	100% of mega jackpot
Personal king 9 on banker hand	100% major jackpot
Personal king 9 on player hand	100% minor jackpot
Mega envy—any position's king 9 v. king 9	\$1,000
Suited Royal 9 tie hand	\$300
Royal 9 tie hand	\$50
Suited Royal 9	\$10
Royal 9	\$5

(2) The rate of progression for the meters used for the Royal 9 progressive wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$1 denomination Royal 9 progressive, the initial and reset amounts must also be in the Rules Submission and shall be at least \$10,000 for the mega jackpot, \$90 for the major jackpot and \$90 for the minor jackpot.

(h) If the progressive table game system utilized by the certificate holder has the capability to offer a mystery progressive, the seed and reseed amount, random must hit by amount and incrementation rate shall be as follows:

<i>Configuration</i>	<i>Reseed Random</i>	<i>Must-Hit-By</i>	<i>Incrementation Rate</i>
1	\$250	\$1,000	5%
2	\$100	\$500	5%
3	\$100	\$200	2%

CHAPTER 629c. MIDIBACCARAT SIDE WAGERS AND VARIATIONS

- Sec. 629c.1. Perfect Pairs wager.
- 629c.2. Commission-free Midibaccarat.
- 629c.3. Royal 9 progressive wager.
- 629c.4. Alternative card reveal procedure.

§ 629c.1. Perfect Pairs wager.

(a) The layout for a Midibaccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Perfect Pairs wager authorized under subsection (b), the layout shall contain separate areas designated for the placement of the Perfect Pairs wager on the player's hand and the banker's hand for each player.

(b) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player the option of placing a Perfect Pairs wager on the player's hand or the banker's hand, or both. The Perfect Pairs wager shall win if the initial two cards dealt to the player's hand or dealer's hand or both contain a colored pair, mixed pair or perfect pair. For purposes of the Perfect Pairs wager, only cards that are identical in either number or type will be considered of the same rank. For example: two jacks or two 4s.

(c) After the dealer positions the cards in accordance with § 629a.8(c)(1) and (2) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the point count of

the player's hand and the banker's hand and shall settle a Perfect Pairs wager by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager on the player's hand or the banker's hand and the initial two cards dealt to the player's hand or the banker's hand:

(1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (d). If a player placed a Perfect Pairs wager on both the player's hand and banker's hand, and both the player's hand and banker's hand contain a colored pair, mixed pair or perfect pair, the player shall receive a payout in accordance with subsection (d) for both winning hands.

(2) Do not contain a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.

(d) The certificate holder shall pay out a winning Perfect Pairs wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Perfect pair	25 to 1	30 to 1	25 to 1
Colored pair	12 to 1	10 to 1	15 to 1
Mixed pair	6 to 1	5 to 1	5 to 1

(e) As used in this section, the following words and terms shall have the meanings given to them in this subsection:

Colored pair—The initial two cards dealt to the player or banker that are of the same rank and the same color but different suits.

Mixed pair—The initial two cards dealt to the player or banker that are of the same rank but different colors.

Perfect pair—The initial two cards dealt to the player or banker that are of the same rank, the same color and the same suit.

§ 629c.2 Commission-free Midibaccarat.

(a) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer commission-free Midibaccarat in which no commission is collected.

(b) In addition to the requirements in § 629a.2(a) and (b)(1)–(4), (relating to Midibaccarat table physical characteristics), the layout for commission-free Midibaccarat shall contain:

(1) Separate areas designated for the placement of the Player Pair wager authorized under subsection (c)(1).

(2) Separate areas designated for the placement of the Banker Pair wager authorized under subsection (c)(2).

(3) Separate areas designated for the placement of the Lucky Six wager for each player, as authorized under subsection (c)(3).

(c) In addition to the wager on the player's hand, banker's hand and tie hand, which shall win or lose as provided in § 629a.7(a)(1)–(3) (relating to wagers), a player may place the following optional wagers if offered by the certificate holder:

(1) Player Pair wager, which shall win if the initial two cards dealt to the player's hand are a pair such as two 9s or two queens and shall lose if the initial two cards dealt to the player's hand are not a pair.

(2) Banker Pair wager, which shall win if the initial two cards dealt to the banker's hand are a pair and shall lose if the initial two cards dealt to the banker's hand are not a pair.

(3) A Lucky Six wager, which shall win if the point count of the banker's hand is a 6 and is higher than the point count of the player's hand and shall lose if:

(i) The point count of the banker's hand is a 6 but is lower than the point count of the player's hand.

(ii) The point count of the banker's hand is not a 6.

(d) Commission-free Midibaccarat shall be dealt and played in accordance with §§ 629a.3—629a.8. If any player placed a Player Pair wager or Banker Pair wager, the wager shall be settled prior to dealing a third card to the player's hand or banker's hand. A winning pair wager shall be paid out in accordance with subsection (g). After settling any Pair wagers, the game shall resume by dealing any third cards that are required to be dealt in accordance with §§ 629a.9 and 629a.10 (relating to procedure for dealing a third card; and rules for determining whether a third card shall be dealt).

(e) After each hand has received all the cards to which it is entitled under §§ 629a.9 and 629a.10, the dealer shall announce the final point count of each hand indicating which hand has won the round. If two hands have equal point counts, the dealer shall announce "tie hand." If the point counts of the banker's hand and player's hand result in a Lucky Six, the dealer shall announce Lucky Six.

(f) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager. Winning wagers on the player's hand shall be paid in accordance with subsection (h). Winning wagers on the banker's hand shall be paid in accordance with subsection (i). A winning tie wager shall be paid in accordance with subsection (j). A Lucky Six wager shall be paid in accordance with subsection (k).

(g) A winning pair wager on either the player's hand or banker's hand shall be paid at odds of 11 to 1.

(h) A winning wager made on the player's hand shall be paid at odds of 1 to 1.

(i) A winning wager made on the banker's hand shall be paid at odds of 1 to 1, except if the banker's hand wins with a point count of 6, then the winning wager on the banker's hand shall be paid out at odds of 1 to 2.

(j) A winning tie wager shall be paid at odds of 8 to 1.

(k) When the banker's hand wins with a total of six points:

(1) With only two cards dealt to the banker's hand, the winning Lucky Six wager shall be paid at odds of 12 to 1.

(2) With three cards dealt to the banker's hand, the winning Lucky Six wager shall be paid at odds of 20 to 1.

(l) At the conclusion of a round of play, the dealer shall remove all cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute. Irregularities during play shall be handled in accordance with § 629a.13 (relating to irregularities).

§ 629c.3. Royal 9 progressive wager.

(a) The layout for a Midibaccarat table shall be submitted to the Bureau of Gaming Operations and approved in

accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Royal 9 progressive wager authorized under subsection (c), the layout shall contain a separate area designated for the placement of the Royal 9 progressive wager for each player. The Midibaccarat table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of Royal 9 progressive wagers. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Royal 9 progressive wager.

(2) A device that controls or monitors the placement of progressive payout wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the placement of any Royal 9 progressive wagers that a player attempts to place after the dealer has begun dealing the cards.

(b) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Midibaccarat wager in accordance with § 629a.7(b) (relating to wagers) the option of placing a Royal 9 progressive wager which shall win if the first two cards to either the banker hand or player hand consist of a face card (king, queen or jack) and a nine.

(c) After placing a Midibaccarat wager, as required in § 629a.7(b), and any optional wagers, including the Royal 9 progressive wager, the dealer shall deal the cards in accordance with § 629a.8(a)—(d) (relating to hands of player and banker; procedure for dealing initial two cards to each hand).

(d) A winning Royal 9 progressive wager as outlined in subsection (e) will be paid by the dealer in accordance with subsections (f) and (g). The dealer will then complete the dealing procedures in § 629a.8(c)(4)—(6).

(e) Winning Royal 9 progressive wagers are as follows:

(1) *Royal 9*—Either the player hand or banker hand contains a Royal 9.

(2) *Suited Royal 9*—Either the player or banker hand contains a Royal 9 where both cards are of the same suit.

(3) *Royal 9 tie hand*—Both player and banker have a Royal 9; not necessarily the same Royal 9 combination.

(4) *Suited Royal 9 tie hand*—Both player and banker have a suited Royal 9; not necessarily the same suited Royal 9.

(5) *Personal progressive combinations*—Each player position has a unique combination consisting of a king and a 9 which is printed on the layout in front of the wagering area which can trigger a progressive payout.

(6) *Mega jackpot*—Personal king 9 versus personal king 9—The player hand and banker hand both contain the same king and 9 combination that is a personal progressive combination assigned to a player position.

(7) *Major jackpot*—Personal king 9 on banker hand—The banker hand contains the king 9 combination that is a personal progressive combination assigned to a player position.

(8) *Minor jackpot*—Personal king 9 on player hand—The player hand contains the king 9 combination that is a personal progressive combination assigned to a player position.

(9) *Mega envy*—Any player position’s king 9 versus king 9—The banker and player hand contains the same king 9 combination that is assigned to one of the player positions. It does not matter if the player position is occupied or if there is a wager in the player position that contains the winning king 9 combination.

(f) Royal 9 progressive wager payable for \$5 wager.

(1) If a table game certificate holder offers a \$5 denomination Royal 9 progressive wager, the Royal 9 progressive wager pay table is as follows:

<i>Hand</i>	<i>Paytable</i>
Personal king 9 v. personal king 9	100% of mega jackpot
Personal king 9 on banker hand	100% major jackpot
Personal king 9 on player hand	100% minor jackpot
Mega envy—any position’s king 9 v. king 9	\$5,000
Suited Royal 9 tie hand	\$1,500
Royal 9 tie hand	\$250
Suited Royal 9	\$50
Royal 9	\$25

(2) The rate of progression for the meters used for the Royal 9 progressive wager must be specified in the certificate holder’s Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$5 denomination Royal 9 progressive wager, the initial and reset amounts must also be in the Rules Submission and shall be at least \$50,000 for the mega jackpot, \$450 for the major jackpot and \$450 for the minor jackpot.

(g) Royal 9 progressive wager payable for \$1 wager.

(1) If a table game certificate holder offers a \$1 denomination Royal 9 progressive wager, the Royal 9 progressive wager pay table is as follows:

<i>Hand</i>	<i>Paytable</i>
Personal king 9 v. personal king 9	100% of mega jackpot
Personal king 9 on banker hand	100% major jackpot
Personal king 9 on player hand	100% minor jackpot
Mega envy—any position’s king 9 v. king 9	\$1,000
Suited Royal 9 tie hand	\$300
Royal 9 tie hand	\$50
Suited Royal 9	\$10
Royal 9	\$5

(2) The rate of progression for the meters used for the Royal 9 progressive wager must be specified in the certificate holder’s Rules Submission filed in accordance with § 601a.2. If a table game certificate holder offers a \$1 denomination Royal 9 progressive wager, the initial and reset amounts must also be in the Rules Submission and shall be at least \$10,000 for the mega jackpot, \$90 for the major jackpot and \$90 for the minor jackpot.

(h) If the progressive table game system utilized by the certificate holder has the capability to offer a mystery progressive, the seed and reseed amount, random must hit by amount and incrementation rate shall be as follows:

<i>Configuration</i>	<i>Reseed Random</i>	<i>Must-Hit-By</i>	<i>Incrementation Rate</i>
1	\$250	\$1,000	5%
2	\$100	\$500	5%
3	\$100	\$200	2%

§ 629c.4. Alternative card reveal procedure.

(a) If the certificate holder offers Midibaccarat as described in Chapter 629a (relating to Midibaccarat), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer players an alternative procedure for the reveal of the dealer’s hand and player’s hand.

(b) Notwithstanding the procedures for revealing the hands described in § 629a.8(c)(1) and (2) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), if all players have wagered on the player’s hand, upon request of the player with the highest wager on the player’s hand, the dealer shall place the two cards of the banker’s hand face up on the area designated for the banker’s hand and announce the point count of the banker’s hand. The dealer shall then hand the two cards of the player’s hand, face down, to the player with the highest wager on the player’s hand. After viewing the player’s hand, the player shall return the two cards face up, to the dealer, who shall place the cards face up on the area designated for the player’s hand and announce the point count of the player’s hand.

(c) The round of play shall then continue as set forth in § 629a.8(c)(3)—(6).

CHAPTER 631c. BACCARAT SIDE WAGERS AND VARIATIONS

Sec.	
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631c.2.	Heavenly 9 progressive Baccarat wager.
631c.3.	5 Treasures Baccarat wagers.
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631c.6.	Must-Hit-By Mystery bonus.
631c.7.	Majestic Match wager.

§ 631c.1. Perfect Pairs wager.

(a) The layout for a Baccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Perfect Pairs wager authorized under subsection (b), the layout shall contain separate areas designated for the placement of the Perfect Pairs wager on the player’s hand and the banker’s hand for each player.

(b) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player the option of placing a Perfect Pairs wager on the player’s hand or the banker’s hand, or both. The Perfect Pairs wager shall win if the initial two cards dealt to the player’s hand or dealer’s hand or both contain a colored pair, mixed pair or perfect pair. For purposes of the Perfect Pairs wager, only cards that are identical in either number or type will be considered of the same rank. For example: two jacks, or two 4s.

(c) After the cards are positioned in accordance with § 631a.9(c) or (d)(1)—(3) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the point count of the player’s hand and the banker’s hand and shall settle a

Perfect Pairs wager by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager on the player's hand or the banker's hand and the initial two cards dealt to the player's hand or banker's hand:

(1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (d). If a player placed a Perfect Pairs wager on both the player's hand and banker's hand, and both the player's hand and banker's hand contain a colored pair, mixed pair or perfect pair, the player shall receive a payout in accordance with subsection (d) for both winning hands.

(2) Do not contain a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.

(d) The certificate holder shall pay out a winning Perfect Pairs wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B	Paytable C
Perfect pair	25 to 1	30 to 1	25 to 1
Colored pair	12 to 1	10 to 1	15 to 1
Mixed pair	6 to 1	5 to 1	5 to 1

(e) As used in this section, the following words and terms shall have the meanings given to them in this subsection:

Colored pair—The initial two cards dealt to the player or banker that are of the same rank and the same color but different suits.

Mixed pair—The initial two cards dealt to the player or banker that are of the same rank but different colors.

Perfect pair—The initial two cards dealt to the player or banker that are of the same rank, the same color and the same suit.

§ 631c.2. Heavenly 9 progressive Baccarat wager.

(a) If the certificate holder offers Baccarat as described in Chapter 631a (relating to Baccarat), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers) the option of placing a Heavenly 9 progressive wager, a wager based on the hand total of the player, banker or both being a 3-card hand total of 9.

(b) The layout for the Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Heavenly 9 progressive Baccarat wager, in addition to the requirements in § 631a.2 (relating to Baccarat table physical characteristics), the layout shall contain a separate area designated for the placement of the Heavenly 9 progressive Baccarat wager for each player.

(c) After placing a Baccarat wager, as required in § 631a.8(a), and any other available optional wagers, a player may place a Heavenly 9 progressive Baccarat wager of no less than \$5 at any time before the dealer calls, "no more bets."

(d) If the certificate holder is offering the Heavenly 9 progressive Baccarat wager, the Baccarat table must have a progressive table game system, in accordance with

§ 605a.7 (relating to progressive table games), for the placement of the Heavenly 9 progressive Baccarat wager. If the certificate holder is offering a progressive payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

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

(e) The dealer shall then deal the cards in accordance with § 631a.9(b)—(f) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), and the round of play shall be played and completed in accordance to the house rules and provisions of §§ 631a.10—631a.12 (relating to procedure for dealing a third card; rules for determining whether a third card shall be dealt; and announcement of result of round; payment and collection of wagers).

(f) After the round of play is completed and the announcement of the result is made, the dealer shall settle the players' Heavenly 9 progressive Baccarat wagers while settling the Baccarat wagers and other optional wagers placed by each player.

(g) A Heavenly 9 progressive Baccarat wager placed shall win, and be paid out in accordance with the payable in subsection (i) if the following outcomes occur:

- (1) The banker and the player tie with a 3-card hand total of 9 and all cards are the same suit.
- (2) The banker and the player tie with a 3-card hand total of 9 and all cards are the same color.
- (3) The banker and the player tie with a 3-card hand total of 9.
- (4) The banker has a 3-card hand total of 9.
- (5) The player has a 3-card hand total of 9.

(h) Each Heavenly 9 progressive Baccarat wager placed shall lose and be collected by the dealer if one of the outcomes specified in subsection (g) does not occur.

(i) If a Heavenly 9 progressive Baccarat wager wins, it shall be paid out based upon the following payable:

Hand	Paytable
Player and banker 3-card tie— all cards same suit	100% progressive
Player and banker 3-card tie— all cards same color	299 for 1
Player and banker 3-card tie	60 for 1
Banker 3-card 9	9 for 1
Player 3-card 9	8 for 1
Meter seed/reseed	\$10,000
Increment rate	10%

§ 631c.3. 5 Treasures Baccarat wagers.

(a) If the certificate holder offers Baccarat as described in Chapter 631a (relating to Baccarat), the certificate

holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers) the option of placing one or more 5 Treasures Baccarat wagers, which are five wagers that win if a specific outcome occurs in the game.

(b) The layout for the Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the 5 Treasures Baccarat wagers, in addition to the requirements in § 631a.2 (relating to Baccarat table physical characteristics), the layout shall contain a separate area designated for the placement of each of the following 5 Treasures Baccarat wagers:

- (1) Fortune 7 bonus wager.
- (2) Golden 8 bonus wager.
- (3) Heavenly 9 bonus wager.
- (4) Blazing 7s bonus wager.
- (5) Cover All bonus wager.

(c) After placing a Baccarat wager, as required in § 631a.8(a), and any other available optional wagers, a player may place one or more of the 5 Treasures Baccarat wagers at any time before the dealer calls, “no more bets.”

(d) The dealer shall then deal the cards in accordance with § 631a.9(b)—(f) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), and the round of play shall be played and completed in accordance to the house rules and provisions of §§ 631a.10—631a.12 (relating to procedure for dealing a third card; rules for determining whether a third card shall be dealt; and announcement of result of round; payment and collection of wagers).

(e) After the round of play is completed and the announcement of the result is made, the dealer shall settle the player’s 5 Treasures Baccarat wagers while settling the Baccarat wagers and other optional wagers placed by each player.

(f) Each 5 Treasures Baccarat wager placed shall win, and be paid out in accordance with one of the paytables in subsection (h), if the following outcomes occur:

- (1) The Fortune 7 bonus wager shall win if the banker’s hand wins with a 3-card total of 7.
- (2) The Golden 8 bonus wager shall win if the player’s hand wins with a 3-card total of 8.
- (3) The Heavenly 9 bonus wager shall win if the banker’s or player’s hand has a 3-card total of 9, and a higher payout shall occur if both hands have a 3-card total of 9.
- (4) The Blazing 7s bonus wager shall win if the banker’s and player’s hands are either a 2-card total of 7 or 3-card total of 7.
- (5) The Cover All bonus wager shall win if any of the other four 5 Treasures Baccarat wagers wins. The player

need not place one of the four other 5 Treasures Baccarat wagers to place a Cover All bonus wager.

(g) Each 5 Treasures Baccarat wager placed shall lose and be collected by the dealer if the outcomes specified in subsection (f) do not occur.

(h) If one of the 5 Treasures Baccarat wagers wins, it shall be paid out based upon one of the following paytables, which shall be specified in the certificate holder’s Rules Submission, required under § 601a.2:

<i>Wager</i>	<i>Paytable A</i>	<i>Paytable B</i>
Fortune 7	40 to 1	40 to 1
Golden 8	25 to 1	25 to 1
Heavenly 9, player and banker	75 to 1	75 to 1
Heavenly 9, player or banker	10 to 1	10 to 1
3-card Blazing 7s	400 to 1	200 to 1
2-card Blazing 7s	N/A	50 to 1
Cover All	6 to 1	6 to 1

§ 631c.4. Lucky Nines.

(a) If the certificate holder offers Baccarat on a fully automated electronic gaming table, the certificate holder may offer players the option to place a Lucky Nines wager which shall win if any of the player’s two cards or the banker’s two cards contain at least one nine.

(b) The layout for a Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Lucky Nines wager, in addition to the requirements in § 631a.2 (relating to Baccarat table physical characteristics) the layout shall contain a separate area designated for the electronic placement of the Lucky Nines wager for each player.

(c) After placing an initial wager, as required under § 631a.8(a) (relating to wagers), a player may place a Lucky Nines wager by electronically placing a value chip on the designated area of the table layout.

(d) The dealer shall then deal the cards in accordance with § 631a.9(a)—(d) (relating to hands of player and banker; procedure for dealing initial two cards to each hand). After the initial two cards of the player’s hand and banker’s hand have been turned face up on the layout but prior to dealing a third card, the dealer shall settle all players’ Lucky Nines wagers. If any of the player’s two cards or the banker’s two cards:

- (1) Do not contain a nine, the losing Lucky Nines wagers shall be collected.
- (2) Contain a nine, the winning Lucky Nines wagers shall be paid in accordance with subsection (e) based on the number of nines in the player and banker hands.

(e) The certificate holder shall pay out winning Lucky Nines wagers at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
four nines	500 to 1	500 to 1	1000 to 1	2000 to 1
three nines same suit	250 to 1	250 to 1	500 to 1	500 to 1

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
three nines	20 to 1	30 to 1	35 to 1	15 to 1
two nines same suit	8 to 1	12 to 1	16 to 1	10 to 1
two nines	5 to 1	5 to 1	5 to 1	4 to 1
one nine diamonds	2 to 1	2 to 1	2 to 1	2 to 1
one nine	1 to 1	1 to 1	1 to 1	1 to 1

(f) After settling the player's Lucky Nines wager, the dealer shall complete the dealing procedures in § 631a.9(e) and (f).

§ 631c.5. Commission-free Baccarat.

(a) If specified in its Rules Submission, a certificate holder may offer commission-free Baccarat in which no commission is collected.

(b) In addition to the requirements in § 631a.2(a) and (b)(1)—(4) (relating to Baccarat table physical characteristics), the layout for commission-free Baccarat shall contain:

(1) Separate areas designated for the placement of the Player Pair wager authorized under subsection (c)(1).

(2) Separate areas designated for the placement of the Banker Pair wager authorized under subsection (c)(2).

(3) Separate areas designated for the placement of the Lucky Six wager for each player, as authorized under subsection (c)(3).

(c) In addition to the wager on the player's hand, banker's hand and tie hand, which shall win or lose as provided in § 631a.8(a)(1)—(3) (relating to wagers), a player may place the following optional wagers if offered by the certificate holder:

(1) Player Pair wager, which shall win if the initial two cards dealt to the player's hand are a pair such as two nines or two queens and shall lose if the initial two cards dealt to the player's hand are not a pair.

(2) Banker Pair wager, which shall win if the initial two cards dealt to the banker's hand are a pair and shall lose if the initial two cards dealt to the banker's hand are not a pair.

(3) A Lucky Six wager, which shall win if the point count of the banker's hand is a six and is higher than the point count of the player's hand and shall lose if:

(i) The point count of the banker's hand is a six but is lower than the point count of the player's hand.

(ii) The point count of the banker's hand is not a six.

(d) Commission-free Baccarat shall be dealt and played in accordance with §§ 631a.3—631a.9. If any player placed a Player or Banker Pair wager, the wager shall be settled prior to dealing a third card to the player's hand or banker's hand. A winning pair wager shall be paid out in accordance with subsection (g). After settling any pair wagers, the game shall resume by dealing any third cards that are required to be dealt in accordance with §§ 631a.10 and 631a.11 (relating to procedure for dealing a third card; and rules for determining whether a third card shall be dealt).

(e) After each hand has received all the cards to which it is entitled under §§ 631a.10 and 631a.11, the dealer shall announce the final point count of each hand indicating which hand has won the round. If two hands have equal point counts, the dealer shall announce "tie hand."

If the point counts of the banker's hand and player's hand results in a Lucky Six, the dealer shall announce "Lucky Six."

(f) After the result of the round is announced, the dealer shall first collect each losing wager. After the losing wagers are collected, starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager. A winning wager on the player's hand shall be paid in accordance with subsection (h). A winning wager on the banker's hand shall be paid in accordance with subsection (i). A winning tie wager shall be paid in accordance with subsection (j). A Lucky Six wager shall be paid in accordance with subsection (k).

(g) A winning pair wager on either the player's hand or banker's hand shall be paid at odds of 11 to 1.

(h) A winning wager made on the player's hand shall be paid at odds of 1 to 1.

(i) A winning wager made on the banker's hand shall be paid at odds of 1 to 1, except if the banker's hand wins with a point count of 6, then the winning wager on the banker's hand shall be paid out at odds of 1 to 2.

(j) A winning tie wager shall be paid at odds of 8 to 1.

(k) When the banker's hand wins with a total of six points:

(1) With only two cards dealt to the banker's hand, the winning Lucky Six wager shall be paid at odds of 12 to 1.

(2) With three cards dealt to the banker's hand, the winning Lucky Six wager shall be paid at odds of 20 to 1.

(l) At the conclusion of a round of play, the dealer shall remove all cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute. Irregularities during play shall be handled in accordance with § 631a.15 (relating to irregularities).

§ 631c.6. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Baccarat as described in Chapter 631a (relating to Baccarat) and the optional Heavenly 9 progressive Baccarat wager under § 631c.2 (relating to Heavenly 9 progressive Baccarat wager), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Baccarat wager in accordance with § 631a.8(a) (relating to wagers) and an optional Heavenly 9 progressive Baccarat wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Baccarat table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Baccarat wager and a Heavenly 9 progressive Baccarat wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Heavenly 9 progressive Baccarat wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Heavenly 9 progressive Baccarat wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

§ 631c.7. Majestic Match wager.

(a) The layout for a Baccarat table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the

certificate holder offers the Majestic Match wager authorized under subsection (b), the layout shall contain separate areas designated for the placement of the Majestic Match wager on the player's hand and the banker's hand for each player.

(b) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player the option of placing a Majestic Match wager on the player's hand or the banker's hand, or both, without the necessity of placing a Baccarat wager. The Majestic Match wager shall win if the initial two cards dealt to the player's hand or banker's hand, or both, contain a Royal Match or Suited Match.

(c) After the cards are positioned in accordance with § 631a.9(c) or (d)(1)—(3) (relating to hands of player and banker; procedure for dealing initial two cards to each hand), the dealer shall announce the point count of the player's hand and the banker's hand and shall settle a Majestic Match wager by collecting all losing wagers and paying all winning wagers. If a player placed the Majestic Match wager on the player's hand or the banker's hand and the initial two cards dealt to the player's hand or banker's hand:

(1) Are a Royal Match or Suited Match, the dealer shall pay the winning Majestic Match wager in accordance with subsection (d). If a player placed a Majestic Match wager on both the player's hand and banker's hand, and both the player's hand and banker's hand contain a Royal Match or Suited Match, the player shall receive a payout in accordance with subsection (d) for both winning hands.

(2) Do not contain a Royal Match or Suited Match, the dealer shall collect the Majestic Match wager.

(d) The certificate holder shall pay out a winning Majestic Match wager at the odds in the following payable specified by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Majestic Match</i>	
<i>Outcome</i>	<i>Payback</i>
Royal Match (suited king and queen)	25 to 1
Suited Match (any other suited)	2.5 to 1

(e) As used in this section, the following words and terms shall have the meanings given to them in this subsection:

Royal Match—The initial two cards dealt to the player or banker that are a king and queen of the same suit.

Suited Match—The initial two cards dealt to the player or banker that are of the same suit but are not a king and queen.

CHAPTER 633c. BLACKJACK SIDE WAGERS AND VARIATIONS

- Sec. 633c.1. Perfect Pairs wager.
- 633c.2. Jackpot Party progressive wager.
- 633c.3. Match the Dealer progressive wager.
- 633c.4. Switch Hands and Blackjack Premium.
- 633c.5. Blackjack played on a hybrid gaming table.
- 633c.6. Super 4 progressive Blackjack wager.
- 633c.7. Top 3 wager.
- 633c.8. Lucky Aces wager.
- 633c.9. Blazing 7's progressive wager.
- 633c.10. Blackjack Match progressive.
- 633c.11. TriLuxe Deluxe wager.
- 633c.12. AxMan wager.
- 633c.13. Buster Blackjack wager.

- 633c.14. Must-Hit-By Mystery bonus.
- 633c.15. Upcard Luck wager.

§ 633c.1. Perfect Pairs wager.

(a) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Perfect Pairs wager authorized under subsection (b), the layout shall contain a separate area designated for the placement of the Perfect Pairs wager for each player.

(b) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Perfect Pairs wager which shall win if the player's initial two cards are a colored pair, mixed pair or perfect pair.

(c) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Perfect Pairs wager, the dealer shall deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play).

(d) Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before any card reader device is utilized, the dealer shall, starting with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, settle the player's optional wagers in accordance with § 633a.7(g) by collecting all losing wagers and paying all winning wagers. If a player placed the Perfect Pairs wager and the player's initial two cards:

(1) Are a colored pair, mixed pair or perfect pair, the dealer shall pay the winning Perfect Pairs wager in accordance with subsection (e).

(2) Are not a colored pair, mixed pair or perfect pair, the dealer shall collect the Perfect Pairs wager.

(e) The certificate holder shall pay out a winning Perfect Pairs wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Perfect pair	25 to 1	30 to 1
Colored pair	12 to 1	10 to 1
Mixed pair	6 to 1	5 to 1

(f) As used in this section, the following words and terms shall have the meanings given to them in this subsection:

Colored pair—The player's initial two cards that are of the same rank and the same color but different suits.

Mixed pair—The player's initial two cards that are of the same rank but different colors.

Perfect pair—The player's initial two cards that are of the same rank, the same color and the same suit.

§ 633c.2. Jackpot Party progressive wager.

(a) A certificate holder may offer players the option to place a Jackpot Party progressive wager that the dealer's two cards and the player's two cards will form any of the following winning Jackpot Party progressive combinations:

(1) *Royal flush* (diamonds)—Dealer Blackjack and the player’s two cards and the dealer’s two cards contain an ace, king, queen and jack of diamonds, with the dealer’s hand containing the ace of diamonds.

(2) *Royal flush* (other suit)—Dealer Blackjack and the player’s two cards and the dealer’s two cards contain an ace, king, queen and jack of one the other remaining three suits, with the dealer’s hand containing the ace of the same suit.

(3) *Three-of-a-kind*—Dealer Blackjack and the player’s two cards and the dealer’s two cards contain three cards of the same rank.

(4) *Straight*—Dealer Blackjack and the player’s two cards and the dealer’s two cards contain four cards of more than one suit in consecutive rank.

(5) *Flush*—Dealer Blackjack and the player’s two cards and the dealer’s two cards are all the same suit.

(6) *Two pair*—Dealer Blackjack and player Blackjack with the dealer’s two cards identical in rank with the player’s two cards.

(7) *All cards same color*—Dealer Blackjack and the player’s two cards and the dealer’s two cards are all of the same color.

(8) *Pair*—Dealer Blackjack and the player’s two cards and the dealer’s two cards contain two cards of the same rank.

(9) A hand with dealer Blackjack.

(10) *Dealer ace up*—Dealer’s upcard is an ace but the dealer does not have a Blackjack.

(b) The Jackpot Party progressive wager may be played on a Blackjack table that utilizes 1, 2, 4, 6 or 8 decks of cards.

(c) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Jackpot Party progressive wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections), the layout shall contain a separate area designated for the placement of the Jackpot Party progressive wager for each player.

(d) If the certificate holder is offering the Jackpot Party progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Jackpot Party progressive wager. If the certificate holder is offering a progressive payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

(2) A device that controls or monitors the placement of progressive wagers at the gaming table, including a

mechanism, such as a lock-out button, that prevents the recognition of any progressive wager that a player attempts to place after the dealer has announced “no more bets.”

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers) the option of placing a Jackpot Party progressive wager of \$1 or \$5.

(f) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Jackpot Party progressive wager, the dealer shall announce “no more bets” and, if the Jackpot Party progressive wager is being offered, use the progressive table game system to prevent the placement of any additional progressive wagers. If any progressive wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of progressive wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall determine if he has a Blackjack as provided in § 633a.7(h). If the dealer:

(1) Does not have an ace showing or have a Blackjack, all Jackpot Party progressive wagers shall lose and the dealer shall continue the hand in accordance with § 633a.7(i)—(t).

(2) Has an ace showing or a Blackjack, the dealer shall settle each player’s winning Jackpot Party progressive wager as provided in subsection (h).

(h) If a player has won a Jackpot Party progressive payout, the dealer shall:

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

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

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

(4) Pay the winning Jackpot Party progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out a winning Jackpot Party progressive wager, for the highest ranking four-card hand formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

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<i>Outcome</i>	<i>Six Decks—P1</i>	<i>Six Decks—P2</i>	<i>Six Decks—P3</i>
Royal flush—diamonds	100% of progressive	100% of progressive	100% of progressive
Royal flush—other	10% of progressive	10% of progressive	10% of progressive
Three-of-a-kind	150 to 1	150 to 1	100 to 1
Straight	80 to 1	70 to 1	75 to 1
Flush	60 to 1	50 to 1	50 to 1
Two pair	40 to 1	30 to 1	25 to 1
All same color	20 to 1	15 to 1	15 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	4 to 1
Dealer ace up (no Blackjack)	2 to 1	3 to 1	2 to 1
Wager	\$5	\$5	\$1
Meter seed	\$50,000	\$50,000	\$10,000
Primary increment rate	16%	15%	19%
Secondary increment rate	3.75%	3.50%	4.25%

<i>Outcome</i>	<i>Eight Decks—P4</i>	<i>Eight Decks—P5</i>	<i>Eight Decks—P6</i>
Royal flush—diamonds	100% of progressive	100% of progressive	100% of progressive
Royal flush—other	10% of progressive	10% of progressive	10% of progressive
Three-of-a-kind	150 to 1	150 to 1	100 to 1
Straight	80 to 1	70 to 1	75 to 1
Flush	60 to 1	50 to 1	50 to 1
Two pair	40 to 1	30 to 1	25 to 1
All same color	20 to 1	15 to 1	15 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	4 to 1
Dealer ace up (no Blackjack)	2 to 1	3 to 1	2 to 1
Wager	\$5	\$5	\$1
Meter seed	\$50,000	\$50,000	\$10,000
Primary increment rate	16%	15%	19%
Secondary increment rate	3.75%	3.50%	4.25%

<i>Outcome</i>	<i>Single Deck—P7</i>	
	<i>Pays</i>	<i>w / Envy</i>
Royal flush (ace—jack)—diamonds	100% progressive	\$3,000
Royal flush (ace—jack)—other	10% progressive	\$1,000
Three-of-a-kind	150 to 1	
Straight	70 to 1	
Flush	50 to 1	
Two pair	30 to 1	
All same color	15 to 1	
Pair	10 to 1	
Dealer Blackjack	5 to 1	
Dealer ace up (no Blackjack)	3 to 1	
Wager	\$5	
Meter seed	\$50,000	
Total increment rate	18.50%	

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<i>Outcome</i>	<i>Two Decks—P8</i>		<i>Four Decks—P9</i>	
	<i>Pays</i>	<i>w /Max Envy</i>	<i>Pays</i>	<i>w /Max Envy</i>
Royal flush (ace—jack)—diamonds	100% progressive	\$3,000	100% progressive	\$3,000
Royal flush (ace—jack)—other	10% progressive	\$1,000	10% progressive	\$1,000
Three-of-a-kind	150 to 1		150 to 1	
Straight	70 to 1		70 to 1	
Flush	50 to 1		50 to 1	
Two pair	30 to 1		30 to 1	
All same color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1	
Dealer ace up (no Blackjack)	3 to 1		3 to 1	
Wager	\$5		\$5	
Meter seed/reseed	\$50,000		\$50,000	
Total increment rate	18.50%		18.50%	

<i>Outcome</i>	<i>Six Decks—P10</i>		<i>Eight Decks—P11</i>	
	<i>Pays</i>	<i>w /Max Envy</i>	<i>Pays</i>	<i>w /Max Envy</i>
Royal flush (ace—jack)—diamonds	100% progressive	\$3,000	100% progressive	\$3,000
Royal flush (ace—jack)—other	10% progressive	\$1,000	10% progressive	\$1,000
Three-of-a-kind	150 to 1		150 to 1	
Straight	70 to 1		70 to 1	
Flush	50 to 1		50 to 1	
Two pair	30 to 1		30 to 1	
All same color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1	
Dealer ace up (no Blackjack)	3 to 1		3 to 1	
Meter seed/reseed	\$50,000		\$50,000	
Total increment rate	18.50%		18.50%	

<i>Outcome</i>	<i>Single Deck—P12</i>	
	<i>Pays</i>	<i>w /Envy</i>
Royal flush (ace—jack)—diamonds	100% progressive	\$3,000
Royal flush (ace—jack)—other	10% progressive	\$1,000
Three-of-a-kind	100 to 1	
Straight	75 to 1	
Flush	50 to 1	
Two pair	25 to 1	
All same color	15 to 1	
Pair	10 to 1	
Dealer Blackjack	4 to 1	
Dealer ace up (no Blackjack)	2 to 1	
Wager	\$5	
Meter seed	\$50,000	
Total increment rate	23.25%	

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<i>Outcome</i>	<i>Two Decks—P13</i>		<i>Four Decks—P14</i>	
	<i>Pays</i>	<i>w /Max Envy</i>	<i>Pays</i>	<i>w /Max Envy</i>
Royal flush (ace—jack)—diamonds	100% progressive	\$3,000	100% progressive	\$3,000
Royal flush (ace—jack)—other	10% progressive	\$1,000	10% progressive	\$1,000
Three-of-a-kind	100 to 1		100 to 1	
Straight	75 to 1		75 to 1	
Flush	50 to 1		50 to 1	
Two pair	25 to 1		25 to 1	
All same color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	4 to 1		4 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1	
Wager	\$5		\$5	
Meter seed/reseed	\$50,000		\$50,000	
Total increment rate	23.25%		23.25%	

<i>Outcome</i>	<i>Six Decks—P15</i>		<i>Eight Decks—P16</i>	
	<i>Pays</i>	<i>w /Max Envy</i>	<i>Pays</i>	<i>w /Max Envy</i>
Royal flush (ace—jack)—diamonds	100% progressive	\$3,000	100% progressive	\$3,000
Royal flush (ace—jack)—other	10% progressive	\$1,000	10% progressive	\$1,000
Three-of-a-kind	100 to 1		100 to 1	
Straight	75 to 1		75 to 1	
Flush	50 to 1		50 to 1	
Two pair	25 to 1		25 to 1	
All same color	15 to 1		15 to 1	
Pair	10 to 1		10 to 1	
Dealer Blackjack	4 to 1		4 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1	
Wager	\$5		\$5	
Meter seed/reseed	\$50,000		\$50,000	
Total increment rate	23.25%		23.25%	

<i>One Deck—P17</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w /Max Envy</i>	<i>Pays</i>	<i>w /Max Envy</i>	<i>Pays</i>	<i>w /Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% Minor		100% minor		100% minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	

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<i>One Deck—P17</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Major increment rate	7%		7%		7%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	7%		7%		7%	

<i>Two Decks—P18</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	7%		7%		7%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	7%		7%		7%	

<i>Four Decks—P19</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	7%		7%		7%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	7%		7%		7%	

<i>Six Decks—P20</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000

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<i>Six Decks—P20</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	7%		7%		7%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	7%		7%		7%	

<i>Eight Decks—P21</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	150 to 1		150 to 1		150 to 1	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	7%		7%		7%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	7%		7%		7%	

<i>One Deck—P22</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	

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<i>One Deck—P22</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	

<i>Two Decks—P23</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	

<i>Four Decks—P24</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	

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<i>Four Decks—P24</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	

<i>Six Decks—P25</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	

<i>Eight Decks—P26</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	50 to 1		50 to 1		50 to 1	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	

<i>Eight Decks—P26</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	

<i>Single Deck—P27</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal flush (ace—jack)—diamonds	100% mega	100% mega	100% mega
Royal flush (ace—jack)—other	100% major	100% major	100% major
Three-of-a-kind	100% minor	100% minor	100% minor
Straight	100% mini	100% mini	100% mini
Flush	60 to 1	60 to 1	60 to 1
Two pair	40 to 1	40 to 1	40 to 1
All same color	20 to 1	20 to 1	20 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer ace up (no Blackjack)	2 to 1	2 to 1	2 to 1
Mega meter seed/reseed	\$50,000	\$25,000	\$10,000
Mega increment rate	6%	7%	7.5%
Major meter seed/reseed	\$5,000	\$5,000	\$5,000
Major increment rate	5%	5%	5%
Minor meter seed/reseed	\$500	\$500	\$500
Minor increment rate	3%	3%	3%
Mini meter seed/reseed	\$300	\$300	\$300
Mini increment rate	3%	3%	3%

<i>Two Decks—P28</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal flush (ace—jack)—diamonds	100% mega	100% mega	100% mega
Royal flush (ace—jack)—other	100% major	100% major	100% major
Three-of-a-kind	100% minor	100% minor	100% minor
Straight	100% mini	100% mini	100% mini
Flush	60 to 1	60 to 1	60 to 1
Two pair	40 to 1	40 to 1	40 to 1
All same color	20 to 1	20 to 1	20 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer ace up (no Blackjack)	2 to 1	2 to 1	2 to 1
Mega meter seed/reseed	\$50,000	\$25,000	\$10,000
Mega increment rate	6%	7%	7.5%
Major meter seed/reseed	\$5,000	\$5,000	\$5,000
Major increment rate	5%	5%	5%
Minor meter seed/reseed	\$500	\$500	\$500
Minor increment rate	3%	3%	3%
Mini meter seed/reseed	\$300	\$300	\$300
Mini increment rate	3%	3%	3%

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<i>Four Decks—P29</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal flush (ace—jack)—diamonds	100% mega	100% mega	100% mega
Royal flush (ace—jack)—other	100% major	100% major	100% major
Three-of-a-kind	100% minor	100% minor	100% minor
Straight	100% mini	100% mini	100% mini
Flush	60 to 1	60 to 1	60 to 1
Two pair	40 to 1	40 to 1	40 to 1
All same color	20 to 1	20 to 1	20 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer ace up (no Blackjack)	2 to 1	2 to 1	2 to 1
Mega meter seed/reseed	\$50,000	\$25,000	\$10,000
Mega increment rate	6%	7%	7.5%
Major meter seed/reseed	\$5,000	\$5,000	\$5,000
Major increment rate	5%	5%	5%
Minor meter seed/reseed	\$500	\$500	\$500
Minor increment rate	3%	3%	3%
Mini meter seed/reseed	\$300	\$300	\$300
Mini increment rate	3%	3%	3%

<i>Six Decks—P30</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal flush (ace—jack)—diamonds	100% mega	100% mega	100% mega
Royal flush (ace—jack)—other	100% major	100% major	100% major
Three-of-a-kind	100% minor	100% minor	100% minor
Straight	100% mini	100% mini	100% mini
Flush	60 to 1	60 to 1	60 to 1
Two pair	40 to 1	40 to 1	40 to 1
All same color	20 to 1	20 to 1	20 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer ace up (no Blackjack)	2 to 1	2 to 1	2 to 1
Mega meter seed/reseed	\$50,000	\$25,000	\$10,000
Mega increment rate	6%	7%	7.5%
Major meter seed/reseed	\$5,000	\$5,000	\$5,000
Major increment rate	5%	5%	5%
Minor meter seed/reseed	\$500	\$500	\$500
Minor increment rate	3%	3%	3%
Mini meter seed/reseed	\$300	\$300	\$300
Mini increment rate	3%	3%	3%

<i>Eight Decks—P31</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Royal flush (ace—jack)—diamonds	100% mega	100% mega	100% mega
Royal flush (ace—jack)—other	100% major	100% major	100% major
Three-of-a-kind	100% minor	100% minor	100% minor
Straight	100% mini	100% mini	100% mini
Flush	60 to 1	60 to 1	60 to 1

<i>Eight Decks—P31</i>	<i>Option A</i>	<i>Option B</i>	<i>Option C</i>
<i>Outcome</i>	<i>Pays</i>	<i>Pays</i>	<i>Pays</i>
Two pair	40 to 1	40 to 1	40 to 1
All same color	20 to 1	20 to 1	20 to 1
Pair	10 to 1	10 to 1	10 to 1
Dealer Blackjack	5 to 1	5 to 1	5 to 1
Dealer ace up (no Blackjack)	2 to 1	2 to 1	2 to 1
Mega meter seed/reseed	\$50,000	\$25,000	\$10,000
Mega increment rate	6%	7%	7.5%
Major meter seed/reseed	\$5,000	\$5,000	\$5,000
Major increment rate	5%	5%	5%
Minor meter seed/reseed	\$500	\$500	\$500
Minor increment rate	3%	3%	3%
Mini meter seed/reseed	\$300	\$300	\$300
Mini increment rate	3%	3%	3%

<i>Single Deck—P32</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	100% micro		100% micro		100% micro	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	
Micro meter seed/reseed	\$250		\$250		\$250	
Micro increment rate	3%		3%		3%	

<i>Two Decks—P33</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	100% micro		100% micro		100% micro	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	

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<i>Two Decks—P33</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	
Micro meter seed/reseed	\$250		\$250		\$250	
Micro increment rate	3%		3%		3%	

<i>Four Decks—P34</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	100% micro		100% micro		100% micro	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	5%		5%		5%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	
Micro meter seed/reseed	\$250		\$250		\$250	
Micro increment rate	3%		3%		3%	

<i>Six Decks—P35</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	100% micro		100% micro		100% micro	

<i>Six Decks—P35</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	2%		2%		2%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	
Micro meter seed/reseed	\$250		\$250		\$250	
Micro increment rate	3%		3%		3%	

<i>Eight Decks—P36</i>	<i>Option A</i>		<i>Option B</i>		<i>Option C</i>	
<i>Outcome</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>	<i>Pays</i>	<i>w / Max Envy</i>
Royal flush (ace—jack)—diamonds	100% mega	\$3,000	100% mega	\$3,000	100% mega	\$3,000
Royal flush (ace—jack)—other	100% major	\$1,000	100% major	\$1,000	100% major	\$1,000
Three-of-a-kind	100% minor		100% minor		100% minor	
Straight	100% mini		100% mini		100% mini	
Flush	100% micro		100% micro		100% micro	
Two pair	40 to 1		40 to 1		40 to 1	
All same color	20 to 1		20 to 1		20 to 1	
Pair	10 to 1		10 to 1		10 to 1	
Dealer Blackjack	5 to 1		5 to 1		5 to 1	
Dealer ace up (no Blackjack)	2 to 1		2 to 1		2 to 1	
Mega meter seed/reseed	\$50,000		\$25,000		\$10,000	
Mega increment rate	6%		7%		7.5%	
Major meter seed/reseed	\$5,000		\$5,000		\$5,000	
Major increment rate	2%		2%		2%	
Minor meter seed/reseed	\$500		\$500		\$500	
Minor increment rate	3%		3%		3%	
Mini meter seed/reseed	\$300		\$300		\$300	
Mini increment rate	3%		3%		3%	
Micro meter seed/reseed	\$250		\$250		\$250	
Micro increment rate	3%		3%		3%	

§ 633c.3. Match the Dealer progressive wager.

(a) A certificate holder may offer players the option to place a Match the Dealer progressive wager that one or both of the player’s cards will match the dealer’s upcard in one of the following combinations:

(1) *Two suited match, aces of spades*—Both of the player’s cards and the dealer’s upcard are matching aces of spades.

(2) *Two suited match, all others*—Both of the player’s cards and the dealer’s upcard are matching in suit and rank.

(3) *One non-suited match and one suited match*—One of the player’s cards matches the suit and rank of the dealer’s upcard and the player’s other card matches the rank of the dealer’s upcard.

(4) *One suited match*—One of the player’s cards matches the suit and rank of the dealer’s upcard.

(5) *Two non-suited matches*—Both of the player’s cards match the rank of the dealer’s upcard.

(6) *One non-suited match*—One of the player’s cards matches the rank of the dealer’s upcard.

(b) The Match the Dealer progressive wager may be played on a Blackjack table that utilizes 6 decks or 8 decks of cards.

(c) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Match the Dealer progressive wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area designated for the placement of the Match the Dealer progressive wager for each player.

(d) If the certificate holder is offering the Match the Dealer progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Match the Dealer progressive wager. If the certificate holder is offering a progressive payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Match the Dealer progressive wager of \$1 or \$5.

(f) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers including the Match the Dealer progressive wager, the dealer shall announce “no more bets” and, if the Match the Dealer progressive

wager is being offered, use the progressive table game system to prevent the placement of any additional progressive wagers. If any progressive wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of progressive wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(g) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle the Match the Dealer progressive wager as follows:

(1) If the player does not have a card that matches the dealer’s upcard, the Match the Dealer progressive wager shall lose and the dealer shall continue the hand in accordance with § 633a.7(i)—(t).

(2) If the player has one of the winning combinations provided in subsection (a), the dealer shall settle the Match the Dealer progressive wager as provided in subsection (h).

(h) If a player has won a Match the Dealer progressive payout, the dealer shall:

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

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

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

(4) Pay the winning Match the Dealer progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out a winning Match the Dealer wager, for the winning combination formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	12 to 1	10 to 1	8 to 1	75 to 1
One suited match	10 to 1	7 to 1	4 to 1	4 to 1
Two non-suited matches	4 to 1	6 to 1	8 to 1	15 to 1
One non-suited match	2 to 1	3 to 1	4 to 1	3 to 1

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	12 to 1	13 to 1	11 to 1	100 to 1
One suited match	9 to 1	10 to 1	7 to 1	5 to 1
Two non-suited matches	6 to 1	6 to 1	8 to 1	20 to 1
One non-suited match	3 to 1	3 to 1	4 to 1	3 to 1

<i>Six Decks</i>		
<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
Two suited match—aces of spades	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive
One non-suited and one suited match	15 to 1	13 to 1
One suited match	12 to 1	9 to 1
Two non-suited matches	6 to 1	8 to 1
One non-suited match	3 to 1	4 to 1

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	9 to 1	12 to 1	8 to 1	75 to 1
One suited match	6 to 1	10 to 1	4 to 1	4 to 1
Two non-suited matches	6 to 1	4 to 1	8 to 1	15 to 1
One non-suited match	3 to 1	2 to 1	4 to 1	3 to 1

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited Match	12 to 1	10 to 1	13 to 1	14 to 1
One suited match	9 to 1	6 to 1	10 to 1	11 to 1
Two non-suited matches	6 to 1	8 to 1	6 to 1	6 to 1
One non-suited match	3 to 1	4 to 1	3 to 1	3 to 1

<i>Eight Decks</i>		
<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
Two suited match—aces of spades	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive
One non-suited and one suited match	100 to 1	15 to 1
One suited match	5 to 1	12 to 1
Two non-suited matches	20 to 1	6 to 1
One non-suited match	3 to 1	3 to 1

(j) The initial seed amount of the progressive wager shall be 1,000× the wager amount offered by the certificate holder, and the primary incrementation rate and secondary incrementation rate shall be 15% and 6%.

§ 633c.4. Switch hands and Blackjack premium.

(a) If the certificate holder offers switch hands, the table layout shall be submitted to the Bureau of Gaming

Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) shall contain:

(1) A separate area for each player designated for the placement of the switch hands ante which contains the inscription “ante \$1 for every \$5 bet.”

(2) A separate area for each player designed for the placement of the switch hand cards.

(3) An inscription advising that “switch hands colored or suited Blackjacks pay 2 to 1.”

(b) A Blackjack wager placed in accordance with § 633a.6(d) (relating to wagers) shall be placed in \$5 increments.

(c) In addition to the Blackjack wager required under § 633a.6(d), a player shall place a switch hands ante equal to \$1 for every \$5 Blackjack wager placed.

(d) After placing a Blackjack wager, the switch hands ante and any optional wagers offered by the certificate holder, the dealer shall deal, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner:

(1) One switch hands card, face down, on the designated area of the table layout.

(2) A second switch hands card, face down on the designated area of the table layout.

(e) After dealing the player’s switch hands cards, the dealer shall deal the player’s Blackjack hand in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play).

(f) Prior to any other cards being dealt or before any card reader device is utilized, the dealer shall, starting with the player farthest to the dealer’s right and continuing around the table in a counterclockwise direction, ask if the player would like to discard the player’s two upcards and play the two face-down cards or discard the two face-down switch hand cards. For each player who chooses to play:

(1) The two face-up cards, the dealer shall collect the two face-down cards and place them, unexposed, in the discard rack.

(2) The two face-down cards, the dealer shall collect the two face-up cards and place them in the discard rack. The dealer shall then turn over the two face-down cards and place them face up on the table.

(g) After the procedures in subsection (f) have been completed, the dealer shall complete the dealing procedures in § 633a.7(g)—(t) provided that a winning Blackjack wager shall be paid in accordance with the payout odds in subsection (i).

(h) A player may surrender on the initial two cards dealt or a switch hand, may double down or split pairs in accordance with §§ 633a.9—633a.11 (relating to surrender; Double Down wager; and splitting pairs).

(i) For players who:

(1) Did not switch hands, the certificate holder shall pay each winning Blackjack wager at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(2) Did switch hands, the certificate holder shall pay each winning Blackjack wager in accordance with paragraph (1) provided that:

(i) If the player has a winning hand containing a same suit or same color Blackjack, the winning Blackjack wager shall be paid out at odds of 2 to 1.

(ii) If specified in its Rules Submission required under § 601a.10(a), if both the player and dealer have Blackjack, instead of returning the player’s Blackjack wager, the certificate holder may pay a tie Blackjack at odds of 1 to 2.

(j) Notwithstanding the requirements in subsections (d) and (e), a certificate holder may deal the two switch hands cards as provided in subsection (d) after dealing the Blackjack hands in accordance with subsection (e).

(k) If specified in its Rules Submission under § 601a.10(a), the certificate holder may offer Blackjack premium in which a player may play, on the same gaming table, either switch hand in accordance with previous subsections (a)—(j) or elect to not place a switch hand ante and play only Blackjack in accordance with Chapter 633a (relating to Blackjack). A player who elects to play only Blackjack may not elect to switch hands after the dealer has started dealing the cards.

(l) If offering Blackjack premium, the switch hand ante is optional and shall remain on the layout until the dealer has dealt the cards in accordance with subsections (d) and (e). If a player elects to switch hands, the dealer shall collect the player’s two face-up cards, placing them in the discard rack.

(m) After the procedures in subsection (l) have been completed, the dealer shall complete the dealing procedures in § 633a.7(h)—(t) provided that a winning Blackjack wager shall be paid in accordance with the payout odds in subsection (o).

(n) A player may surrender on the initial two cards dealt or a switch hand, may double down or, split pairs in accordance with §§ 633a.9—633a.11.

(o) The certificate holder shall pay out a winning Blackjack wager at odds of 1 to 1 and player Blackjack at odds of 3 to 2 unless both the dealer and player have Blackjack which shall pay out at odds of 1 to 2 provided that if the player placed a switch hands ante, the certificate holder shall pay a same suit or same color Blackjack at odds of 2 to 1.

§ 633c.5. Blackjack played on a hybrid gaming table.

(a) Hybrid gaming tables and electronic wagering terminals used to play Blackjack shall comply with the requirements in Chapter 605a (relating to electronic gaming tables).

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

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

(2) Three designated boxes for the placement of player’s cards.

(3) A designated box for the placement of the dealer’s cards.

(4) A community box for the placement of additional cards drawn by the dealer.

(c) Each electronic wagering terminal connected to a hybrid gaming table shall contain, at a minimum:

(1) An electronic layout submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a).

(2) A game rules icon explaining the rules of Blackjack play, including that Blackjack pays 3 to 2, dealer stands on all soft 17s and insurance pays 2 to 1, and any rules selected by the certificate holder regarding the action that may automatically be taken at the conclusion of the countdown clock when a player does not elect to hit or stand.

(3) If the certificate holder is offering the Buzzer Beater wager, a game rules icon explaining the optional wager and the payout odds.

(d) Each hybrid gaming table offering Blackjack must have a card reader device attached to the top of the dealer's side of the table. The floorperson assigned to the hybrid gaming table shall inspect the card reader device at the beginning of each gaming day to ensure that there has been no tampering with the device and that it is in proper working order.

(e) Unless a continuous shuffler is used, each hybrid gaming table must have a discard rack securely attached to the top of the dealer's side of the table. The height of each discard rack must either:

(1) Equal the height of the cards, stacked one on top of the other, in the total number of decks that are to be used in the dealing shoe at that table.

(2) Be taller than the height of the total number of decks being used if the discard rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards in the number of decks to be used in the dealing shoe at that table.

(f) Blackjack played on a hybrid gaming table shall be played with six decks or eight decks of cards that are identical in appearance and a card shuffling device.

(g) The decks of cards opened for use at a hybrid gaming table offering Blackjack shall be changed at least once every 24 hours.

(h) The value of the cards shall be as follows:

(1) A card from 2 to 10 shall have its face value.

(2) A jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that value would give a player or the dealer a score in excess of 21, in which case the ace shall have a value of 1.

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

(j) Unless the decks of cards received at the table were pre-inspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards, stacked and shuffled using an automated card shuffling device so that the cards are randomly intermixed. Upon completion of the shuffle, the cards shall be placed in the dealing shoe. Cards shall be dealt from a dealing shoe that reads the value of the cards which must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

(k) A Blackjack wager played on hybrid gaming tables shall be placed using each player's electronic wagering terminal. Wagers, except an Insurance wager under § 633a.8 (relating to Insurance wager), a Double Down wager under § 633a.10 (relating to Double Down wager) or a wager on split pairs under § 633a.11 (relating to splitting pairs), shall be placed prior to the first card being dealt for each round of play.

(l) To participate in a round of play, each player shall select a player position between one and three. To compete against the dealer's hand, each player shall electronically place a Blackjack wager.

(m) If specified in its Rules Submission required under § 601a.10(a), a certificate holder may offer to each player who placed a Blackjack wager, the option of placing a Buzzer Beater wager that the player's hand will have a point count of 19 or greater and will lose against the dealer's hand.

(n) At the commencement of each round of play, the dealer shall, starting with the player position farthest to the dealer's left that was selected by any player for that round of play and continuing around the table in a clockwise manner, deal the cards as follows:

(1) One card face up to each player position on the hybrid gaming table layout that was selected by any player.

(2) One card face up to the dealer.

(3) A second card face up to each player position on the hybrid gaming table layout.

(4) A second card face down to the dealer.

(o) If the dealer's first card is an ace, the dealer shall offer the Insurance wager or even money in accordance with § 633a.8. If the dealer's first card is an ace, king, queen, jack or 10, the dealer shall then determine whether the hole card will give the dealer a Blackjack. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone at the table, including the dealer. If the dealer has a Blackjack, additional cards may not be dealt and each player's Blackjack wager and the Buzzer Beater wager, if applicable, shall be settled.

(p) After the procedures in subsection (o) have been completed, if necessary, and if the player position:

(1) Has Blackjack and the dealer's upcard is a 2, 3, 4, 5, 6, 7, 8 or 9, the Blackjack shall be electronically paid in accordance with subsection (v)(1). If any Buzzer Beater wagers were placed on that player position, the losing Buzzer Beater wagers shall be cleared.

(2) Does not have Blackjack, each player shall electronically indicate whether he wishes to double down as permitted under § 633a.10, split pairs as permitted under § 633a.11, stand or draw additional cards. A player who takes no action by the conclusion of the countdown clock will be deemed to stand on his hand.

(q) If any player elects to double down, split or draw additional cards, the dealer shall draw additional cards face up. The drawn cards shall be used as community cards for all player positions.

(r) A player may elect to electronically hit to draw additional cards whenever the point count for his chosen player position is less than 21, except that:

(1) A player having Blackjack or a hard or soft total of 21 may not draw additional cards.

(2) A player electing to make a Double Down wager will utilize only the first community card.

(s) After the decisions of each player position have been implemented and all additional community cards have been dealt, the dealer shall turn the hole card face up. A additional cards required to be dealt to the hand of the dealer shall be dealt face up. The dealer shall draw additional cards until he has a hard or soft total of 17, 18, 19, 20 or 21.

(t) A player's Blackjack wager shall:

(1) Win and be electronically paid in accordance with the payout odds in subsection (v)(1) if:

(i) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21.

(ii) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(iii) The player has a Blackjack and the dealer's hand has a total point count of 21 in more than two cards.

(2) Push if the total point count of the player's hand is the same as the dealer's.

(3) Be lost if:

(i) The total point count of the player's hand is in excess of 21 and the total point count of the dealer's hand is 21 or less.

(ii) The total point count of the dealer's hand exceeds the total point count of the player's hand without exceeding 21.

(iii) The dealer has a Blackjack and the player's hand has a total point count of 21 in more than two cards.

(u) If any player placed a Buzzer Beater wager, the player's Buzzer Beater wager shall:

(1) Win and be electronically paid in accordance with subsection (v)(3) if the player's hand was a 19, 20, 21 or a Blackjack and the dealer's hand was equal to or greater than the player's hand without exceeding 21.

(2) Lose and be electronically collected if:

(i) The player's hand beat the dealer's hand.

(ii) The dealer's hand beat the player's hand and the player did not have a 19, 20, 21 or Blackjack.

(v) Payout odds:

(1) Each winning Blackjack wager shall be paid electronically at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(2) A winning Insurance wager shall be paid electronically at odds of 2 to 1.

(3) A winning Buzzer Beater wager shall be paid electronically at the following odds:

<i>Player Hand</i>	<i>Dealer Hand</i>	<i>Payout Odds</i>
Blackjack	Blackjack	5 to 1
20	20	5 to 1
20	21 or Blackjack	30 to 1
19	19	5 to 1
19	20	10 to 1
19	21 or Blackjack	10 to 1

(w) A certificate holder may offer a version of Blackjack on a hybrid gaming table whereby the dealer does not receive a hole card. If offering this version of Blackjack, subsections (a), (c)(1) and (2) and (d)—(k) apply in addition to the following provisions.

(x) To participate in a round of play, the player shall electronically place a Blackjack wager. If specified in its Rules Submission required under § 601a.10(a), the certificate holder may offer to each player who placed a Blackjack wager the option of placing electronically a Royal Match 21 wager, a Bet the Set wager or a Kings Bounty wager as provided in § 633a.6(e)(4)—(6) (relating to wagers).

(y) At the commencement of each round of play, the dealer shall deal the cards as follows:

(1) One card face up, which shall be used as all players' first card.

(2) A second card face up, which shall be used as the dealer's first card.

(3) A third card face up, which shall be used as all players' second card.

(4) Cards dealt after the first three shall be community cards and may be designated to a player or to the dealer depending on the choices each player makes with respect to his hand.

(z) If the dealer's first card is an ace, the electronic wagering terminal shall offer the Insurance wager in accordance with § 633a.8. Each player shall electronically indicate whether he wishes to place an Insurance wager, if applicable, or to surrender as permitted under § 633a.9 (relating to surrender), double down as permitted under § 633a.10, split pairs for a total of two hands as permitted under § 633a.11, stand or draw additional cards. A player may elect to electronically draw additional cards whenever the point count for his chosen player position is less than 21, except that a player having Blackjack or a hard or soft total of 21 may not draw additional cards. A player who takes no action by the conclusion of the countdown clock will be deemed to stand on his hand provided that if the certificate holder selects different options, such as a player's hand of an 11 will automatically hit if the player takes no action at the conclusion of the countdown clock, those options shall be explained to the player in the game rules icon as provided in subsection (c)(2).

(aa) After the decisions of each player position have been implemented, the dealer shall deal a community card face up which shall be used as follows:

(1) If the player's two cards gave the player Blackjack, the community card dealt shall be used as the dealer's hole card. If the hole card:

(i) Also gave the dealer a Blackjack, the player's Blackjack wager shall push and be electronically returned to the player and, if applicable, the winning Insurance wager shall be electronically paid in accordance with subsection (ee)(1).

(ii) Did not give the dealer Blackjack, the player's winning Blackjack wager shall be paid in accordance with subsection (ee)(2) and the losing Insurance wager, if applicable, shall be electronically collected.

(2) If the player's two cards did not give the player Blackjack but the player elected to stand and not receive additional cards, the first community card dealt shall be used as the dealer's hole card. If the hole card:

(i) Gives the dealer a Blackjack, no additional community cards shall be designated to the player or dealer's hand and the player's losing Blackjack wager shall be electronically collected. If applicable, the winning Insurance wager shall be electronically paid in accordance with subsection (ee)(1).

(ii) Did not give the dealer Blackjack, the losing Insurance wager, if applicable, shall be electronically collected. The community cards revealed thereafter shall be added to the dealer's hand in accordance with subsection (bb).

(3) If the player's two cards did not give the player Blackjack and the player elected to hit, split pairs or double down, the first community card shall be added to the player's hand. If a player:

(i) Split aces or doubled down in accordance with §§ 633a.10 and 633a.11, the player's hand shall be complete after the first community card is dealt and the player may not hit to receive additional community cards. After the first community card is designated to the player's hand, if the player's hand is over 21 before any additional cards are revealed, the player's losing Blackjack wager shall be electronically collected. The community cards revealed thereafter shall be added to the dealer's hand in accordance with subsection (bb).

(ii) Elected to hit or split pairs, other than aces, the player may then stand or may elect to continue to hit and receive additional community cards added to the player's hand until the point count of each of the player's hands is a hard or soft 21 or less. If the player's hand is over 21 before the dealer's second/hole card is revealed, the player's losing Blackjack wager shall be electronically collected. Once a player stands, the community cards revealed thereafter shall be added to the dealer's hand in accordance with subsection (bb).

(bb) Once the player has made all decisions with respect to his hand or hands, the next card dealt shall be designated to the dealer's hand. If the dealer's two cards:

(1) Gives the dealer a Blackjack, no additional community cards shall be designated to the dealer's hand and the player's losing Blackjack wager shall be electronically collected. If applicable, the winning Insurance wager shall be electronically paid in accordance with subsection (ee)(1). If a player split pairs and the dealer's second card gave the dealer Blackjack, the amount of the original wager of the player shall be electronically collected and if the player's split hand did not exceed 21, the additional amount wagered in splitting pairs shall be electronically returned to the player.

(2) Does not give the dealer a Blackjack, the losing Insurance wager, if applicable, shall be electronically collected. The additional community cards dealt thereafter shall be designated to the dealer's hand until the point count of the dealer's hand is a hard or soft total of 17, 18, 19, 20 or 21.

(cc) A player's Blackjack wager shall win, lose or push as provided in subsection (t).

(dd) If any player placed a Royal Match wager, a Bet the Set wager or a King's Bounty wager, those wagers shall be electronically settled in accordance with § 633a.7(g)(4)—(6) (relating to procedure for dealing the cards; completion of each round of play).

(ee) Payout odds:

(1) A winning Insurance wager shall be paid electronically at odds of 2 to 1.

(2) Each winning Blackjack wager shall be paid electronically at odds of 1 to 1 with the exception of player Blackjack which shall be paid at odds of 3 to 2.

(3) The certificate holder shall pay out winning Royal Match and the Crown Treasure bonus as provided in § 633a.13(f) (relating to payout odds; payout limitation).

(4) The certificate holder shall pay out a winning Bet the Set wager as provided in § 633a.13(g).

(5) The certificate holder shall pay out a winning King's Bounty wager as provided in § 633a.13(h).

§ 633c.6. Super 4 progressive Blackjack wager.

(a) A certificate holder may offer players the option to place a Super 4 progressive Blackjack wager that the

dealer's two cards and the player's two cards will form any of the following winning Super 4 progressive combinations:

(1) *Royal flush* (chosen suit)—The player's two cards and the dealer's two cards containing an ace, king, queen and jack of the certificate holder's chosen suit with the dealer's hand containing the ace of the same suit.

(2) *Royal flush* (other suit)—The player's two cards and the dealer's two cards containing an ace, king, queen and jack of one the other remaining three suits, with the dealer's hand containing the ace of the same suit.

(3) *Three-of-a-kind*—Dealer Blackjack and the player's two cards and the dealer's two cards contain three cards of the same rank.

(4) *Straight*—Four cards of more than one suit in consecutive rank with the dealer's hand containing the ace and a ten-value card.

(5) *Flush*—Dealer Blackjack and the player's two cards and the dealer's two cards are all the same suit.

(6) *Two pair*—Dealer Blackjack and player Blackjack with the dealer's two cards identical in suit and rank with the player's two cards.

(7) *All cards same color*—Dealer Blackjack and the player's two cards and the dealer's two cards are all of the same color.

(8) *Pair*—Dealer Blackjack with the four cards dealt to the player and the dealer containing two cards of the same suit and rank.

(9) A hand with dealer Blackjack.

(10) *Dealer ace up*—Dealer's upcard is an ace but the dealer does not have a Blackjack.

(b) The Super 4 progressive wager may be played on a Blackjack table that utilizes 1, 2, 4, 6 or 8 decks of cards.

(c) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Super 4 progressive wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for the placement of the Super 4 progressive wager for each player.

(d) If the certificate holder is offering the Super 4 progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Super 4 progressive wager. If the certificate holder is offering a progressive payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.7 and § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers), the option of placing a Super 4 progressive wager of \$5.

(f) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers, including the Super 4 progressive wager, the dealer shall announce “no more bets” and, if the Super 4 progressive wager is being offered, use the progressive table game system to prevent the placement of any additional progressive wagers. If any progressive wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of progressive wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(g) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall determine if he has a Blackjack as provided in § 633a.7(h). If the dealer:

(1) Does not have an ace showing or have a Blackjack, all Super 4 progressive wagers shall lose and the dealer

shall continue the hand in accordance with § 633a.7(i)—(t).

(2) Has an ace showing or a Blackjack, the dealer shall settle each player’s winning Super 4 progressive wager as provided in subsection (h).

(h) If a player has won a Super 4 progressive payout, the dealer shall:

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

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

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

(4) Pay the winning Super 4 progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out winning Super 4 progressive wagers, for the highest ranking four-card hand formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Paytable 1—Option 1</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$50,000	6%
Royal flush (other suit)	Heart progressive	\$5,000	7%
Three-of-a-kind	Spade progressive	\$500	7%
Straight	\$750		
Flush	\$250		
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		

<i>Paytable 1—Option 2</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$25,000	7%
Royal flush (other suit)	Heart progressive	\$5,000	7%
Three-of-a-kind	Spade progressive	\$500	7%
Straight	\$750		
Flush	\$250		
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		

<i>Paytable 1—Option 3</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$10,000	7.5%
Royal flush (other suit)	Heart progressive	\$5,000	7%
Three-of-a-kind	Spade progressive	\$500	7%
Straight	\$750		
Flush	\$250		
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		

<i>Paytable 2—Option 1</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$50,000	6%
Royal flush (other suit)	Heart progressive	\$5,000	5%
Three-of-a-kind	Spade progressive	\$500	3%
Straight	Diamond progressive	\$300	3%
Flush	\$250		
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		

<i>Paytable 2—Option 2</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$25,000	6%
Royal flush (other suit)	Heart progressive	\$5,000	5%
Three-of-a-kind	Spade progressive	\$500	3%
Straight	Diamond progressive	\$300	3%
Flush	\$250		
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		

<i>Paytable 3—Option 1</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$50,000	6%
Royal flush (other suit)	Heart progressive	\$5,000	2%
Three-of-a-kind	Spade progressive	\$500	3%
Straight	Diamond progressive	\$300	3%
Flush	Club progressive	\$250	3%
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		

<i>Paytable 3—Option 1</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		
No dealer face up ace	Loss		

<i>Paytable 3—Option 2</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$25,000	6%
Royal flush (other suit)	Heart progressive	\$5,000	2%
Three-of-a-kind	Spade progressive	\$500	3%
Straight	Diamond progressive	\$300	3%
Flush	Club progressive	\$250	3%
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		

<i>Paytable 3—Option 3</i>			
<i>Outcome</i>	<i>Award</i>	<i>Seed and Reseed</i>	<i>Increment Rate</i>
Royal flush in chosen suit	Star progressive	\$10,000	6%
Royal flush (other suit)	Heart progressive	\$5,000	2%
Three-of-a-kind	Spade progressive	\$500	3%
Straight	Diamond progressive	\$300	3%
Flush	Club progressive	\$250	3%
Two pair	\$200		
All cards same color	\$100		
Pair	\$50		
Any hand w/dealer Blackjack	\$25		
Dealer ace up	\$10		

(j) If the progressive table game system utilized by the certificate holder has the capability to offer a mystery progressive, the seed and reseed amount, random must hit by amount, and incrementation rate shall be as follows:

<i>Configuration</i>	<i>Reseed</i>	<i>Random must hit by</i>	<i>Increment rate</i>
1	\$250	\$1,000	5%
2	\$100	\$500	5%
3	\$100	\$200	2%

§ 633c.7. Top 3 wager.

(a) If the certificate holder offers the Three Card Poker wager authorized under § 633a.6(e)(9) (relating to wagers), the certificate holder may also offer the Top 3 wager which shall win if the player’s two cards and the dealer’s upcard form a three-of-a-kind or a straight flush.

(b) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Three Card Poker wager and

the Top 3 wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area designated for the placement of the Top 3 wager for each player.

(c) After placing a Blackjack wager, as required under § 633a.6(d), and a Three Card Poker wager, a player may place a Top 3 wager by placing a value chip on the designated area of the table layout.

(d) The dealer shall then deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle a Three Card Poker wager in accordance with § 633a.7(g)(8) and a Top 3 wager. If the player’s two cards and the dealer’s upcard:

(1) Do not contain a three-of-a-kind or a straight flush of three cards in sequence and of the same suit, the dealer shall collect the player’s losing Top 3 wager.

(2) Contain a three-of-a-kind or a straight flush of three cards in sequence and of the same suit, the dealer

shall pay the winning Top 3 wager in accordance with subsection (e).

(e) The certificate holder shall pay out a winning Top 3 wager for the highest ranking three-card hand formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Three-of-a-kind suited	270 to 1	1000 to 1
Straight flush	180 to 1	100 to 1
Three-of-a-kind	90 to 1	70 to 1

(f) After settling the player's Three Card Poker wager and Top 3 wager, the dealer shall complete the dealing procedures in § 633a.7(h)—(t).

§ 633c.8. Lucky Aces wager.

(a) If the certificate holder offers Blackjack on a fully automated electronic gaming table, the certificate holder may offer players the option to place a Lucky Aces wager which shall win if the player's two cards and the dealer's two cards contain at least one ace.

(b) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of

table game layouts, signage and equipment) and if the certificate holder offers the Lucky Aces wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area designated for the electronic placement of the Lucky Aces wager for each player.

(c) After placing a Blackjack wager, as required under § 633a.6(d) (relating to wagers), a player may place a Lucky Aces wager by electronically placing a value chip on the designated area of the table layout.

(d) The dealer shall then deal the cards in accordance with § 633a.7(a)—(l) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the dealer's hole card is turned face up on the layout, the dealer shall settle a Lucky Aces wager. If any of the player's two cards or the dealer's two cards:

(1) Do not contain an ace, the losing Lucky Aces wagers shall be collected.

(2) Contain an ace, the winning Lucky Aces wagers shall be paid in accordance with subsection (e) based on the number of aces in the player hands and dealer hands.

(e) The certificate holder shall pay out a winning Lucky Aces wager at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
four aces	500 to 1	500 to 1	1000 to 1	2000 to 1
three aces same suit	250 to 1	250 to 1	500 to 1	500 to 1
three aces	20 to 1	30 to 1	35 to 1	15 to 1
two aces same suit	8 to 1	12 to 1	16 to 1	10 to 1
two aces	5 to 1	5 to 1	5 to 1	4 to 1
one ace of diamonds	2 to 1	2 to 1	2 to 1	2 to 1
one ace	1 to 1	1 to 1	1 to 1	1 to 1

(f) After settling the player's Lucky Aces wager, the dealer shall complete the dealing procedures in § 633a.7(m)—(t).

§ 633c.9. Blazing 7's progressive wager.

(a) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Blazing 7's progressive wager authorized under subsection (b), the layout shall contain a separate area designated for the placement of the Blazing 7's progressive wager for each player. The Blackjack table must have a progressive table game system in accordance with § 605a.7 (relating to progressive table games) for the placement of a Blazing 7's progressive wager. The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Blazing 7's progressive wager.

(2) A device that controls or monitors the placement of progressive payout wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the

placement of a Blazing 7's progressive wager that a player attempts to place after the dealer has begun dealing the cards.

(b) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers) the option of placing a Blazing 7's progressive wager which shall win if either of the player's initial two cards is a seven.

(c) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers, including the Blazing 7's progressive wager, the dealer shall deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play).

(d) The dealer shall settle any optional wagers in accordance with § 633a.7(g) and complete the dealing procedures in § 633a.7(h)—(o). After settling all other optional wagers, if a player placed a Blazing 7's progressive wager:

(1) And the player chose to split, the Blazing 7's progressive wager shall be based on the two sevens and the third card dealt to the player.

(2) And the player busts, the bust card shall not count toward the player's Blazing 7's progressive wager.

(3) The player's hand shall win if either of the player's first two cards is a seven. If a player has only one seven in the first two cards, hits and receives another seven, the player shall be paid out in accordance with subsections (e) and (f) for only the seven contained in the initial two cards dealt to the player.

(4) And if the first two cards of the player are sevens and the player hits and receives another seven, the player shall be paid out for three sevens in accordance with subsections (e) and (f). If a dealer has Blackjack and the first two cards of the player are sevens, the player shall be dealt an additional card to determine if the player receives an additional seven.

(e) If a player has won the Blazing 7's progressive wager, the dealer shall:

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

(2) Have a floorperson or above verify any Blazing 7's progressive payout with odds greater than 200 for 1 in accordance with approved internal control procedures submitted under § 465a.2 (relating to internal control systems and audit protocols).

(3) Pay the player the winning Blazing 7's progressive wager in accordance with subsection (f). If a player has won a progressive payout that is 10% or more of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of the player must remain on the table until the necessary documentation has been completed. If more than one player at the table has won a progressive payout that is 100% of the jackpot amount on the progressive meter, each player shall share the maximum amount equally.

(f) The certificate holder shall pay out a winning Blazing 7's progressive wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Hand	Paytable A	Paytable B
Three 7s same suit	100% of meter	N/A
Three 7s diamonds	N/A	100% of meter
Three 7s—clubs, spades, hearts	N/A	10% of meter
Three 7s same color	10% of meter	500 to 1
Three 7s	200 to 1	200 to 1
First two cards (two 7s)	25 to 1	25 to 1
Either of first two cards (one 7)	2 to 1	2 to 1

(g) The rate of progression for the meter used for the Blazing 7's progressive wager must be specified in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amounts must also be in the Rules Submission and shall be at least \$2,000 if the required Blazing 7's progressive wager is \$1 and \$10,000 if the required Blazing 7's progressive wager is \$5.

(h) Notwithstanding the requirements in subsection (d)(4), if the first two cards of the player are sevens, the certificate holder may utilize a dealing procedure wherein

the dealer's upcard rather than a player's drawn card shall be used to determine whether the player receives a payout for three sevens in accordance with subsections (e) and (f). The certificate holder shall specify in its Rules Submission required under § 601a.2 if this dealing procedure is being utilized.

§ 633c.10. Blackjack Match progressive.

(a) A certificate holder may offer players the option to place a Blackjack Match progressive wager that the dealer's two cards and the player's two cards will form any of the following winning Blackjack Match progressive combinations:

(1) *Ace-king matching suited Blackjacks*—Both dealer and player have Blackjack consisting of an ace-king with the dealer's two cards identical in suit with the player's two cards.

(2) *Matching suited Blackjacks*—Both dealer and player have Blackjack with the dealer's two cards identical in suit and rank with the player's two cards, other than an ace-king. For example a player's ace-ten of spades and the dealer's ace-ten of spades.

(3) *Player and dealer suited Blackjacks*—Both dealer and player have Blackjack with the dealer's two cards identical in suit, but not rank, with the player's two cards. For example a player's ace-ten of spades and the dealer's ace-queen of spades.

(4) *Player and dealer Blackjacks*—Both dealer and player have Blackjack but the player's hand and the dealer's hand do not match in suit or rank.

(5) *Player suited Blackjack*—Player has Blackjack of the same suit and the dealer's two cards are not a Blackjack.

(6) *Player Blackjack*—Player's two cards are a Blackjack but are not the same suit and the dealer's two cards are not a Blackjack.

(7) *Player any ace*—Player's two cards are not a Blackjack but contain at least one ace.

(b) The Blackjack Match progressive wager shall be played on a Blackjack table that utilizes 6 decks or 8 decks of cards.

(c) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Blackjack Match progressive wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for each player designated for the placement of the Blackjack Match progressive wager.

(d) If the certificate holder is offering the Blackjack Match progressive wager, the Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Blackjack Match progressive wager. If the certificate holder is offering a progressive payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers) the option of placing either a \$1 or \$5 Blackjack Match progressive wager as selected by the certificate holder in its Rules Submission.

(f) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers, including the Blackjack Match progressive wager, the dealer shall announce “no more bets” and, if the Blackjack Match progressive wager is being offered, use the progressive table game system to prevent the placement of any additional progressive wagers. If any progressive wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of progressive wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 633a.7(a)—(g) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, the dealer shall determine if he has a Blackjack as provided in § 633a.7(h), if applicable. After determining whether the dealer has Blackjack, if applicable, but prior to any additional cards being dealt, the dealer shall settle all Blackjack Match progressive wagers. If any player placed a Blackjack Match progressive wager, and the first two cards dealt to the player:

(1) Do not contain an ace or Blackjack, the Blackjack Match progressive wager shall be lost.

(2) Contain an ace or Blackjack, the dealer shall settle each player’s winning Blackjack Match progressive wager as provided in subsection (h).

(h) If a player has won a Blackjack Match progressive payout, the dealer shall:

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

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

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

(4) Pay the winning Blackjack Match progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(5) Pay any envy bonus, if selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2. A player making a Blackjack Match progressive wager shall receive an envy bonus when another player at the same Blackjack table and the dealer are holders of Matching Suited Blackjacks, as defined in subsection (a). Players are entitled to multiple envy bonuses if more than one other player and the dealer have Matching Suited Blackjacks. A player is not entitled to an envy bonus for his own hand. Blackjack Match envy bonus payouts shall be made in accordance with the payouts in subsection (k).

(i) The certificate holder shall pay out a winning Blackjack Match progressive wager at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Ace-king matching suited Blackjack	100% of meter	100% of meter
Matching suited Blackjack	10% of meter	10% of meter
Player and dealer suited Blackjacks	200 to 1	200 to 1
Player and dealer Blackjacks	30 to 1	30 to 1
Player suited Blackjacks	10 to 1	10 to 1
Player Blackjack	5 to 1	5 to 1
Player any ace	3 to 1	3 to 1
Seed amount	\$10,000	\$5,000
Increment rate	13%	13%
Secondary seed	2.5%	3.25%

<i>Hand</i>	<i>Paytable C</i>	<i>Paytable D</i>
Ace-king matching suited Blackjack	100% of meter	100% of meter
Matching suited Blackjack	10% of meter	10% of meter
Player and dealer suited Blackjacks	300 to 1	300 to 1
Player and dealer Blackjacks	50 to 1	50 to 1
Player suited Blackjacks	10 to 1	10 to 1
Player Blackjack	5 to 1	5 to 1

<i>Hand</i>	<i>Paytable C</i>	<i>Paytable D</i>
Player any ace	2 to 1	2 to 1
Seed amount	\$10,000	\$5,000
Increment rate	13%	13%
Secondary seed	2.5%	3.25%

(j) If in the same round of play two or more players have won the same progressive jackpot amount on the progressive meter, the jackpot amount shall be split equally between the winning players. For example, if two players have ace-king matching suited Blackjacks in the same round of play, both players shall split 100% of the progressive jackpot amount equally.

(k) If selected by a certificate holder, a player shall be paid an envy bonus in accordance with the payout tables as follows depending on the value of the Blackjack Match progressive wager selected by the certificate holder in its Rules Submission:

<i>Hand</i>	<i>\$1 Blackjack Match Wager offered</i>	<i>\$5 Blackjack Match Wager offered</i>
Ace-king matching suited Blackjack	\$600	\$3,000
Matching suited Blackjack	\$200	\$1,000

(l) After settling the Blackjack Match progressive wagers, the dealer shall continue the hand in accordance with § 633a.7(i)—(t).

§ 633c.11. TriLux Deluxe wager.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers) the option of placing a TriLux Deluxe wager which shall win if the player’s initial two cards and the dealer’s upcard form a flush, straight, three-of-a-kind or straight flush.

(b) The layout for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the TriLux Deluxe wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections), the layout shall contain a separate area designated for the placement of the TriLux Deluxe wager and TriLux Deluxe Press.

(c) After placing a Blackjack wager, as required in § 633a.6(d), a player may place a TriLux Deluxe wager before each round of Blackjack at any time before the

dealer calls, “no more bets.” A TriLux Deluxe wager may not exceed 2× the Blackjack wager.

(d) The dealer shall deal the cards in accordance with § 633a.7(a)—(f) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt or before any card reader device is utilized, the dealer shall, starting with the player farthest to the dealer’s right and continuing around the table in a counterclockwise direction, settle the player’s optional wagers in accordance with § 633a.7(g) by collecting all losing wagers and paying all winning wagers. If a player placed a TriLux Deluxe wager and the player’s initial two cards and the dealer’s upcard:

(1) Are a flush, straight, three-of-a-kind or straight flush, the dealer shall pay the TriLux Deluxe wager in accordance with subsection (h).

(2) Are not a flush, straight, three-of-a-kind or straight flush, the dealer shall collect the TriLux Deluxe wager.

(e) If a player’s TriLux Deluxe wager wins, the dealer shall give the player the option to collect his winnings, or cap his initial Blackjack wager with all or a portion of the player’s initial TriLux Deluxe wager winnings. If the player chooses to cap his initial Blackjack wager with all or a portion of the TriLux Deluxe wager winnings, the dealer shall move the winnings to the TriLux Deluxe Press area on the layout.

(f) If, after capping the initial Blackjack wager, the player wins his Blackjack hand, the TriLux Deluxe wager winnings will be paid even money, including instances where the player has Blackjack. The player may not cap TriLux Deluxe wager winnings to the initial Blackjack wager if the dealer has Blackjack.

(g) If, after capping the initial Blackjack wager, the player chooses to split a pair in accordance with § 633a.11 (relating to splitting pairs), the player must match the initial Blackjack wager and the portion of winnings in the TriLux Deluxe Press area added to the initial wager. A player may place a Double Down wager in accordance with § 633a.10 (relating to Double Down wager), and all standard and house rules shall apply.

(h) If a TriLux Deluxe wager wins, the payout shall be as follows:

<i>Hand</i>	<i>Paytable TLX-1</i>	<i>Paytable TLX-2</i>	<i>Paytable TLX-3</i>
Straight flush	20 to 1	20 to 1	25 to 1
Three-of-a-kind	15 to 1	15 to 1	15 to 1
Straight	9 to 1	9 to 1	8 to 1
Flush	6 to 1	5 to 1	5 to 1

(i) The payable used for the TriLux Deluxe wager shall be determined by the number of decks used at the Blackjack table as follows:

- (1) *One-deck*—Paytable TLX-1.
- (2) *Two decks*—Paytable TLX-2.
- (3) *Four decks*—Paytable TLX-3.
- (4) *Six decks*—Paytable TLX-3.
- (5) *Eight decks*—Paytable TLX-3.

(j) As used in this section, the following words and terms shall have the meanings given to them in this subsection:

- (1) *Flush*—The player’s initial two cards and the dealer’s upcard are of the same suit.
- (2) *Straight*—The player’s initial two cards and the dealer’s upcard are sequential in rank.
- (3) *Straight flush*—The player’s initial two cards and the dealer’s upcard are sequential in rank and of the same suit.
- (4) *Three-of-a-kind*—The player’s initial two cards and the dealer’s upcard are the same rank.

§ 633c.12. AxMan wager.

(a) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers) the option of placing an AxMan wager which shall win if the cards in the dealer’s hand make up a poker hand of jacks or better pair, two pair, three-of-a-kind, full house, four-of-a-kind, straight, flush, five-of-a-kind or straight flush. The AxMan wager may only be offered at Blackjack tables using a six-deck or eight-deck batch or batches of cards.

(b) The layout for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the AxMan wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections), the layout shall contain a separate area designated for the placement of the AxMan wager.

(c) After placing a Blackjack wager, as required in § 633a.6(d), a player may place an AxMan wager before each round of Blackjack at any time before the dealer calls, “no more bets.” An AxMan wager may be made for any amount within the table limits.

(d) The dealer shall then deal the cards in accordance with § 633a.7 (relating to procedure for dealing the cards; completion of each round of play), and the round of play shall be played and completed according to house rules and the provisions of § 633a.7, including the settling of the Blackjack wagers placed by each player.

(e) Immediately after the completion of the round of play in accordance with § 633a.7, the dealer’s hand, including the bust card if there is one, will be interpreted as a poker hand. The dealer shall then, starting with the player farthest to the dealer’s right and continuing around the table in a counterclockwise direction, settle the player’s AxMan wagers by collecting all losing wagers and paying all winning wagers.

(f) If the dealer’s hand has five cards or less, including a bust card if there is one, the poker hand will consist of all cards in the dealer’s hand. If the dealer’s hand has six

or more cards, including a bust card if there is one, the poker hand will consist of the five highest cards in the dealer’s hand.

(g) If the dealer’s hand has less than five cards, the poker hands that can be created are jacks or better pair, two pair, three-of-a-kind or four-of-a-kind. If one of these hands is created, the AxMan wager is a winner and shall be settled in accordance with the payable in subsection (k).

(h) If the dealer’s hand has five cards or more, the poker hands that can be created are those listed in subsection (g) and full house, straight, flush, five-of-a-kind and straight flush. If one of these hands is created, the AxMan wager is a winner and shall be settled in accordance with the payable in subsection (k).

(i) If the dealer’s hand does not create a poker hand of jacks or better pair or greater, the AxMan wager shall lose.

(j) If the dealer has a king of diamonds card in his hand, this card shall be treated as a wild card, meaning it can be assigned any rank. If the player has one king of diamonds card in the initial two cards of his Blackjack hand, it shall act as a 2× multiplier for the player’s winning AxMan wager based upon the payable in subsection (k). If the player has two king of diamonds cards in the initial two cards of his Blackjack hand, it shall act as a 5× multiplier for the player’s winning AxMan wager based upon the payable in subsection (k).

(k) If an AxMan wager wins, the payout shall be as follows:

<i>Hand</i>	<i>Paytable</i>
Straight flush (five cards)	1000 to 1
Five-of-a-kind (five cards)	500 to 1
Flush (five cards)	200 to 1
Straight (five cards)	100 to 1
Four-of-a-kind	50 to 1
Full house (five cards)	30 to 1
Three-of-a-kind	20 to 1
Two pair	12 to 1
Jacks or better pair	5 to 1

(l) As used in this section, the following words and terms shall have the meanings given to them in this subsection:

- (1) *Five-of-a-kind*—Five of the dealer’s cards are the same rank.
- (2) *Flush*—Five of the dealer’s cards are of the same suit.
- (3) *Four-of-a-kind*—Four of the dealer’s cards are the same rank.
- (4) *Full house*—Five of the dealer’s cards are made up of a three-of-a-kind and a pair.
- (5) *Jacks or better pair*—Two of the dealer’s cards are of the same rank and are a jack, queen, king or ace.
- (6) *Straight*—Five of the dealer’s cards are sequential in rank.
- (7) *Straight flush*—Five of the dealer’s cards are sequential in rank and of the same suit.
- (8) *Three-of-a-kind*—Three of the dealer’s cards are the same rank.

(9) *Two-pair*—Four of the dealer’s cards are two separate pairs.

§ 633c.13. Buster Blackjack wager.

(a) If a certificate holder offers Blackjack, the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers) the option of placing a Buster Blackjack wager where a player places a wager as to whether the dealer’s hand will result in a total point count in excess of 21 (a “bust”).

(b) The layout for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Buster Blackjack wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections), the layout shall contain a separate area designated for the placement of the Buster Blackjack wager.

(c) The Buster Blackjack wager may be offered on tables where Blackjack is played with one-deck, four-deck, six-deck or eight-deck shoes.

(d) After placing a Blackjack wager, as required in § 633a.6(d), and any other available optional wagers, a player may place a Buster Blackjack wager before each round of Blackjack at any time before the dealer calls, “no more bets.” A Buster Blackjack wager may be made for any amount within the table limits.

(e) The dealer shall then deal the cards in accordance with § 633a.7 (relating to procedure for dealing the cards; completion of each round of play), and the round of play shall be played and completed according to house rules and the provisions of § 633a.7.

(f) After all action on the players’ hands has been completed, the dealer shall draw cards to his hand until he reaches a point total of at least 17 or busts.

(g) If the dealer’s hand does not result in a bust, the Buster Blackjack wager loses and shall be collected by the dealer.

(h) If the dealer’s hand results in a bust, the Buster Blackjack wager wins and shall be paid out based upon one of the following paytables which shall be specified in the Rules Submission under § 601a.2, with the payout determined by the number of cards in the dealer’s hand when the bust occurs:

<i>Single Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Eight or more cards	250 to 1	200 to 1	250 to 1
Seven cards	50 to 1	50 to 1	50 to 1
Six cards	15 to 1	15 to 1	12 to 1
Five cards	4 to 1	4 to 1	4 to 1
Four cards	2 to 1	2 to 1	2 to 1
Three cards	2 to 1	2 to 1	2 to 1

<i>Single Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
Eight or more cards	200 to 1	250 to 1	250 to 1
Seven cards	50 to 1	50 to 1	50 to 1

<i>Single Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
Six cards	12 to 1	12 to 1	20 to 1
Five cards	4 to 1	3 to 1	8 to 1
Four cards	2 to 1	2 to 1	2 to 1
Three cards	2 to 1	2 to 1	1 to 1

<i>Four-Deck Shoe</i>	
<i>Dealer busts with</i>	<i>Paytable</i>
Eight or more cards	250 to 1
Seven cards	50 to 1
Six cards	15 to 1
Five cards	4 to 1
Four cards	2 to 1
Three cards	2 to 1

<i>Six-Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Eight or more cards	250 to 1	200 to 1	250 to 1
Seven cards	50 to 1	50 to 1	50 to 1
Six cards	15 to 1	15 to 1	12 to 1
Five cards	4 to 1	4 to 1	4 to 1
Four cards	2 to 1	2 to 1	2 to 1
Three cards	2 to 1	2 to 1	2 to 1

<i>Six-Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
Eight or more cards	200 to 1	250 to 1	250 to 1
Seven cards	50 to 1	50 to 1	50 to 1
Six cards	12 to 1	12 to 1	20 to 1
Five cards	4 to 1	3 to 1	8 to 1
Four cards	2 to 1	2 to 1	2 to 1
Three cards	2 to 1	2 to 1	1 to 1

<i>Eight-Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Eight or more cards	250 to 1	200 to 1	250 to 1
Seven cards	50 to 1	50 to 1	50 to 1
Six cards	15 to 1	15 to 1	12 to 1
Five cards	4 to 1	4 to 1	4 to 1
Four cards	2 to 1	2 to 1	2 to 1
Three cards	2 to 1	2 to 1	2 to 1

<i>Eight-Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
Eight or more cards	200 to 1	250 to 1	250 to 1
Seven cards	50 to 1	50 to 1	50 to 1

<i>Eight-Deck Shoe</i>			
<i>Dealer busts with</i>	<i>Paytable D</i>	<i>Paytable E</i>	<i>Paytable F</i>
Six cards	12 to 1	12 to 1	20 to 1
Five cards	4 to 1	3 to 1	8 to 1
Four cards	2 to 1	2 to 1	2 to 1
Three cards	2 to 1	2 to 1	1 to 1

(i) The certificate holder may also offer a cash bonus award to any player whose hand results in a Blackjack and who also wins a Buster Blackjack wager of at least \$5 with the dealer's hand busting with seven cards or eight or more cards, with one of the following payouts specified in the Rules Submission under § 601a.2(a):

<i>Dealer busts with</i>	<i>Bonus Pay B1</i>	<i>Bonus Pay B2</i>
Eight or more cards	\$8,000	\$5,000
Seven cards	\$1,000	\$1,000

§ 633c.14. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Blackjack as described in Chapter 633a (relating to Blackjack) and either the optional Jackpot Party progressive wager under § 633c.2 (relating to Jackpot Party progressive wager), the optional Blazing 7's progressive wager under § 633c.9 (relating to Blazing 7's progressive wager), the optional Hit and Run progressive wager under § 633a.6(e)(10) (relating to wagers) or the optional Straight Jack progressive wager under § 633a.6(e)(11), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Blackjack wager in accordance with § 633a.6(d) and an optional Jackpot Party progressive wager, Blazing 7's progressive wager, Hit and Run progressive wager or Straight Jack progressive wager, the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Blackjack table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Blackjack wager and a Jackpot Party progressive wager, a Blazing 7's progressive wager, a Hit and Run progressive wager or a Straight Jack progressive wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Jackpot Party progressive wager, Blazing 7's progressive wager, Hit and Run progressive wager or Straight Jack progressive wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Jackpot Party progressive wager, Blazing 7's progressive wager, Hit and Run progressive wager, or Straight Jack progressive wager and the minimum and maximum dollar values for the Must-Hit-By Mystery

bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder’s approved internal controls:

- (i) Verify that the appropriate light on the progressive table game system has been illuminated.
- (ii) Have a floorperson or above validate the progressive payout.
- (iii) Pay the Must-Hit-By Mystery bonus.
- (iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder’s Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

§ 633c.15. Upcard Luck wager.

(a) A certificate holder may offer players the option to place an Upcard Luck wager that the dealer’s upcard will be a 2 through 7 and that the player’s two cards will total either 9 through 11, hard and soft 18 through 20 or will be a Blackjack.

(b) The Upcard Luck wager may be played on a Blackjack table that utilizes four decks, six decks or eight decks of cards.

(c) The layout for a Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Upcard Luck Blackjack wager, in addition to the requirements in § 633a.2 (relating to Blackjack table; card reader device; physical characteristics; inspections) the layout shall contain a separate area designated for the placement of the Upcard Luck Blackjack wager for each player.

(d) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Blackjack wager in accordance with § 633a.6(d) (relating to wagers) the option of placing an Upcard Blackjack wager in any amount that does not exceed the player’s Blackjack wager.

(e) After placing a Blackjack wager, as required in § 633a.6(d), and any optional wagers, including the Upcard Luck Blackjack wager, the dealer shall announce “no more bets.”

(f) The dealer shall then deal the cards in accordance with § 633a.7(a)—(g) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle a Upcard Blackjack wager as follows:

(1) If the dealer’s upcard is not a two through seven, the dealer shall collect the player’s losing Upcard Luck wager.

(2) If the dealer’s upcard is a 2 through 7 but the total of the player’s two cards is 2 through 8 or 12 through 17, the dealer shall collect the player’s losing Upcard Luck wager.

(3) If the dealer’s upcard is 2 through 7 and the total of the player’s two cards is 9 through 11 or 18 through 20, or if the player has Blackjack, the dealer shall pay the player’s winning Upcard Luck wager in accordance with subsection (g).

(g) The certificate holder shall pay out a winning Upcard Luck wager at the odds in the following payout tables specified by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Outcome (with Dealer Upcard 2—7)</i>	<i>Payback</i>
Ace spades and jack spades	80 to 1
Blackjack	8 to 1
9, 10 or 11	4 to 1
18, 19 or 20 (including soft totals)	3 to 1

CHAPTER 635c. SPANISH 21 SIDE WAGERS AND VARIATIONS

- Sec. 635c.1. Match the Dealer progressive Spanish 21 wager.
- 635c.2. Player’s Edge 21.

§ 635c.1. Match the Dealer progressive Spanish 21 wager.

(a) A certificate holder may offer players the option to place a Match the Dealer progressive Spanish 21 wager that one or both of the player’s cards will match the dealer’s upcard in one of the following combinations:

(1) *Two suited match, aces of spades*—Both of the player’s cards and the dealer’s upcard are matching aces of spades.

(2) *Two suited match, all others*—Both of the player’s cards and the dealer’s upcard are matching in suit and rank.

(3) *One non-suited match and one suited match*—One of the player’s cards matches the suit and rank of the dealer’s upcard and the player’s other card matches the rank of the dealer’s upcard.

(4) *One suited match*—One of the player’s cards matches the suit and rank of the dealer’s upcard.

(5) *Two non-suited matches*—Both of the player’s cards match the rank of the dealer’s upcard.

(6) *One non-suited match*—One of the player’s cards matches the rank of the dealer’s upcard.

(b) The Match the Dealer progressive wager may be played on a Spanish 21 table that utilizes six decks or eight decks of cards.

(c) The layout for a Spanish 21 table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Match the Dealer progressive wager, in addition to the requirements in § 635a.2 (relating to Spanish 21 table; card reader device; physical characteristics; inspections) the layout shall contain a separate area for the placement of the Match the Dealer progressive wager for each player.

(d) If the certificate holder is offering the Match the Dealer progressive wager, the Spanish 21 table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Match the Dealer progressive wager. If the certificate holder is offering a progressive payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Spanish 21 wager in accordance with § 635a.6(d) (relating to wagers) the option of placing a Match the Dealer progressive wager of \$1 or \$5.

(f) After placing a Spanish 21 wager, as required in § 635a.6(d), and any optional wagers including the Match the Dealer progressive wager, the dealer shall announce “no more bets” and, if the Match the Dealer progressive wager is being offered, use the progressive table game system to prevent the placement of any additional progressive wagers. If any progressive wagers have been made, the dealer shall collect the wagers and, on the

layout in front of the table inventory container, verify that the number of value chips wagered equals the number of progressive wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 635a.7(a)—(e) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle the Match the Dealer progressive wager as follows:

(1) If the player does not have a card that matches the dealer’s upcard, the Match the Dealer progressive wager shall lose.

(2) If the player has one of the winning combinations provided in subsection (a), the dealer shall settle the Match the Dealer progressive wager as provided in subsection (h).

(h) If a player has won a Match the Dealer progressive payout, the dealer shall:

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

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

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

(4) Pay the winning Match the Dealer progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out a winning Match the Dealer wager, for the winning combination formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	8 to 1	11 to 1	75 to 1	50 to 1
One suited match	5 to 1	9 to 1	4 to 1	4 to 1
Two non-suited matches	6 to 1	4 to 1	25 to 1	15 to 1
One non-suited match	3 to 1	2 to 1	2 to 1	3 to 1

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	11 to 1	12 to 1	10 to 1	13 to 1
One suited match	8 to 1	9 to 1	6 to 1	10 to 1

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two non-suited matches	6 to 1	6 to 1	8 to 1	6 to 1
One non-suited match	3 to 1	3 to 1	4 to 1	3 to 1

<i>Six Decks</i>		
<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
Two suited match—aces of spades	100% progressive	100% progressive
Two other suited match—all others	10% progressive	10% progressive
One non-suited and one suited match	75 to 1	11 to 1
One suited match	5 to 1	7 to 1
Two non-suited matches	15 to 1	8 to 1
One non-suited match	3 to 1	4 to 1

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	8 to 1	11 to 1	12 to 1	10 to 1
One suited match	5 to 1	9 to 1	10 to 1	7 to 1
Two non-suited matches	6 to 1	4 to 1	4 to 1	6 to 1
One non-suited match	3 to 1	2 to 1	2 to 1	3 to 1

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	50 to 1	100 to 1	9 to 1	12 to 1
One suited match	4 to 1	4 to 1	5 to 1	9 to 1
Two non-suited matches	15 to 1	20 to 1	8 to 1	6 to 1
One non-suited match	3 to 1	2 to 1	4 to 1	3 to 1

<i>Eight Decks</i>		
<i>Result</i>	<i>Paytable 9</i>	<i>Paytable 10</i>
Two suited match—aces of spades	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive
One non-suited and one suited match	10 to 1	13 to 1
One suited match	6 to 1	10 to 1
Two non-suited matches	8 to 1	6 to 1
One non-suited match	4 to 1	3 to 1

(j) The initial seed amount of the progressive wager shall be 1,000× the wager amount offered by the certificate holder, and the primary incrementation rate and secondary incrementation rate shall be 15% and 6%.

§ 635c.2 Player's Edge 21.

(a) A certificate holder may offer to players a game variation entitled Player's Edge 21. Player's Edge 21 shall be played consistent with Chapter 635a (relating to Spanish 21), unless otherwise provided in this section.

(b) In addition to the layout requirements of § 635a.2(b)(3) (relating to Spanish 21 table; card reader

device; physical characteristics; inspections), the layout must include the following:

(1) Insurance pays 2 to 1 with non-suited dealer Blackjack and 5 to 1 with suited dealer Blackjack.

(2) Dealer shall draw to 16 and hit on a soft 17, or similar language approved by the Executive Director in accordance with § 601a.10(a) (relating to approval of table game layouts; signage and equipment).

(c) Player's Edge 21 shall be played with five decks, six decks or eight decks of cards that are identical in appearance and at least one cover card. The decks shall consist of 48 cards, with the 10 of each suit removed from

each deck during the inspection required under § 635a.4 (relating to opening of the table for gaming).

(d) A Player's Edge 21 wager shall be handled as follows:

(1) A Player's Edge 21 wager shall be made in accordance with § 635a.6 (relating to wagers).

(2) A certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who placed a Player's Edge 21 wager in accordance with paragraph (1) the option of placing:

(i) A Match-Up wager that shall win if either of the player's initial two cards match the rank of the dealer's face up card.

(ii) A Match-Down wager that shall win if either of the player's initial two cards match the rank of the dealer's face down card.

(iii) A Monster Match wager.

(A) The Monster Match wager shall be offered as a progressive wager consistent with § 605a.7 (relating to progressive table games).

(B) A Monster Match wager shall win if the player's first two cards combine with the dealer's first two cards to create any of the following:

(I) A suited pair.

(II) Three-of-a-kind.

(III) Three-of-a-kind in which all three cards are of the same color.

(IV) Four-of-a-kind.

(V) Four-of-a-kind in which all four cards are of the same color.

(VI) Four-of-a-kind in which all four cards are of the same suit.

(C) The Monster Match progressive pool's incrementation shall adhere to one of the following tables, approved as part of the table games Rules Submission under § 601a.2:

	A	B	C	D	E
Initial seed	\$5,000	\$5,000	\$1,500	\$1,500	\$1,500
Reseed	Reserve	Reserve	\$1,500	\$1,500	\$1,500
Primary increment	22%	22%	17%	17%	17%
Reserve increment	1%	1%	N/A	N/A	N/A

(e) The procedure for dealing the cards; completion of each round of play shall be as follows:

(1) Player's Edge 21 shall follow the procedures prescribed in § 635a.7 (relating to procedure for dealing the cards; completion of each round of play) except:

(i) The process described in § 635a.7(f) shall be used for settling a Match-Up wager made under subsection (d)(2)(i). A winning Match-Up wager shall be paid under subsection (g)(4).

(ii) No player's cards shall be removed under § 635a.7(h)(1)(i) if the player has an outstanding Match-Down wager or Monster Match wager.

(iii) Upon revealing the dealer's hold card under the process described in § 635a.7(k), the Dealer shall proceed in the following order:

(A) Settle a Match-Down wager consistent with the process described in § 635a.7(f). A winning Match-Down wager shall be paid under subsection (g)(4).

(B) Settle a Monster Match wager consistent with subsection (d)(2)(iii). A winning Monster Match wager shall be paid under subsection (h).

(C) Deal any additionally required cards to the dealer's hand.

(iv) Dealer shall draw an additional card on a soft 17.

(f) Double Down wager and Rescue procedures shall be as follows:

(1) Except when a player has Blackjack, a player may elect to make a Double Down wager, which may not exceed the amount of their original Player's Edge 21 wager. A player may double down on two or more cards dealt to them or two or more cards of any split pair. One additional card shall be dealt to the hand for which the player has elected to double down. The additional card shall be dealt face up and placed sideways on the layout.

(2) Immediately after a Double Down wager, a player may redouble their existing Player's Edge 21 wager and receive an additional card (a Double-Double Down wager). The additional card shall be dealt face up and placed sideways on the layout.

(3) Immediately after a Double-Double Down wager, a player may again redouble their existing Player's Edge 21 wager with another Double-Double Down wager and receive an additional card. The additional card shall be dealt face up and placed sideways on the layout. The player may only double 3x on each hand, for up to 8x the original Player's Edge 21 wager.

(4) If a dealer obtains Blackjack after a player makes a Double Down wager or one or more subsequent Double-Double Down wagers, the dealer shall collect only the amount of the original Player's Edge 21 wager and may not collect the additional Double Down wager or the Double-Double Down wager.

(5) A winning Double Down wager and a Double-Double Down wager shall be paid in accordance with § 635a.12(a) (relating to payout odds). The additional payouts in § 635a.12(b) and (c) are not applicable to a winning Double Down wager.

(6) After the additional card required under paragraph (1) or paragraph (2) has been dealt to the hand, a player may "rescue" (take back) half of the hand's total wager and forfeit half of the hand's total wager as long as the additional card does not result in the hand having a total point count in excess of 21.

(g) Winning hands shall be determined as follows:

(1) A player shall win the Player's Edge 21 wager if:

(i) The total point count of the player's hand is 21 or less and the total point count of the dealer's hand is in excess of 21.

(ii) The total point count of the player's hand exceeds the total point count of the dealer's hand without exceeding 21.

(iii) The player has Blackjack, or the point count of the player's hand equals 21, regardless of the dealer's hand.

(2) A winning Player's Edge 21 wager shall be paid according to § 635a.12(a), (b) and (d) except:

(i) A winning hand with the six, seven and eight of diamonds, not spades, shall be paid at odds of 3 to 1 under § 635a.12(b)(2).

(ii) A winning hand with the three cards consisting of three 7s of diamonds, not spades, shall be paid at odds of 3 to 1 under § 635a.12(b)(4).

(3) A 7-7-7-7 Super bonus shall be awarded under § 635a.12(c)(1), (2) and (4).

(i) All other players at the table who placed a wager during that round of play when a 7-7-7-7 Super bonus is awarded to another player shall also be paid either:

(A) An additional fixed payout of \$50.

(B) An additional fixed payout of \$100 if the player has a seven in their first two cards.

(4) A winning Match-Up wager and Match-Down wager shall be paid under one of the following paytables, which the certificate holder has identified and had approved as part of its Rules Submission:

(i) A certificate holder may select one of the following paytables if five decks or six decks of cards are being used:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Two suited matches	18 to 1	24 to 1	26 to 1
One suited match and one unsuited match	13 to 1	15 to 1	16 to 1
One suited match	9 to 1	12 to 1	13 to 1
Two unsuited matches	8 to 1	6 to 1	6 to 1
One unsuited match	4 to 1	3 to 1	3 to 1

(ii) A certificate holder may select one of the following paytables if eight decks of cards are being used:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Two suited matches	18 to 1	24 to 1
One suited match and one unsuited match	13 to 1	15 to 1
One suited match	9 to 1	12 to 1
Two unsuited matches	8 to 1	6 to 1
One unsuited match	4 to 1	3 to 1

(h) A winning Monster Match wager shall be paid under one of the following paytables, which the certificate holder has identified and had approved as part of the Rules Submission:

<i>Triggering Event</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Four-of-a-kind (suited)	100% of progressive	100% of progressive	100% of progressive
Four-of-a-kind (same color)	10% of progressive	10% of progressive	100% of progressive
Four-of-a-kind	200 for 1	200 for 1	200 for 1
Three-of-a-kind (same color)	20 for 1	25 for 1	20 for 1
Three-of-a-kind	12 for 1	10 for 1	12 for 1
Suited pair	3 for 1	2 for 1	3 for 1

<i>Triggering Event</i>	<i>Paytable D</i>	<i>Paytable E</i>
Four-of-a-kind (suited)	100% of progressive	100% of progressive
Four-of-a-kind (same color)	100% of progressive	100% of progressive
Four-of-a-kind	200 for 1	200 for 1
Three-of-a-kind (same color)	20 for 1	25 for 1
Three-of-a-kind	10 for 1	10 for 1
Suited pair	2 for 1	2 for 1

CHAPTER 639c. CARIBBEAN STUD POKER SIDE WAGERS AND VARIATIONS

Sec. 639c.1. Must-Hit-By Mystery bonus.

§ 639c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Caribbean Stud Poker as described in Chapter 639a (relating to Caribbean Stud Poker) and the optional progressive payout wager under 639a.7(d)(2) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2

(relating to table games Rules Submissions), offer to each player who has placed a Caribbean Stud wager in accordance with § 639a.7(d)(1) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Caribbean Stud Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system dis-

play shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Caribbean Stud Poker wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

**CHAPTER 641c. FOUR CARD POKER SIDE
WAGERS AND VARIATIONS**

Sec.

641c.1. Must-Hit-By Mystery bonus.

§ 641c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Four Card Poker as described in Chapter 641a (relating to Four Card Poker) and the optional Four-Card progressive payout wager under § 641a.7(d)(4) (relating to wagers) or Five-Card progressive payout wager under § 641a.7(d)(5), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Four Card Poker wager in accordance with § 641a.7(a) and an optional Four-Card progressive payout wager or Five-Card progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Four Card Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Four Card Poker wager and a Four-Card progressive payout wager or a Five-Card progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Four-Card progressive payout wager or Five-Card progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Four-Card progressive payout wager or Five-Card progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$250
Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 643c. LET IT RIDE POKER SIDE WAGERS AND VARIATIONS

Sec.

643c.1. Must-Hit-By Mystery bonus.

§ 643c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Let It Ride Poker as described in Chapter 643a (relating to Let It Ride Poker) and the optional Three-Card progressive payout wager under § 643a.7(g) (relating to wagers) or Five-Card progressive payout wager under § 643a.7(h), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Let It Ride Poker wager in accordance with § 643a.7(a) and an optional Three-Card progressive payout wager or Five-Card progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Let It Ride Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Let It Ride Poker wager and a Three-Card progressive payout wager or Five-Card progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Three-Card progressive payout wager or Five-Card progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution

increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Three-Card progressive payout wager or Five-Card progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

*Paytable C—\$5 Configuration**Configuration C*

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

*Paytable D—\$1 Configuration**Configuration D*

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

*Paytable D—\$2 Configuration**Configuration D*

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 645c. PAI GOW POKER SIDE WAGERS AND VARIATIONS

Sec.

- | | |
|---------|--|
| 645c.1. | Commission-free Pai Gow Poker. |
| 645c.2. | Player-activated Pai Gow Poker; wagers based on outcome of the dice. |
| 645c.3. | Must-Hit-By Mystery bonus. |

§ 645c.1. Commission-free Pai Gow Poker.

(a) In addition to the provisions in Chapter 645a (relating to Pai Gow Poker), an operator may offer a variation of Pai Gow Poker in which no vigorish is collected as provided in this section.

(b) In addition to the requirements in § 645a.2(b) (relating to Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics), if a certificate holder offers commission-free Pai Gow Poker, the layout shall contain:

(1) Separate areas designated for the Tiger 9 wager, if offered by the certificate holder.

(2) Inscriptions that advise patrons that if the dealer's hand contains a Tiger 9, all Pai Gow Poker wagers shall push and be returned to the player.

(c) If commission-free Pai Gow Poker is being played, the certificate holder may offer the following additional wagers:

(1) The Fortune bonus wager as provided in § 645a.7(e)(1) (relating to wagers) and the progressive payout wager as provided in § 645a.7(e)(4).

(2) The Tiger 9 wager which shall win if the dealer's low hand is a 9-high.

(d) The dealer shall deal the cards in accordance with § 645a.8—645a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). After the dealing procedures have been completed, each player shall examine and set his hand in accordance with § 645a.11(a) and (b) (relating to procedures for completion of each round of play). The cards of the dealer shall then be revealed and set in accordance with § 645a.11(c).

(e) The dealer shall then reveal the player's cards and complete the dealing procedures in § 645a.11(e) and (f) provided that if commission-free Pai Gow is being offered and the dealer:

(1) Has a Tiger 9, the player's Pai Gow Poker wager shall push and be returned to the player. If the player placed a Tiger 9 wager, the dealer shall pay the winning wager in accordance with subsection (g).

(2) Does not have a Tiger 9, the player Pai Gow Poker wager shall be settled in accordance with § 645a.11(f). If the player placed a Tiger 9 wager, the dealer shall collect the player's losing Tiger 9 wager.

(f) If a player placed a Fortune bonus or progressive payout wager, after settling the player's Tiger 9 wager and Pai Gow Poker wager, the dealer shall complete the procedures in § 645a.11(h).

(g) The certificate holder shall pay out winning Tiger 9 wagers at odds of 30 to 1.

(h) As used in this chapter, the following words and terms shall have the meanings given to them in this subsection, unless the context clearly indicates otherwise:

Commission-free Pai Gow Poker—A variation of Pai Gow Poker in which vigorish is not collected.

Tiger 9—The dealer's two-card low hand which contains a 9-high.

§ 645c.2. Player-activated Pai Gow Poker; wagers based on the outcome of the dice.

(a) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may use a player-activated shaker to determine the starting position for the dealing of the cards in Pai Gow Poker.

(b) The player-activated shaker shall be submitted to the Bureau of Gaming Laboratory Operations for approval in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use and must:

(1) Have the capability of being sealed or locked to ensure the integrity of the three dice contained inside the shaker.

(2) Shake the dice for at least 5 seconds to cause a random mixture of the dice.

(c) If the certificate holder is offering the Beat It wager in accordance with subsection (e)(3)(i), the one red and two blue dice shall be used in the shaker. Dice used in the shaker shall comply with the requirements in:

(1) Section 603a.12(a) and (c) (relating to dice; physical characteristics) if the certificate holder is utilizing an electronic shaker.

(2) Section 603a.12(b) if a manual shaker is being utilized and the certificate holder shall comply with the requirements in § 621a.2(d) (relating to Pai Gow table; Pai Gow shaker; physical characteristics).

(d) If the certificate holder offers optional wagers based on the outcome of the dice in the manual or player-activated automated shaker, the layout shall comply with the requirements in § 645a.2(b) (relating to Pai Gow Poker table; Pai Gow Poker shaker; physical characteristics) and shall contain:

(1) A separate betting area for each player designated for the placement of the Sum wager if offered by the certificate holder.

(2) Six separate betting areas for each player inscribed with a one through six designated for the placement of the Match wager if offered by the certificate holder.

(3) A separate betting area for each player designated for the placement of the Beat It wager if offered by the certificate holder.

(e) The certificate holder may offer the following optional wagers based on the outcome of the dice contained in the shaker:

(1) A Sum wager, which shall win, depending on the payout table selected by the certificate holder in its Rules Submission under § 601a.2, if:

- (i) The total of the three dice is equal to an 8, 16 or 17.
- (ii) The total of the three dice is equal to a 3, 8 or 9.
- (iii) At least two of the dice are matching.
- (iv) The three dice form a series, such as a 1, 2 and 3 or 3, 4 and 5.

(2) A Match wager which shall win if at least two of the dice match the value selected by the player. For example, a player's Match wager on the one shall win if two or three of the dice rolled is a 1.

(3) A Beat It wager which shall win, depending on the payout table selected by the certificate holder in its Rules Submission, if:

(i) The red dice is equal in value to or greater than the sum of the two blue dice. For example, a player's Beat It wager shall win if the red dice is a 6 and the two blue dice are a 2 and a 1 for a total of 3.

(ii) A single dice beats the sum of the two other dice by one to four points. For example, a player's Beat It wager shall win if the dice rolled are a five, a one and a one ($5 - (1+1) = 3$).

(f) A wager must be placed before the electronic shaker is activated or the manual shaker is utilized. After all wagers have been placed, the dealer shall announce "no more bets" and:

(1) If a player-activated electronic shaker is utilized, a selected player shall then activate the electronic shaker by pressing an activation button at the player's wagering position.

(2) If a manual shaker is utilized, the dealer shall shake the Pai Gow shaker at least three times to cause a

random mixture of the dice. The dealer shall then remove the lid covering the Pai Gow shaker and place the uncovered Pai Gow shaker on the designated area of the table layout.

(g) After the dice come to rest, the dealer shall announce the numeric value of each die and settle the player's Sum wager, Match wager and Beat It wager by collecting losing wagers and paying out winning wagers as follows:

(1) A winning Sum wager shall be paid out in accordance with one of the following payout tables selected by the certificate holder:

<i>Sum of Dice</i>	<i>Paytable A</i>	<i>Sum of Dice</i>	<i>Paytable B</i>
17	25 to 1	3	25 to 1
16	6 to 1	8	4 to 1
8	3 to 1	9	2 to 1

	<i>Paytable C</i>		<i>Paytable D</i>
A three match	3 to 1	A series of three	15 to 2
A two match	1 to 1		

(2) A winning Match wager shall be paid out at following odds:

	<i>Payout</i>
Triple Match	100 to 1
Double Match	6 to 1

(3) A winning Beat It wager shall be paid out in accordance with one of the following payout tables selected by the certificate holder:

<i>Red Die Beats Sum of Blue Dice by:</i>	<i>Paytable A</i>	<i>Paytable B</i>
4 points	50 to 1	60 to 1
2 or 3 points	10 to 1	10 to 1
Tie or 1 point	1 to 1	1 to 1

	<i>Paytable C</i>
A die beats sum of other two by one or more points	5 to 2

(e) After settling the Sum wager, Match wager and Beat It wager, the dealer shall deal the cards in accordance with §§ 645a.8—645a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) and complete the round of play in accordance with §§ 645a.11 and 645a.13 (relating to procedures for completion of each round of play; and payout odds; envy bonus; rate of progression; payout limitation).

§ 645c.3. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Pai Gow Poker as described in Chapter 645a (relating to Pai Gow Poker) and the optional progressive payout wager under § 645a.7(e)(4) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Pai Gow Poker wager in

accordance with § 645a.7(d) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Pai Gow Poker wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$250
Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 647c. TEXAS HOLD 'EM BONUS POKER SIDE WAGERS AND VARIATIONS

Sec.

647c.1. Must-Hit-By Mystery bonus.

§ 647c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Texas Hold 'Em Bonus Poker as described in Chapter 647a (relating to Texas Hold 'Em Bonus Poker) and the optional progressive payout wager under § 647a.7(d)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Texas Hold 'Em Bonus wager in accordance with § 647a.7(d)(1) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Texas Hold 'Em Bonus Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Texas Hold 'Em Bonus Poker wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

*Paytable D—\$2 Configuration**Configuration D*

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 649c. THREE CARD POKER SIDE WAGERS AND VARIATIONS

Sec.

649c.1. Must-Hit-By Mystery bonus.

§ 649c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Three Card Poker as described in Chapter 649a (relating to Three Card Poker) and the optional Three-Card progressive payout wager under § 649a.7(d)(4) (relating to wagers) or Five-Card progressive payout wager under § 649a.7(d)(6), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Three Card Poker wager in accordance with § 649a.7(d)(1) and an optional Three-Card progressive payout wager or Five-Card progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Three Card Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Three Card Poker wager and a Three-Card progressive payout or Five-Card progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Three-Card progressive payout wager or Five-Card progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Three-Card progressive payout wager or Five-Card progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

*Paytable A—\$1 Configuration**Configuration A*

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

*Paytable A—\$2 Configuration**Configuration A*

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

*Paytable A—\$5 Configuration**Configuration A*

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

*Paytable B—\$1 Configuration**Configuration B*

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

*Paytable B—\$2 Configuration**Configuration B*

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

*Paytable B—\$5 Configuration**Configuration B*

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

*Paytable C—\$1 Configuration**Configuration C*

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 653c. ULTIMATE TEXAS HOLD 'EM POKER SIDE WAGERS AND VARIATIONS

Sec. 653c.1. Must-Hit-By Mystery bonus.

§ 653c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Ultimate Texas Hold 'Em Poker as described in Chapter 653a (relating to Ultimate Texas Hold 'Em Poker) and the optional progressive payout wager under § 653a.7(d)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed an

Ultimate Texas Hold 'Em wager in accordance with § 653a.7(d)(1) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Ultimate Texas Hold 'Em Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing an Ultimate Texas Hold 'Em Poker wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

*Paytable B—\$2 Configuration**Configuration B*

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

*Paytable B—\$5 Configuration**Configuration B*

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

*Paytable C—\$1 Configuration**Configuration C*

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

*Paytable C—\$2 Configuration**Configuration C*

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

*Paytable C—\$5 Configuration**Configuration C*

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

*Paytable D—\$1 Configuration**Configuration D*

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

*Paytable D—\$2 Configuration**Configuration D*

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

- (i) Verify that the appropriate light on the progressive table game system has been illuminated.
- (ii) Have a floorperson or above validate the progressive payout.
- (iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 655c. MISSISSIPPI STUD SIDE WAGERS AND VARIATIONS

Sec.

655c.1. Must-Hit-By Mystery bonus.

§ 655c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Mississippi Stud as described in Chapter 655a (relating to Mississippi Stud) and the optional progressive payout wager under § 655a.7(d)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Mississippi Stud wager in accordance with § 655a.7(d)(1) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Mississippi Stud table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Mississippi Stud wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

*Paytable A—\$1 Configuration**Configuration A*

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 657c. CRAZY 4 POKER SIDE WAGERS AND VARIATIONS

Sec.

657c.1. Must-Hit-By Mystery bonus.

§ 657c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Crazy 4 Poker as described in Chapter 657a (relating to Crazy 4 Poker) and the optional Four-Card progressive payout wager under § 657a.7(d)(3) (relating to wagers) or Five-Card progressive payout wager under § 657a.7(d)(4), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Crazy 4 Poker wager in accordance with § 657a.7(d)(1) and an optional Four-Card progressive payout wager or Five-Card progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Crazy 4 Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Crazy 4 Poker wager and a Four-Card progressive payout or Five-Card progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying Four-Card progressive payout wager or Five-Card progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying Four-Card progressive payout wager or Five-Card progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$250
Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 659c. FORTUNE ASIA POKER SIDE WAGERS AND VARIATIONS

Sec.
659c.1. Must-Hit-By Mystery bonus.

§ 659c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Fortune Asia Poker as described in Chapter 659a (relating to Fortune Asia Poker) and the optional progressive payout wager under § 659a.7(e)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Fortune Asia Poker wager in

accordance with § 659a.7(d) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Fortune Asia Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Fortune Asia Poker wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 670c. SIX-CARD FORTUNE PAI-GOW POKER SIDE WAGERS AND VARIATIONS

Sec.

670c.1. Must-Hit-By Mystery bonus.

§ 670c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Six-Card Fortune Pai Gow Poker as described in Chapter 670a (relating to Six-Card Fortune Pai Gow Poker) and the optional progressive payout wager under § 670a.7(e)(4) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Six-Card Fortune Pai Gow Poker wager in accordance with § 670a.7(d) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Six-Card Fortune Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Six-Card Fortune Pai Gow Poker wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$200
Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$250
Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
Minimum dollar value \$100
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
Minimum dollar value \$250
Maximum dollar value \$500
Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
Minimum dollar value \$250
Maximum dollar value \$1,000
Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder’s approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder’s Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 685c. DOWN UNDER BLACKJACK SIDE WAGERS AND VARIATIONS

Sec.

685c.1. Match the Dealer progressive Down Under Blackjack wager.

§ 685c.1. Match the Dealer progressive Down Under Blackjack wager.

(a) A certificate holder may offer players the option to place a Match the Dealer Down Under Blackjack wager that one or both of the player’s cards will match the dealer’s upcard in one of the following combinations:

(1) *Two suited match, aces of spades*—Both of the player’s cards and the dealer’s upcard are matching aces of spades.

(2) *Two suited match, all others*—Both of the player’s cards and the dealer’s upcard are matching in suit and rank.

(3) *One non-suited match and one suited match*—One of the player’s cards matches the suit and rank of the dealer’s upcard and the player’s other card matches the rank of the dealer’s upcard.

(4) *One suited match*—One of the player’s cards matches the suit and rank of the dealer’s upcard.

(5) *Two non-suited matches*—Both of the player’s cards match the rank of the dealer’s upcard.

(6) *One non-suited match*—One of the player’s cards matches the rank of the dealer’s upcard.

(b) The Dealer Match progressive wager may be played on a Down Under Blackjack table that utilizes 6 decks or 8 decks of cards.

(c) The layout for a Down Under Blackjack table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and if the certificate holder offers the Match the Dealer progressive wager, in addition to the requirements in § 685a.2 (relating to Down Under Blackjack table; Masque Card Reader device; physical characteristics; inspections) the layout shall contain a separate area for the placement of the Match the Dealer progressive wager for each player.

(d) If the certificate holder is offering the Match the Dealer progressive wager, the Down Under Blackjack table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Match the Dealer progressive wager. If the certificate holder is offering a progressive payout wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the progressive wager.

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

(e) If specified in its Rules Submission required under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player who placed a Down Under Blackjack wager in accordance with § 685a.6(d) (relating to wagers), the option of placing a Match the Dealer progressive wager of \$1 or \$5.

(f) After placing a Down Under Blackjack wager, as required in § 685a.6(d), and any optional wagers, including the Match the Dealer progressive wager, the dealer shall announce “no more bets” and, if the Match the Dealer progressive wager is being offered, use the progressive table game system to prevent the placement of any additional progressive wagers. If any progressive wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of progressive wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(g) The dealer shall then deal the cards in accordance with § 685a.7(a)—(e) (relating to procedure for dealing the cards; completion of each round of play). Immediately after the second card is dealt to each player and the dealer, but prior to any additional cards being dealt, the dealer shall settle the Match the Dealer progressive wager as follows:

(1) If the player does not have a card that matches the dealer’s upcard, the Match the Dealer progressive wager shall lose.

(2) If the player has one of the winning combinations provided in subsection (a), the dealer shall settle the Match the Dealer progressive wager as provided in subsection (h).

(h) If a player has won a Match the Dealer progressive payout, the dealer shall:

- (1) Verify that the hand is a winning hand.
- (2) Verify that the appropriate light on the progressive table game system has been illuminated.
- (3) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.
- (4) Pay the winning Match the Dealer progressive wager in accordance with the payout odds in subsection (i). If a player has won a progressive payout that is a percentage of the jackpot amount on the progressive

meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

(i) The certificate holder shall pay out a winning Match the Dealer wager, for the winning combination formed, at the odds in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	12 to 1	10 to 1	8 to 1	75 to 1
One suited match	10 to 1	7 to 1	4 to 1	4 to 1
Two non-suited matches	4 to 1	6 to 1	8 to 1	15 to 1
One non-suited match	2 to 1	3 to 1	4 to 1	3 to 1

<i>Six Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	12 to 1	13 to 1	11 to 1	100 to 1
One suited match	9 to 1	10 to 1	7 to 1	5 to 1
Two non-suited matches	6 to 1	6 to 1	8 to 1	20 to 1
One non-suited match	3 to 1	3 to 1	4 to 1	3 to 1

<i>Six Decks</i>			
<i>Result</i>	<i>Paytable 9</i>		<i>Paytable 10</i>
Two suited match—aces of spades	100% progressive		100% progressive
Two suited match—all others	10% progressive		10% progressive
One non-suited and one suited match	15 to 1		13 to 1
One suited match	12 to 1		9 to 1
Two non-suited matches	6 to 1		8 to 1
One non-suited match	3 to 1		4 to 1

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 1</i>	<i>Paytable 2</i>	<i>Paytable 3</i>	<i>Paytable 4</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive
One non-suited and one suited match	9 to 1	12 to 1	8 to 1	75 to 1
One suited match	6 to 1	10 to 1	4 to 1	4 to 1
Two non-suited matches	6 to 1	4 to 1	8 to 1	15 to 1
One non-suited match	3 to 1	2 to 1	4 to 1	3 to 1

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
Two suited match—aces of spades	100% progressive	100% progressive	100% progressive	100% progressive
Two suited match—all others	10% progressive	10% progressive	10% progressive	10% progressive

<i>Eight Decks</i>				
<i>Result</i>	<i>Paytable 5</i>	<i>Paytable 6</i>	<i>Paytable 7</i>	<i>Paytable 8</i>
One non-suited and one suited match	12 to 1	10 to 1	13 to 1	14 to 1
One suited match	9 to 1	6 to 1	10 to 1	11 to 1
Two non-suited matches	6 to 1	8 to 1	6 to 1	6 to 1
One non-suited match	3 to 1	4 to 1	3 to 1	3 to 1

<i>Eight Decks</i>			
<i>Result</i>	<i>Paytable 9</i>		<i>Paytable 10</i>
Two suited match—aces of spades	100% progressive		100% progressive
Two suited match—all others	10% progressive		10% progressive
One non-suited and one suited match	100 to 1		15 to 1
One suited match	5 to 1		12 to 1
Two non-suited matches	20 to 1		6 to 1
One non-suited match	3 to 1		3 to 1

(j) The initial seed amount of the progressive wager shall be 1,000× the wager amount offered by the certificate holder, and the primary incrementation rate and secondary incrementation rate shall be 15% and 6%.

CHAPTER 687c. DJ WILD STUD POKER SIDE WAGERS AND VARIATIONS

Sec.

687c.1. Must-Hit-By Mystery bonus.

§ 687c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers DJ Wild Stud Poker as described in Chapter 687a (relating to DJ Wild Stud Poker) and the optional progressive bonus wager under § 687a.7(d)(2) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a DJ Wild Stud Poker wager in accordance with § 687a.7(d)(1) and an optional progressive bonus wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the DJ Wild Stud Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a DJ Wild Stud Poker wager and a progressive bonus wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player’s qualifying progressive bonus wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player’s contribution increases the Must-Hit-By Mystery bonus progressive meter’s jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player’s qualifying progressive bonus wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

Paytable A—\$1 Configuration

Configuration A

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

Paytable A—\$2 Configuration

Configuration A

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

*Paytable B—\$5 Configuration**Configuration B*

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

*Paytable C—\$1 Configuration**Configuration C*

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

*Paytable C—\$2 Configuration**Configuration C*

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

*Paytable C—\$5 Configuration**Configuration C*

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

*Paytable D—\$1 Configuration**Configuration D*

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

*Paytable D—\$2 Configuration**Configuration D*

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

*Paytable D—\$5 Configuration**Configuration D*

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 688c. FACE UP PAI GOW POKER SIDE WAGERS AND VARIATIONS

Sec.

688c.1. Must-Hit-By Mystery bonus.

§ 688c.1. Must-Hit-By Mystery bonus.

(a) If the certificate holder offers Face Up Pai Gow Poker as described in Chapter 688a (relating to Face Up Pai Gow Poker) and the optional progressive payout wager under § 688a.7(e)(3) (relating to wagers), the certificate holder may, if specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), offer to each player who has placed a Face Up Pai Gow Poker wager in accordance with § 688a.7(d) and an optional progressive payout wager the opportunity to win the Must-Hit-By Mystery bonus.

(b) The layout and signage for the Face Up Pai Gow Poker table shall be submitted to the Bureau of Gaming Operations for approval in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), and the progressive table game system display shall indicate that the certificate holder offers the Must-Hit-By Mystery bonus.

(c) If the certificate holder offers the Must-Hit-By Mystery bonus:

(1) A player shall qualify for the Must-Hit-By Mystery bonus by placing a Face Up Pai Gow Poker wager and a progressive payout wager, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(2) A percentage of a player's qualifying progressive payout wager shall be allocated as an incremental contribution to the Must-Hit-By Mystery bonus progressive meter.

(3) The certificate holder shall pay out the Must-Hit-By Mystery bonus when a qualifying player's contribution increases the Must-Hit-By Mystery bonus progressive meter's jackpot amount in excess of a random dollar value preselected by an electronic random number generator, between a set minimum and maximum dollar value.

(4) The incremental contribution of each player's qualifying progressive payout wager and the minimum and maximum dollar values for the Must-Hit-By Mystery bonus meter shall be set in one of the following configurations, as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

*Paytable A—\$1 Configuration**Configuration A*

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 2%

*Paytable A—\$2 Configuration**Configuration A*

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$200
 Incremental contribution rate 1.5%

Paytable A—\$5 Configuration

Configuration A

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$250
 Incremental contribution rate 1%

Paytable B—\$1 Configuration

Configuration B

Minimum progressive wager amount—\$1
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 5%

Paytable B—\$2 Configuration

Configuration B

Minimum progressive wager amount—\$2
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 3.5%

Paytable B—\$5 Configuration

Configuration B

Minimum progressive wager amount—\$5
 Minimum dollar value \$100
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$1 Configuration

Configuration C

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 2%

Paytable C—\$2 Configuration

Configuration C

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 1.5%

Paytable C—\$5 Configuration

Configuration C

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$500
 Incremental contribution rate 0.5%

Paytable D—\$1 Configuration

Configuration D

Minimum progressive wager amount—\$1
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 5%

Paytable D—\$2 Configuration

Configuration D

Minimum progressive wager amount—\$2
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 3%

Paytable D—\$5 Configuration

Configuration D

Minimum progressive wager amount—\$5
 Minimum dollar value \$250
 Maximum dollar value \$1,000
 Incremental contribution rate 2%

(5) If a player has won the Must-Hit-By Mystery bonus, the dealer shall, in accordance with the certificate holder's approved internal controls:

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

(ii) Have a floorperson or above validate the progressive payout.

(iii) Pay the Must-Hit-By Mystery bonus.

(iv) Reset the progressive meter to the minimum dollar value specified in the certificate holder's Rules Submission filed in accordance with § 601a.2.

(6) A Must-Hit-By Mystery bonus payout may be paid from the table inventory or through a progressive jackpot slip as indicated by the certificate holder in its Rules Submission filed in accordance with § 601a.2.

(7) A player who wins the Must-Hit-By Mystery bonus shall be paid 100% of the bonus jackpot amount on the progressive meter.

CHAPTER 689a. DREAMCATCHER

Sec.	
689a.1.	Dreamcatcher layout; physical characteristics.
689a.2.	Wagers and rotation of the wheel.
689a.3.	Payout odds.

§ 689a.1. Dreamcatcher layout; physical characteristics.

(a) Dreamcatcher shall be conducted at a circular wheel at least 5 feet in diameter. The rim of the wheel must be divided into 54 equally spaced sections with 23 sections containing the number 1, 15 sections containing the number 2, 7 sections containing the number 5, 4 sections containing the number 10, 2 sections containing the number 20, 1 section containing the number 40, 1 section containing a 2× symbol and 1 section containing a 7× symbol.

(b) The sections required under subsection (a) must be arranged clockwise around the rim of the wheel in the following order: 7×, 2, 1, 5, 1, 2, 5, 1, 2, 10, 1, 2, 1, 20, 1, 2, 1, 2, 1, 5, 1, 2, 10, 1, 5, 1, 2, 2×, 1, 5, 1, 40, 2, 1, 2, 1, 10, 2, 1, 5, 1, 2, 1, 5, 2, 1, 20, 1, 2, 1, 10, 1, 2, 1.

(c) Each section of the wheel displays the payout odds in § 689a.3 (relating to payout odds) for the wager placed. For example, the payout odds for sections with the number 2 are 2 to 1.

(d) The sections containing the 2× symbol and 7× symbol act as multipliers and trigger a subsequent bonus spin.

(e) The wheel must contain a clapper capable of selecting a particular section of the wheel upon the conclusion of the spin.

(f) Each Dreamcatcher table must have a drop box and a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment).

(g) The layout for a Dreamcatcher table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) Specific betting areas for the placement of wagers including spaces for 1, 2, 5, 10, 20 and 40.
- (3) The payout odds for each of the permissible wagers.
- (4) The minimum wager or maximum wager, or both, that may be placed and the maximum payout limit per round, if applicable.

§ 689a.2. Wagers and rotation of the wheel.

(a) Prior to the spin of the wheel, the dealer shall announce “no more bets.”

(b) The wheel shall be spun by the dealer in either direction and must complete at least three revolutions to constitute a valid spin.

(c) A wager shall be settled in accordance with the wager’s position on the layout when the clapper comes to rest in a section of the wheel.

(d) If the clapper comes to rest between two numbers or symbols upon completion of the spin of the wheel, the spin shall be void and the dealer shall respin the wheel.

(e) Upon completion of the spin, if the wheel comes to rest on a section of the wheel with 1, 2, 5, 10, 20 or 40, the dealer shall first collect all losing wagers and then pay off all winning wagers in accordance with § 689a.3 (relating to payout odds).

(f) If upon completion of the spin the wheel comes to rest on the 2× or 7× section of the wheel, a bonus spin round is triggered the dealer shall spin the wheel again and pay winning wagers in accordance with § 689a.3(b) and (c).

§ 689a.3. Payout odds.

(a) A certificate holder shall pay out winning Dreamcatcher wagers at no less than the odds in the following payable:

<i>Result</i>	<i>Payout Odds</i>
1	1 to 1
2	2 to 1
5	5 to 1
10	10 to 1
20	20 to 1
40	40 to 1

(b) If upon completion of the bonus spin the wheel comes to rest on a section of the wheel with 1, 2, 5, 10, 20 or 40, the multiplier shall be applied to the result of the bonus spin, and the original wagers shall be settled accordingly. For example, a 2× bonus spin results in the wheel coming to rest in a section of the wheel with a 10 (10 to 1 odds). The original wager shall be paid at 20 to 1 odds.

(c) If upon completion of the bonus spin the wheel comes to rest on the 2× or 7× section of the wheel, the bonus spin round continues and the multipliers shall stack until the spin occurs with the wheel coming to rest in a section of the wheel with 1, 2, 5, 10, 20 or 40. For example, a 2× bonus spin results in the wheel coming to rest in the 7× section. The subsequent bonus spin results in the wheel coming to rest in a section of the wheel with a 10 (10 to 1 odds). The original wager shall be paid at 140 to 1 odds.

[Pa.B. Doc. No. 24-751. Filed for public inspection May 24, 2024, 9:00 a.m.]

PROPOSED RULEMAKING

PENNSYLVANIA HEALTH INSURANCE EXCHANGE AUTHORITY

[31 PA. CODE CH. 5001]

Health Equity Accreditation

The Pennsylvania Health Insurance Exchange Authority d/b/a Pennie® (Exchange Authority) proposes to add Chapter 5001 to the Exchange Authority's regulations under Part L¹ to read as set forth in Annex A. This rulemaking is proposed under the Exchange Authority's general rulemaking authority under section 506 of The Administrative Code of 1929 (71 P.S. § 186) and the act of July 2, 2019 (P.L. 294, No. 42) (Act 42 of 2019) which added 40 Pa.C.S. §§ 9101—9703 (relating to health insurance markets oversight), also known as the Health Insurance Markets Oversight Act, specifically 40 Pa.C.S. § 9701(a) (relating to regulations).

Background Information

The Exchange Authority is the State-affiliated entity that operates the Commonwealth's State-based health insurance marketplace. The Exchange Authority was created in July of 2019 under Act 42 of 2019. It was a unanimous and bipartisan effort to transition away from the Federal health exchange and to take State control by establishing a State-based health insurance marketplace at a significantly lower cost and using the savings to launch a reinsurance program to lower premiums for families purchasing health and dental insurance through the Exchange Authority. The Exchange Authority's mission is to improve the accessibility and affordability of individual market health coverage for all residents of this Commonwealth.

Purpose

The purpose of this proposed rulemaking is to require insurers selling qualified plans² through the Exchange Authority to be accredited in health equity.³ Through health equity accreditation (HEA), insurers and their employees will learn about cultural competency within the healthcare field to ensure that every person—regardless of personal characteristics such as gender, race, socioeconomic status and geographical location—receives the same quality of care.

In recent years, health equity has become an important and well-recognized accreditation standard in the healthcare industry. Currently, multiple states and health plans across the country use HEA to identify and close significant health coverage and care gaps that remain in this country. Health equity plays a key role in the advancement of public health, particularly for historically underserved communities that may have inequitable access to critical healthcare services and that also experience worse long-term health outcomes than the general population. Gaining HEA will lead to better health outcomes for

historically marginalized communities by requiring insurers to use race and ethnicity data for quality measurement. In addition, this process will help insurers build a diverse staff, reduce biased behavior and improve decision-making among employees. This will ensure that all Exchange Authority customers have access to the culturally competent care they deserve.

By requiring HEA, the Exchange Authority expects a decrease in health inequities among Commonwealth residents who purchase qualified plans through the Exchange Authority and an increase in enrollment among underserved populations.

Explanation of Regulatory Requirements

Proposed § 5001.1 (relating to scope) explains the proposed regulation's applicability.

Proposed § 5001.2 (relating to purpose) explains the purpose of the proposed regulation, which is to ensure that insurers selling qualified plans through the Exchange Authority are certified in health equity.

Proposed § 5001.3 (relating to definitions) defines the words and terms in Chapter 5001.

Proposed § 5001.4 (relating to achieving health equity accreditation) establishes the requirements and timeline to comply with the proposed regulation.

Proposed § 5001.5 (relating to recognized health equity accreditation organizations) establishes the standards that an HEA organization⁴ must meet for the Exchange Authority to recognize them as an organization through which insurers selling plans through the Exchange Authority can obtain accreditation.

Proposed § 5001.6 (relating to penalties) establishes the penalties for the regulated community for failure to meet the requirements of this regulation.

External Comments

Prior to the drafting of the annex, the Exchange Authority engaged in significant stakeholder engagement efforts, including with all of the health insurers offering qualified plans through the Exchange Authority (Capital Blue Cross, Highmark, UPMC, Independence Blue Cross, Cigna, Oscar, PA Health & Wellness and Geisinger) as well as the dental insurers (BEST Life, Delta Dental, Dominion National, DSM, Educators and The Guardian). The Exchange Authority received feedback from insurers indicating that many were already in the process of exploring HEA since they have lines of business in states requiring this type of accreditation. At the time of the drafting of this proposed rulemaking, one insurer, Independence Blue Cross, has already achieved HEA. In addition, the Exchange Authority also met with health insurance agents and certified enrollment assisters who work with local organizations across this Commonwealth. The feedback offered by insurers, agents and assisters, aided the Exchange Authority in drafting the annex.

More importantly, the Exchange Authority's board, which is comprised of representatives of insurance companies, consumer advocacy groups and State agencies, has been involved from the beginning of this process and has

¹ Currently, the Exchange Authority does not have any regulations. The proposed HEA regulation would be the Exchange Authority's first regulation. This, and future regulations, will be codified in 31 Pa. Code Part L. The first chapter of the Exchange Authority's regulations will begin with Chapter 5001.

² A qualified plan is a health or dental insurance policy offered by a qualified insurer in a state-based or Federally-facilitated health insurance marketplace. Qualified Plans are defined in 40 Pa.C.S. § 9103 (relating to definitions).

³ The proposed regulation's definition of "health equity" is based on the Centers for Medicare & Medicaid Services' definition of health equity but slightly reworded for clarity purposes only.

⁴ Interested HEA organizations will need to submit documentation about their health equity certification program to the Exchange Authority for review to ensure that their programs properly cover all the standards set forth in § 5001.5(b) of this proposed rulemaking. If their program meets the standards, the Exchange Authority will list their names on its web site. Insurers can then select an organization from that list to obtain accreditation.

provided comments and suggestions on the scope and implementation of this proposed rulemaking. Before submitting the regulatory package, the board reviewed a draft of the annex and provided feedback.

Affected parties

This proposed rulemaking will directly affect insurers offering qualified plans through the Exchange Authority: eight health insurers as of August 2023 (Capital Blue Cross, Highmark, UPMC, Independence Blue Cross,⁵ Cigna, Oscar, PA Health & Wellness and Geisinger) and six dental insurers (BEST Life, Delta Dental, Dominion National, DSM, Educators and The Guardian). It will also affect insurers who will offer qualified plans through the Exchange Authority in the future.

In addition, this proposed rulemaking will affect individuals currently enrolled in qualified plans through the Exchange Authority (as of March of 2023 approximately 371,516 individuals) by providing for better and more equitable healthcare.

HEA organizations are not regulated by this proposed rulemaking. Only HEA organizations that submit an application to the Exchange Authority to be recognized as HEA organizations are indirectly and minimally affected because they would need to submit documentation to the Exchange Authority to demonstrate they are properly qualified.

Fiscal Impact

State government. There will not be any fiscal impact to the Exchange Authority or any other Commonwealth agency due to this proposed rulemaking.

General public. This proposed rulemaking will have no fiscal impact upon the general public.

Political subdivisions. This proposed rulemaking will have no fiscal impact upon political subdivisions.

Private sector. This proposed rulemaking will have no fiscal impact upon the private sector, except for minimal impact to the regulated entities. The Exchange Authority estimates that each insurer selling qualified plans through the Exchange Authority will pay approximately \$6,240 plus \$0.06 per member fee every 3 years for accreditation.

Paperwork

There are no forms that insurers selling qualified plans through the Exchange Authority, the regulated community, are required to complete and submit due to this regulation. However, once these insurers obtain HEA, they must submit a copy of their accreditation certificate to the Exchange Authority.

Organizations intending to qualify as a recognized HEA organization by the Exchange Authority must submit documentation (see Appendix A, which was submitted to the Independent Regulatory Review Commission (IRRC) as part of the Proposed Regulation. Appendix is available at <https://www.irrc.state.pa.us/regulations/RegSrchrslts.cfm?ID=3416>. Select "Download proposed regulation," scroll to Appendix A.) to the Exchange Authority to ensure that their accreditation program satisfies the requirements set forth in the proposed regulation.

The only additional paperwork that would be imposed on the Exchange Authority as a result of this proposed rulemaking would be related to the review of the documentation submitted by HEA organizations that intend to be recognized by the Exchange Authority under § 5001.5(b) of this proposed rulemaking. It is expected that this paperwork will be minimal.

⁵ Independence Blue Cross has already received HEA.

Effect Date

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

Sunset Date

The Exchange Authority will monitor the effectiveness of this regulation every other year. Therefore, no sunset date has been assigned.

Contact Person

Questions or comments regarding this proposed rulemaking may be addressed in writing to PennieRegulations@pennie.com or to Ana Paulina Gomez, Chief Counsel, Pennsylvania Health Insurance Exchange Authority, P.O. Box 536, Harrisburg, PA 17108, within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Regulatory Review

Under Section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 7, 2024, the Exchange Authority submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the chairperson of the Banking & Insurance Committee of the Senate and the chairperson of the Insurance Committee of the House of Representatives. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final delivery of the rulemaking, by the Exchange Authority, the General Assembly and the Governor.

DEVON TROLLEY,
Executive Director

Fiscal Note: 130-1. No fiscal impact; recommends adoption.

Annex A

TITLE 31. INSURANCE

PART L. PENNSYLVANIA HEALTH INSURANCE EXCHANGE AUTHORITY

CHAPTER 5001. HEALTH EQUITY ACCREDITATION

(*Editor's Note:* Chapter 5001 is proposed to be added and is printed in regular type to enhance readability.)

Sec.	
5001.1.	Scope.
5001.2.	Purpose.
5001.3.	Definitions.
5001.4.	Achieving health equity accreditation.
5001.5.	Recognized health equity accreditation organizations.
5001.6.	Penalties.

§ 5001.1. Scope.

This chapter applies to insurers selling qualified plans through the Exchange Authority.

§ 5001.2. Purpose.

The purpose of this chapter is to increase health equity and enhance the cultural competency of healthcare services provided in this Commonwealth by requiring insurers selling qualified plans through the Exchange Authority to be accredited in health equity by a recognized accrediting body.

§ 5001.3. Definitions.

(a) The definitions in 40 Pa.C.S. § 9103 (relating to definitions) are incorporated by reference and apply to this chapter.

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

Department—The Insurance Department of the Commonwealth.

Exchange Authority—The Pennsylvania Health Insurance Exchange Authority d/b/a Pennie®.

Health equity—The fair and just opportunity for all individuals to attain their optimal health regardless of race, ethnicity, disability, sexual orientation, gender, socioeconomic status, geography, preferred language or other factors that affect access to care and health outcomes.

Recognized health equity accreditation organization—An organization recognized by the Exchange Authority to be qualified to offer health equity accreditation under § 5001.5 (relating to recognized health equity accreditation organizations).

§ 5001.4. Achieving health equity accreditation.

(a) *Compliance.* An insurer offering qualified plans through the Exchange Authority shall be accredited in health equity by a recognized health equity accreditation organization.

(b) *Timeframe to achieve health equity accreditation.*

(1) An insurer offering qualified plans through the Exchange Authority on _____ (*Editor's Note:* The blank refers to the effective date of the rulemaking.) shall achieve health equity accreditation by a recognized health equity accreditation organization by the start of the plan year that begins after _____. (*Editor's Note:* The blank refers to the date 12 months after the effective date of the rulemaking.)

(2) An insurer seeking to offer qualified plans through the Exchange Authority shall achieve health equity accreditation by a recognized health equity accreditation organization by the start of the plan year immediately following the plan year in which the insurer is first certified to offer qualified plans through the Exchange Authority.

(3) Notwithstanding paragraphs (1) and (2), an insurer that has not attained accreditation within the time frame under paragraph (1) or paragraph (2), as applicable, may offer qualified plans through the Exchange Authority at the Exchange Authority's discretion if the insurer submits to the Exchange Authority a plan demonstrating its good faith and timely efforts to achieve health equity accreditation, including a date by which the insurer anticipates attaining accreditation.

(c) *Annual submission.* An insurer offering qualified plans through the Exchange Authority that achieves health equity accreditation as required under subsection (b) shall thereafter submit to the Exchange Authority a copy of its current health equity accreditation certificate by August 31 of every year by e-mail to PennieRegulations@pennie.com using the subject title "Insurer Health Equity Accreditation Certificate."

§ 5001.5. Recognized health equity accreditation organizations.

(a) *Process for recognizing health equity accreditation organizations.*

(1) An organization that seeks to qualify as a recognized health equity accreditation organization shall submit an application to the Exchange Authority to establish that its health equity accreditation program satisfies the requirements under subsection (b).

(2) The organization shall submit its application to the Exchange Authority in a form and manner approved by the Exchange Authority.

(3) The Exchange Authority shall review an organization's application for compliance with the requirements under subsection (b).

(4) The Exchange Authority may decline to approve or terminate the approval of an organization that does not satisfactorily comply with the requirements under subsection (b).

(5) If the Exchange Authority approves an organization's application, the organization shall do one of the following on an annual basis from the date its application was approved:

(i) Submit a letter to the Exchange Authority attesting that its program has not changed and continues to meet the requirements under subsection (b).

(ii) Submit a new application to the Exchange Authority if its program has changed.

(6) If the Exchange Authority approves an organization's application, the Exchange Authority will publish on its web site the organization's name in a list of recognized health equity accreditation organizations.

(b) *Recognized health equity accreditation organizations requirements.* To be recognized as a health equity accreditation organization by the Exchange Authority, an organization shall have a health equity accreditation program in the United States that:

(1) Educates an applicant seeking accreditation about health equity to help the applicant achieve a framework that advances health equity, expands coverage and improves health outcomes for the applicant's customers regardless of their race, ethnicity, disability, sexual orientation, gender, socioeconomic status, geography or preferred language.

(2) Is conducted in accordance with a written plan and curriculum or manual.

(3) Includes, at a minimum, curriculum that covers all of the following topics:

(i) Diversity of the workforce of the applicant seeking accreditation.

(ii) Access and availability of language services.

(iii) Cultural awareness and responsiveness.

(iv) Reduction of healthcare disparities.

(4) Has instructors and administrators with education or certification in health equity education.

(5) Has specific parameters that the applicant seeking accreditation must meet prior to becoming accredited in health equity.

(6) Has renewal criteria.

(7) Includes a health equity accreditation certification that expires in no more than 3 years if renewal criteria are not satisfied.

§ 5001.6. Penalties.

Failure to comply with the provisions of this chapter will subject an insurer offering qualified plans through

the Exchange Authority to referral to the Department for enforcement in accordance with 40 Pa.C.S. § 9702 (relating to enforcement) and any other penalty provided by law.

[Pa.B. Doc. No. 24-752. Filed for public inspection May 24, 2024, 9:00 a.m.]

DEPARTMENT OF REVENUE

[61 PA. CODE CH. 5]

Payment Methods for Obligations Due the Commonwealth

The Department of Revenue (Department) and the Treasury Department (Treasury), under the authority contained in section 9 of The Fiscal Code (72 P.S. § 9), propose amendments to Chapter 5 (relating to payments by electronic funds transfer) to read as set forth in Annex A.

Purpose of Proposed Rulemaking

The purpose of this proposed rulemaking is to update the existing regulation that has, for the most part, not changed since it was originally promulgated in 1992. Prior amendments to the regulation consist of additions of taxes to which the electronic payment mandate applies and reductions to the threshold for the electronic payment mandate. For example, the act of July 2, 2012 (P.L. 823, No. 87) and the act of July 18, 2013 (P.L. 574, No. 71) reduced the payment threshold over which electronic payments are required from \$20,000 to \$10,000 and from \$10,000 to \$1,000, respectively.

Section 9 of The Fiscal Code requires the Department and the Treasury to promulgate regulations relating to the way payments are made to the Department for obligations due the Commonwealth. Currently, Chapter 5 focuses mostly on the electronic payment mandate. This proposed rulemaking broadens the scope of the original regulation to address all forms of payments to the Department, not just electronic payments. This proposed rulemaking also memorializes existing payment methods and does not broaden or limit the methods by which payments are currently made to the Department.

The existing regulation and electronic fund transfer (EFT) mandate already applies to persons remitting the following tax obligations to the Department: Sales and Use, Corporate Net Income, Employer Withholding, Capital Stock-Franchise, Liquid Fuels, Bank Shares, Fuel, Use, Title Insurance and Trust, Mutual Thrift Institutions, Company Shares, Oil Company Franchise, Insurance Premiums, Malt Beverage, Public Utility Realty, Motor Carrier Road Tax and Gross Receipts.

The Pennsylvania General Assembly has enacted several new taxes since the existing regulation was last updated, including the following: Other Tobacco Products Tax, Wine Excise Tax (WET), Wine Expanded Permit, Carsharing Fee, Consumer Fireworks Tax, Medical Marijuana Gross Receipts Tax and Fantasy Sports Tax. The Department proposes to impose the electronic payment mandate to these taxes as well as other obligations that are not otherwise exempted.

This proposed rulemaking also coincides with system programming of the Department's modernized tax system.

Description of Proposed Amendments

This proposed rulemaking is largely a rewriting and reorganization of the existing regulation. The major change is that the electronic payment mandate for obligations of \$1,000 or more will now apply to all tax types, except for certain types of Personal Income Tax payments under Article III of the Tax Reform Code of 1971 (TRC) (72 P.S. §§ 7301—7361) and Inheritance Tax payments under Article XXI of the TRC (72 P.S. §§ 9101—9196), and all other obligations due the Commonwealth paid through the Department.

The Department proposes to amend the title of Chapter 5 to Payment Methods for Obligations Due the Commonwealth to clarify that this chapter addresses how all payments are made to the Department rather than just addressing electronic payments.

The Department proposes to delete §§ 5.1—5.7. Many of the substantive provisions are proposed to be carried over into new, reorganized and rewritten sections which are proposed to be added as §§ 5.11—5.16.

The Department proposes to delete § 5.1 and move the purpose for the chapter into § 5.11 (relating to purpose), with some changes as described in the explanation of § 5.11.

The Department proposes to delete § 5.2 in its entirety and move the definitions into § 5.12 (relating to definitions), with some changes as described in the explanation of § 5.12.

The Department proposes to delete § 5.3 in its entirety. Subsections (a)—(d) are obsolete. Subsections (e)—(g) set forth the current amount and method of payment, which will now be set forth in proposed § 5.14 (relating to payments required to be paid by EFT). Parts of subsections (g) and (h) will be set forth in Department guidance and instructions, thus eliminating the need for those provisions.

The Department proposes to delete § 5.4 because it will now be obsolete with the allowable methods of payment set forth in proposed § 5.13 (relating to payments in general).

Section 5.5 was previously deleted in a prior rulemaking published at 42 Pa.B. 7279 (December 1, 2012).

The Department proposes to delete §§ 5.6 and 5.7 because they contain technical rules related to EFT payments. The Department is proposing to provide these technical rules in Department instructions in the future as set forth in proposed § 5.13(c).

Proposed § 5.11 states the purpose of the regulation, which is to provide for how payments for Commonwealth obligations are to be remitted. The previous § 5.1 contained references to the Department and Treasury, which will not be carried over to proposed § 5.11. In addition, while the previous purpose section limited the scope of the chapter to EFTs, the proposed purpose section does not contain that limitation resulting in the application of this chapter to all obligations due the Commonwealth.

The Department proposes to amend the definitions formerly contained in § 5.2 and move them to § 5.12.

The definitions "ACH," "ACH credit" and "ACH debit" are not carried over to the proposed definitions section, as these are commonly used terms and have generally understood meanings that do not require specialized definitions for the purpose of the regulation. In addition,

the Department proposes to forgo the use of “ACH” throughout Chapter 5 in favor of the term “automated clearing house.”

The Department has not carried over the term “business day” because the term will not be used in this proposed rulemaking.

The Department proposes to carry over the definition of “EFT—electronic funds transfer” from § 5.2 to proposed § 5.12. The Department also proposes to amend the definition by listing the allowable types of electronic payments. Credit and debit card payments have been added as allowable payment methods, given that they are an expedient means of payment authorized by section 9(a)(1) of The Fiscal Code. This proposed definition is also consistent with the Federal Reserve Board’s Regulation E in 12 CFR 205.3(b) (relating to coverage), defining electronic fund transfers. In addition, the proposed definition provides that virtual currency is not a permitted form of EFT.

The definition for “Fedwire” is carried over from § 5.2 and proposed to be amended to be consistent with the provisions found in 12 CFR 210.25—210.32 (relating to funds transfers through the Fedwire funds service).

The definition for “financial institution” is proposed to be added because this term is to be used in the definition of “EFT.” The definition is identical to the definition of “financial institution” found in 12 CFR 205.2(i) (relating to definitions).

The definition for “virtual currency” is proposed to be added because the term is to be used in the definition of “EFT.” The Department proposes to define “virtual currency” using language that is identical to the Internal Revenue Service definition used in IRS Notice 2014-21 and the IRS Frequently Asked Questions on Virtual Currency Transactions.

Proposed § 5.13 provides for the proposed place, method and procedures by which obligations due the Commonwealth are to be remitted. In subsection (a), the Department proposes a list of methods by which a person may remit payments of obligations due the Commonwealth. In subsections (a) and (c), the Department proposes that the place, procedures and technical criteria for the remittance of payments due the Commonwealth will be published in Department instructions and publications. Placing this information in Department instructions and publications rather than directly in the regulation is necessary to account for frequently changing addresses, systems and technologies. Ways to obtain forms and instruction by mail, phone or online can be found on the Department’s web site at <https://www.revenue.pa.gov/FormsandPublications/Pages/How-Do-I-Get-Forms.aspx>.

Proposed § 5.14 provides the rules for the electronic payment mandate. Subsection (a) applies to payments of \$1,000 or more, and to all tax types, with some exceptions as set forth in subsections (b) and (c). Subsections (b) and (c) outline the payment criteria for certain Personal Income Tax payments under Article III of the TRC and Inheritance Tax payments under Article XXI of the TRC. Proposed § 5.14(b) and (c) are the exceptions to the general rule contained in subsection (a).

Proposed § 5.14(b) provides that payments due under Article III of the TRC (Article III payments), as listed in proposed paragraphs (1)—(3) are not subject to the \$1,000 EFT requirement. Section 9 of The Fiscal Code creates the EFT requirement, but also provides that the Department and the Treasury cannot impose the EFT payment

requirement on Article III payments. Rather, Article III payments are subject to the \$15,000 EFT requirement contained in section 332.1 of the TRC (72 P.S. § 7332.1). Section 332.1 of the TRC was specifically added in 2021 to apply to Personal Income Tax payments under Article III of the TRC. The regulatory provisions under § 5.14(b) are consistent with both section 9 of The Fiscal Code and section 332.1 of the TRC.

Proposed § 5.14(c) exempts inheritance tax payments under Article XXI of the TRC from the requirements of subsection (a). Inheritance Tax payments are exempted from the EFT payment requirement because those payments are all made to the County Registers of Wills (ROW), who act as agents for the Department. The ROWs have their own procedures and systems in place to receive payments. Imposing an EFT payment requirement and potential penalty for inheritance tax payments cannot be implemented given the myriad and divergent procedures and systems of the 67 ROW county offices.

Proposed § 5.15 (relating to date of receipt rules) provides the date on which payments are considered received by the Department. Persons with obligations due the Commonwealth are notified they are responsible for their choice of payment and bear the burden of any late payments associated with their choice, even if the late payment is due to circumstances beyond the person’s control.

Proposed § 5.16 (relating to penalty) reiterates the statutory penalty for failure to remit payments by EFT when required. See section 9.1 of The Fiscal Code (72 P.S. § 9.1) regarding failure to make payment by EFT. The statute requires the Department to impose a penalty if there is a failure to make a payment by EFT when required. This proposed language clarifies that the penalty is imposed upon the total amount of each payment remitted. It further clarifies that the penalty is imposed upon each payment regardless of whether the payment is for principal tax, interest, penalties, additions, fees or a combination thereof. In addition to the specific amendments cited previously, outdated references to Department Bureaus and addresses are proposed to be deleted. Provisions relating to filing tax returns are beyond the scope of the regulations and are also proposed to be deleted.

Affected Parties

This proposed rulemaking applies to all persons making payment of obligations due the Commonwealth through the Department.

Fiscal Impact

The Department has determined that this proposed rulemaking will have minimal or no revenue impact on the Commonwealth.

Paperwork Requirements

This proposed rulemaking will not result in additional paperwork for the public or the Commonwealth.

Effective Date

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

Sunset Date

This proposed rulemaking is scheduled for review within 5 years of final publication. A sunset date has not been assigned.

Public Comments and Contact Person

Interested persons are invited to submit in writing any comments, suggestions or objections regarding this proposed rulemaking to Maria L. Miller, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061, within 30 days after the date of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 15, 2024, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Review Form to the Independent Regulatory Commission (IRRC) and to the chairperson of the Committee on Finance of the Senate and the chairperson of the Committee on Finance of the House of Representatives. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

PATRICK BROWNE,
Secretary

STACY GARRITY,
State Treasurer

Fiscal Note: 15-463. No fiscal impact; recommends adoption.

Annex A**TITLE 61. REVENUE****PART I. DEPARTMENT OF REVENUE****Subchapter A. GENERAL PROVISIONS****Chapter 5. [PAYMENTS BY ELECTRONIC FUNDS TRANSFER] PAYMENT METHODS FOR OBLIGATIONS DUE THE COMMONWEALTH**

§ 5.1. [Purpose] [Reserved].

§ 5.2. [Definitions] [Reserved].

§ 5.3. [Payments required to be paid by EFT] [Reserved].

§ 5.4. [Voluntary participation] [Reserved].

§ 5.6. [EFT payments] [Reserved].

§ 5.7. [Miscellaneous provisions] [Reserved].

(*Editor's Note:* Sections 5.11—5.16 are proposed to be added and are printed in regular type to enhance readability.)

Sec.	
5.11.	Purpose.
5.12.	Definitions.
5.13.	Payments in general.
5.14.	Payments required to be paid by EFT.
5.15.	Date of receipt rules.
5.16.	Penalty.

§ 5.11. Purpose.

Under section 9 of the FC (72 P.S. § 9), this chapter provides the method by which obligations due the Commonwealth shall be remitted to the Department.

§ 5.12. Definitions.

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

EFT—*electronic funds transfer*—A transfer of funds, other than a transaction originated by check, draft or similar paper instrument, which is initiated through an electronic terminal, telephone, computer or magnetic tape to order, instruct or authorize a financial institution to debit or credit an account. For purposes of this chapter, the term includes only the following types of EFT:

(i) Automated clearing house debit or credit.

(ii) Debit or credit card.

(iii) Fedwire or other wire transfer, but only with prior approval of the Department.

(iv) Other EFT as designated in Department instructions or publications. The term does not include virtual currency.

Fedwire—*Fedwire funds service*—The funds-transfer system, as described in 12 CFR 210.25—210.32 (relating to funds transfers through the Fedwire funds service), owned and operated by the Federal Reserve Banks.

Financial institution—A bank, savings association, credit union, or any other person that directly or indirectly holds an account belonging to a consumer, or that issues an access device and agrees with a consumer to provide EFT services.

Treasury—The Treasury Department of the Commonwealth.

Virtual currency—A digital representation of value, other than a representation of the United States dollar or a foreign currency, that functions as a unit of account, a store of value and a medium of exchange.

§ 5.13. Payments in general.

(a) *Place.* A person shall remit payment of an obligation due the Commonwealth at the location the Department shall designate in Department instructions or publications.

(b) *Method.* Unless otherwise provided in this chapter, a person may remit payment of an obligation due the Commonwealth to the Department by one of the following methods:

(1) Cash.

(2) Check, draft or similar paper instrument, including personal check, certified check or cashier's check.

(3) EFT.

(c) *Procedures and technical criteria.* The Department will provide procedures and technical criteria for remittance of payments in Department instructions and publications.

§ 5.14. Payments required to be paid by EFT.

(a) *General rule.* Unless otherwise provided for in this section, a payment of \$1,000 or more toward an obligation due the Commonwealth must be remitted to the Department using one of the following payment methods:

DEPARTMENT OF REVENUE

[61 PA. CODE CH. 153]

Business Income and Nonbusiness Income

The Department of Revenue (Department), under the authority of section 408 of the Tax Reform Code of 1971 (TRC) (72 P.S. § 7408(a)), proposes to amend Chapter 153 (relating to corporate net income tax) by adding § 153.24a (relating to business and nonbusiness income) to read as set forth in Annex A.

Purpose of Proposed Rulemaking

The purpose of this proposed rulemaking is to add § 153.24a regarding business income and nonbusiness income due to legislative changes and the further development of the unitary business principle of the United States Constitution in case law.

Under section 402 of the TRC (72 P.S. § 7402), corporations doing business, carrying on activities, having capital or property employed or used, owning property in this Commonwealth or having substantial nexus in this Commonwealth are subject to and shall pay taxes to the Commonwealth. Corporations subject to tax in this Commonwealth must calculate and pay tax based on the entity's taxable income. See, 72 P.S. §§ 7401—7412. As part of calculating taxable income a multistate corporation must determine the amount of its business income, which is then subjected to a statutory apportionment formula, as well as items of nonbusiness income, if any, which are then subject to allocation. See 72 P.S. § 7401. The statutory apportionment formula attempts to determine the percentage of a corporation's income that is subject to corporate taxation in any given state. Under current Commonwealth law, the statutory apportionment formula for most taxpayers consists of a single sales factor where the numerator of the factor is the taxpayer's total sales in this Commonwealth, and the denominator consists of the taxpayer's total sales everywhere. See 72 P.S. § 7401(3)2.(a)(9)(A)(v) and (15).

Business income, by definition in this Commonwealth, includes all income which is apportionable under the Constitution of the United States. 72 P.S. § 7401(3)2.(a)(1)(A). Nonbusiness income is defined as all income that is not business income. It is subject to allocation whereby specific items of nonbusiness income are allocated in total to one specific state for purposes of corporate taxation rather than being apportioned. 72 P.S. § 7401(3)2.(a)(4)—(8).

The Department is promulgating this proposed rulemaking to affirm that the definition of "business income" includes all income of the taxpayer's unitary business in an effort to clarify when income should be classified as business versus nonbusiness income and minimize future disputes between the Department and taxpayers on these issues. The language of 72 P.S. § 7401(3)2.(a)(1)(A) provides:

"Business income" means income arising from transactions and activity in the regular course of the taxpayer's trade or business and includes income from tangible and intangible property if either the acquisition, the management or the disposition of the property constitutes an integral part of the taxpayer's regular trade or business operations. The term includes all income which is apportionable under the Constitution of the United States.

(Emphasis added).

(1) *EFT*. Failure to comply with Department instructions related to the manner and procedures for the remittance of EFT payments will be deemed to be a failure to remit by EFT.

(2) A certified or cashier's check.

(b) *TRC section 332.1 payments*. The following payments are subject to the electronic payment provisions of section 332.1 of the TRC (72 P.S. § 7332.1) and are not subject to the payment provisions in subsection (a):

(1) Form PA-40 (Personal Income Tax Return) and PA-41 (Fiduciary Income Tax Return) tax liability payments, including estimated payments and payments made with the return.

(2) Form PA-40 NRC (Nonresident Consolidated Income Tax Return) tax liability payments.

(3) Withholding payments required under sections 316.2, 324 and 324.4 of the TRC (72 P.S. §§ 7316.2, 7324 and 7324.4).

(4) Other payments made by individuals under sections 301—361 of the TRC (72 P.S. §§ 7301—7361).

(c) *Inheritance tax payments*. Inheritance tax payments under sections 9101—9196 of the TRC (72 P.S. §§ 9101—9196) are not subject to the payment provisions in subsection (a).

§ 5.15. Date of receipt rules.

(a) The receipt date of a payment of an obligation due the Commonwealth depends upon the method of payment.

(1) For an automated clearing house debit payment, the receipt date is the date the payor authorizes the Department to debit the payor's account.

(2) For an automated clearing house credit or Fedwire payment, the receipt date is the settlement date provided by the payor's originating institution.

(3) For a credit or debit card payment, the receipt date is the date the Department's third-party provider approves the payment.

(4) For payments mailed to the Department, the receipt date is the United States Postal Service postmark date.

(5) For payments delivered in person or by courier, the receipt date is the date the payment is delivered to and accepted by the Department.

(b) The person with the obligation due the Commonwealth bears the burden of remitting the payment by the due date. The person with the obligation due the Commonwealth is accountable for errors committed by the person, the payor or third parties. These errors are not justification for the abatement of interest or penalty.

§ 5.16. Penalty.

A person who fails to remit an obligation due the Commonwealth using the method required under § 5.14(a) (relating to payments required to be paid by EFT) shall be subject to a penalty of 3% of the total amount of each payment remitted, not to exceed \$500. The penalty will be imposed upon all payment types including principal tax, interest, penalties, additions and fees, or a combination thereof.

[Pa.B. Doc. No. 24-753. Filed for public inspection May 24, 2024, 9:00 a.m.]

Over a series of cases, the United States Supreme Court has developed criteria to determine which income is apportionable under the Constitution of the United States. See generally, *Allied-Signal v. Director, Division of Taxation*, 504 U.S. 768, 119 L. Ed. 2d. 533 (1992); *Exxon Corporation v. Wisconsin Department of Revenue*, 447 U.S. 207, 65 L.Ed.2d 66 (1980); *Mobil Oil Corporation v. Commissioner of Taxes of Vermont*, 445 U.S. 425, 63 L.Ed.2d 510 (1980). The United States Supreme Court, in its criteria, has focused on the concept of the “unitary business principle.”

First, companies are presumed to be unitary, and the burden of proof is upon the taxpayer to prove the existence of nonunitary income. For example, in the matter of *Mobil Oil Corporation v. Commissioner of Taxes of Vermont*, 445 U.S. 425, 63 L.Ed.2d 510 (1980), *Mobil* took the position that the dividends it received from foreign subsidiaries were not apportionable income subject to tax in Vermont. Essentially, it argued that the foreign dividends must be excepted from the application of Vermont’s apportionment factor and instead, in effect, be treated as nonbusiness income subject instead to allocation because the foreign dividends lacked sufficient nexus with the company’s business activities in Vermont. The United States Supreme Court noted that:

[T]he linchpin of apportionability in the field of state income taxation is the unitary business principal. In accord with this principal, what appellant must show, in order to establish that its dividend income is not subject to an apportioned tax in Vermont, is that the income was earned in the course of activities unrelated to the sale of petroleum products in that State.

Id. at 439.

The United States Supreme Court ultimately held against *Mobil*, finding that the company did not prove that the foreign operations of its affiliates were distinct in any business or economic sense from its petroleum sales activities in Vermont. Moreover, the United States Supreme Court found that the foreign activities were part of *Mobil*’s integrated business and thus subject to tax by Vermont.

Approximately three months after issuing its decision in *Mobil*, the United States Supreme Court further decreed that a taxpayer cannot avoid apportionment of its unitary business income merely by utilizing separate accounting to report its income in one particular state. *Exxon Corporation v. Wisconsin Department of Revenue*, 447 U.S. 207, 65 L.Ed.2d 66 (1980). In *Exxon*, the taxpayer argued that since it was able to separately account for its Wisconsin income, only that income should have been subjected to tax by the state, and application by Wisconsin of the state’s statutory apportionment formula violated the Due Process Clause. The United States Supreme Court disagreed, finding that as discussed in *Mobil* “the linchpin of apportionability” is the unitary business principal. Once the finding of a unitary business is present, then a state may constitutionally apply an apportionment formula to determine the tax due to the state. To avoid subjecting income to apportionment the taxpayer would need to prove that the income in question was from unrelated business activities, which constituted a discrete business enterprise. *Mobil Oil Corporation v. Commissioner of Taxes of Vermont*, 445 U.S. 425, 442, 439.

In 1992, the United States Supreme Court outlined the analysis that states must conduct to determine whether a unitary business exists. See *Allied-Signal v. Director, Division of Taxation*, 504 U.S. 768, 119 L. Ed. 2d. 533 (1992). There the United States Supreme Court reiterated that a review of the three factors of a unitary business identified in *Mobil*—(1) functional integration; (2) centralization of management; and (3) economies of scale—was a necessary analysis that a court must engage in before reaching a determination as to whether income from a business was appropriately subject to apportionment. The opinion noted that the unitary business inquiry “focuses on the objective characteristics of the asset’s use and its relation to the taxpayer and its activities within the taxing State.” *Id.* It went on to state that a unitary relationship was not necessarily required for a finding that income was subject to apportionment. Instead, that threshold could be reached where no unitary relationship existed, but it could be shown that the income arose from an operational rather than an investment function.

This differentiation between operational and investment functions, albeit nonbinding, was later held by the United States Supreme Court as being a tool that states could use to determine whether an asset was part of a unitary business. In *MeadWestvaco ex rel. Mead Corp. v. Illinois Dept. of Rev.*, 553 U.S. 16, 19, 26, 128 S. Ct. 1498, 170 L.Ed. 2d 404 (2008), the United States Supreme Court clarified that the commentary in *Allied-Signal* did not announce a new ground for the constitutional apportionment of income. Instead, the conclusion that an asset “served an operational function was merely instrumental to the constitutionally relevant conclusion that the asset was a unitary part of the business being conducted in the taxing State rather than a discrete asset to which the state had no claim.” *Id.* The United States Supreme Court went on to affirm that the “hallmarks” of a unitary relationship were, again, functional integration, centralized management and economies of scale.

These four United States Supreme Court cases provide the framework upon which the Commonwealth must determine what taxpayer income is apportionable under the Constitution of the United States and thus meets the definition of “business income” under the language of section 401 of the TRC (72 P.S. § 7401(3)2.(a)(1)(A)) as opposed to what income, by default, is properly classified as “nonbusiness income” and instead subject to allocation.

This proposed rulemaking will require a unitary business analysis applying current pronouncements of the United States Supreme Court. The Department is promulgating this proposed rulemaking to affirm that the definition of “business income” includes all income of the taxpayer’s unitary business in an effort to clarify when income should be classified as business versus nonbusiness income and minimize future disputes between the Department and taxpayers on these issues. Given that all states which impose a corporate income tax apportion income, with these regulations the Department seeks to promote the consistent classification of income as either business income or nonbusiness income among different taxing jurisdictions. Consistency with other states’ interpretation of the same or substantially similar language was a goal that the Pennsylvania Supreme Court noted was favored in the determination of the proper interpretation of statutory language. See *Commonwealth of Pennsylvania v. Gilmour Manufacturing Company*, 573 Pa. 143, 822 A.2d 676 (2003). To further promote consistent treatment with other states, the majority of the proposed language for this regulation mirrors the rules of the

Multistate Tax Commission's¹ Model General Allocation and Apportionment Regulations.

The TRC's definitions of "business income" and "nonbusiness income" as originally enacted were based upon the Uniform Division of Income for Tax Purposes Act (UDITPA), Uniform Division of Income for Tax Purposes, U.L.A. Div. Inc. Tax and did not contain the last sentence of the definition referring to the Constitution of the United States. The core theory underlying the UDITPA model statute was the unitary business principle. See Multistate Tax Commission *Synopsis of The Project to Revise UDITPA* at [https://www.mtc.gov/getattachment/Uniformity/Project-Teams/Multistate-Tax-Compact-Article-IV/The-Project-to-Revise-UDITPA-\(NC-Note\).pdf.aspx](https://www.mtc.gov/getattachment/Uniformity/Project-Teams/Multistate-Tax-Compact-Article-IV/The-Project-to-Revise-UDITPA-(NC-Note).pdf.aspx).

Unfortunately, the application of the original UDITPA definitions of the transactional and functional tests was problematic in multiple states and led to litigation in various states across the country. A comprehensive and critical review of these state court decisions is contained in a special report published in *Tax Analysts State Tax Today* (2001 STT 171-26, September 4, 2001), "The Business-Nonbusiness Income Distinction and the Case for its Abolition," by Professor Walter Hellerstein of the University of Georgia. Rather than leading to uniform taxation in the adopting states, the original UDITPA language led to nonuniformity and division.

To clarify the law regarding the determination of business income in this Commonwealth, the definition in section 401(3) of the TRC of "taxable income" was modified by the act of June 22, 2001 (P.L. 353, No. 23) to adopt the United States constitutional standard for determining business income. Correspondingly, the definition of "nonbusiness income" was modified to make clear that the term did not include income which is apportionable under the Constitution of the United States. While Federal constitutional limits on the authority of the Commonwealth were present before the addition of this language to the definitions of business and nonbusiness income in 2001, the addition of this language directly tied the treatment of income to both the existing language emanating from UDITPA, as modified by the Commonwealth, as well as United States Supreme Court jurisprudence. The General Assembly's enactment of the revised definitions of "business" and "nonbusiness income" has established legislative intent consistent with adopting the unitary business principle as the standard for determining business and nonbusiness income in this Commonwealth.

To the extent they are inconsistent with the unitary business principle, the application of older Pennsylvania court-designed concepts such as "unrelated income" or "multiformity" do not limit the State's authority to tax under the unitary business principle. These concepts arose at a time when the Commonwealth's tax law lacked the requisite allocation and apportionment provisions to

meet Federal constitutionality. To save the constitutionality of the former statutes, Commonwealth courts developed and applied these principles to limit the application of the tax to appropriate United States constitutional limits. Having its origin in the context of property taxation, the doctrine of multiformity as it existed in the 1930s was expressed in restrictive terms requiring concrete connections between taxing state and the property taxed. See, for example, *Commonwealth v. Columbia Gas and Electric*, 336 Pa. 209 (1939). Claims based upon the historical principles of multiformity or unrelated income within this Commonwealth, which purport to provide extra-statutory remedies, will be evaluated by the Department based on whether the income in question should be treated as falling within the current unitary business principle as determined by the United States Supreme Court. To the extent a company realizes income from a unitary business, the Department will apply an apportionment formula to the company's total income to obtain a reasonable approximation of the income associated with the activities conducted within this Commonwealth. On the other hand, to the extent a company can establish that certain income is nonunitary with its normal business activities then the allocation provisions in the existing statutory guidance as well as these proposed regulations would be implicated.

Some corporations not domiciled within this Commonwealth have cited *Commonwealth v. ACF Industries, Inc.*, 441 Pa. 129; 271 A.2d 273 (1970) for the proposition that the Commonwealth may not tax all of the income of a multistate unitary business. In *ACF*, the taxpayer stipulated it was a unitary business, yet claimed that certain income of its unitary business could not be subject to tax by the Commonwealth pursuant to the multiformity and unrelated assets concepts. However, what was actually before the court in *ACF* was the interpretation of a 1957 amendment to the Corporate Net Income Tax Act of May 16, 1935 (P.L. 208, No. 91). That 1957 amendment was repealed when the TRC enacted a new corporate net income tax which codified the UDITPA concepts of business and nonbusiness for purposes of apportioning the income of a multistate business. Thus, the *ACF* case is inapplicable.

And Commonwealth courts have followed suit with regard to the unitary business principle. The Pennsylvania Supreme Court in *Glatfelter Pulpwood Co. v. Commonwealth*, 619 Pa. 243, 61 A.3d 993 (2013) dismissed a taxpayer's multiformity claim finding that the income at issue was from the taxpayer's unitary business under the UDITPA functional test for business income stating:

As the High Court has made clear, to calculate the in-state income of a multistate enterprise for taxation purposes, a state is not required to isolate those income-producing activities that physically occur within its borders; rather, a state may tax a fairly apportioned share of the total income of a multi-state enterprise if that enterprise constitutes a "unitary business." *MeadWestvaco ex rel. Mead Corp. v. Illinois Dept. of Rev.*, 553 U.S. 16, 19, 26, 128 S. Ct. 1498, 170 L.Ed. 2d 404 (2008).

Id., 619 Pa. at 268, 61 A.3d at 1008.

As an additional consideration, under section 404 of the TRC (72 P.S. § 7404), corporations owning or controlling other corporations may not file a consolidated report showing combined net income. Taxable income will continue to be determined on a separate company as opposed to on a consolidated basis. While the analysis of the unitary or nonunitary nature of the income is essentially

¹ As described on its web site: "The Multistate Tax Commission is an intergovernmental state tax agency working on behalf of states and taxpayers to facilitate the equitable and efficient administration of state tax laws that apply to multistate and multinational enterprises. Created by the Multistate Tax Compact, the Commission is charged by this law with:

- Facilitating the proper determination of State and local tax liability of multistate taxpayers, including the equitable apportionment of tax bases and settlement of apportionment disputes;
- Promoting uniformity or compatibility in significant components of tax systems;
- Facilitating taxpayer convenience and compliance in the filing of tax returns and in other phases of tax administration;
- Avoiding duplicative taxation.

The commission was created in 1967 as an effort by states to protect their tax authority in the face of previous proposals to transfer the writing of key features of state tax laws from the state legislature. For that reason, the Commission has been a voice for preserving the authority of states to determine their own tax policy within the limits of the U.S. Constitution."

the same between separate company and consolidated filing jurisdictions, the approach to performing the analysis in a consolidated filing jurisdiction necessarily involves examining not only activities within each corporate entity, but also the activities between the entities potentially included in the corporate filing group. This proposed rulemaking will promote the Commonwealth's uniform interpretation of the unitary business concept with other states. Moreover, the proposed regulations are intended to provide additional guidance to taxpayers and incorporate the analysis offered by the United States Supreme Court on the apportionment or allocation of income.

Description of Proposed Amendments

The following paragraphs provide a brief description for each specific section of this proposed rulemaking:

The Department proposes to add § 153.24a. Section 153.24a explains the approach to determining whether corporate income is treated as business income which is subject to apportionment based on the company's sales factor or is nonbusiness income and is allocated to one state. In essence, if income is classified as business income, then the taxpayer determines a fraction where the numerator is its sales sourced to this Commonwealth and the denominator is its sales everywhere. 72 P.S. § 7401(3)2.(a)(15). The taxpayer then multiplies that fraction by the business income and subjects the result to the applicable tax rate. If the income is determined to be nonbusiness income, the income is just taxed by one state and no sales factor is calculated. For nonbusiness income, the Commonwealth either taxes 100% of the income or none of it.

There is a need for additional guidance in this area as it impacts all corporate taxpayers which have operations both inside and outside of this Commonwealth. In preparing annual tax returns, these taxpayers must determine if income falls within the broad definition of business income and is subject to tax in this Commonwealth or whether the income falls outside of the definition of business income and for the Commonwealth's purposes should only be taxed by one state.

Proposed subsection (a), regarding apportionment and allocation, establishes the statutory references in this Commonwealth regarding the classification of income as being either business income or nonbusiness income. Subsection (a) further clarifies that income is business income if it meets the definition of business income and nonbusiness income if it does not meet the definition of business income. This is important because all income of a multistate taxpayer falls into one of these two categories and once categorized, it triggers different tax calculations for that company.

Proposed subsection (b), regarding the transactional test, describes the transactional test for determining business or nonbusiness income and discusses its application to taxpayers. This subsection identifies that if a transaction or activity is in the regular course of a taxpayer's trade or business it is treated as business income whether it occurs on a regular or irregular basis. It also makes clear that whether a transaction or activity takes place inside or outside of this Commonwealth is not determinative of whether the income generated by it constitutes business or nonbusiness income. This subsection is important as the transactional test is one of the principal tests used to determine whether an item of income is business income for Pennsylvania's purposes

and is consequently subject to apportionment or will be treated as nonbusiness income by the Commonwealth and be subject to allocation.

Proposed subsection (c), regarding the functional test, describes a second test relating to property, the functional test, that is used in determining whether income is business or nonbusiness income and discusses its application to taxpayers. The subsection paraphrases the applicable statutory language from section 401 of the TRC by describing business income as including income from tangible and intangible property if either the acquisition, management or disposition of the property constitutes an integral part of the taxpayer's trade or business. It goes on to provide additional descriptions of the types of property covered by the test, the meaning of the language "acquisition, management or disposition" and provides a test for how long property must be removed from use in a taxpayer's business activities before the Department will consider income related to it changing from business to nonbusiness. To aid taxpayers with making this determination the subsection contains four examples highlighting specific scenarios involving the use of property by businesses and whether income arising from that property constitutes business or nonbusiness income under the functional test.

Proposed subsection (c) also addresses an issue historically raised by taxpayers regarding whether there is a "liquidation" exception to the functional test by clarifying that even if transactions are infrequent, if the property involved was used in the operation of the business while owned by the taxpayer, its sale results in business income. This subsection also clarifies that the determination of business versus nonbusiness income is not impacted by whether the activity or property involved is located inside or outside this Commonwealth. Examples are also provided which provide further guidance on these points.

Importantly, this subsection informs taxpayers of the Department's longstanding position that if deductions are taken against a taxpayer's business income in earlier periods, with respect to a piece of property, the Department will presume that income with respect to that property is in fact business income. However, the absence of these deductions against business income in earlier periods will not create a presumption for or against business or nonbusiness income treatment in future periods. Finally, this subsection makes clear that the functional test applies equally to all types of property whether they be tangible or intangible, real or personal.

Proposed subsection (d), regarding the unitary business principle, outlines the unitary business concept as the foundation for the apportionment of income from a multistate business. Specifically, the unitary business concept, which is further described in proposed subsection (e) regarding principles for determining the existence of a unitary business, requires apportionable income to be derived from the same unitary business that is conducted, at least in part, in this Commonwealth. If income meets the previously discussed transactional and functional tests it is also going to be unitary income, but even if it does not meet either of these tests, it may still constitute unitary business income of the taxpayer and be subjected to apportionment by the Commonwealth under the United States Constitution. This concept that the test for business versus nonbusiness income is broader than just the transactional and functional tests is very important for taxpayers to understand and consider as they attempt to determine the classification of their income. It has also

been an area of dispute between the Department and taxpayers in the past and this subsection provides important guidance to taxpayers in this regard.

Proposed subsection (e) describes what a unitary business is and why it is important to determine whether a business is unitary or not and provides significant guidance based on established United States Supreme Court precedence as to what characterizes a unitary business. Those tests as set forth by the United States Supreme Court focus on functional integration, centralization of management and economies of scale. This subsection describes each of these three characteristics in detail. It also provides higher level guidance to taxpayers concerning the general indicators of a unitary business and provides specific tests as to what constitutes a commonly controlled group for purposes of determining whether a unitary relationship exists. Even though the Commonwealth taxes each separate corporation, rather than an entire affiliated group of corporations, it is still essential to include guidance on commonly controlled groups in this proposed rulemaking. Frequently, taxpayers subject to the Commonwealth's corporate income taxation are members of an affiliated group of corporations that file one or more consolidated Federal income tax returns, including multiple entities in each, as well as owning direct or indirect interests, or both, in foreign entities, which while engaged in the same business as the Commonwealth taxpayer, may not be part of the same Federal consolidated return or returns. These other entities may transact significant business with their affiliate that files in this Commonwealth and understanding when a unitary relationship exists between the Commonwealth filer and the other affiliated entity may be important in reaching a determination as to the proper treatment of the income or loss which is recognized as a result of these transactions.

Proposed subsection (f), regarding examples of business and nonbusiness income, provides additional examples of business and nonbusiness income to aid taxpayers in making determinations of the classification of items of income. The examples address rents received from real or tangible property, gains or losses from the sale of assets, interest and royalties.

Proposed subsection (g), regarding consistency and uniformity in reporting, requires taxpayers to notify the Department if the classification of an item previously reported to the Commonwealth as either business or nonbusiness income changes on a current return. Additionally, to the extent the taxpayer is not uniform across all jurisdictions in which it files as to whether an item of income is apportionable or non-apportionable income under the United States Constitution, the report filed with the Commonwealth must disclose the variances and the rationale for them. These requirements aid the Department in evaluating the determinations reached by taxpayers regarding the classification of income as business or nonbusiness. It also promotes uniformity in the interpretation of similar state laws across the country, which is a goal that the Commonwealth's courts have previously recognized.

Proposed subsection (h), regarding definitions, includes the following definitions of key terms that are used in this proposed rulemaking for clarity and consistency: "allocation," "apportionment," "business activity," "business income," "nonbusiness income" and "trade or business."

Affected Parties

Corporate taxpayers and tax practitioners within this Commonwealth will be affected by this proposed rulemaking in a positive way as it will promote uniform tax compliance.

Fiscal Impact

This proposed rulemaking will have no fiscal impact on the Commonwealth as it is a clarification of Commonwealth law.

Paperwork Requirements

This proposed rulemaking will not generate substantial paperwork for the public or the Commonwealth.

Effective Date

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

Sunset Date

This proposed rulemaking is scheduled for review within 5 years of final-form publication. A sunset date has not been assigned.

Public Comments and Contact Person

Interested persons are invited to submit in writing any comments, suggestions or objections regarding this proposed rulemaking to Maria L. Miller, Office of Chief Counsel, Department of Revenue, P.O. Box 281061, Harrisburg, PA 17128-1061, within 30 days after the date of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 15, 2024, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Review Form to the Independent Regulatory Review Commission (IRRC) and to the chairperson of the Committee on Finance of the Senate and the chairperson of the Committee on Finance of the House of Representatives. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

PATRICK BROWNE,
Secretary

Fiscal Note: 15-462. No fiscal impact; recommends adoption.

Annex A
TITLE 61. REVENUE
PART I. DEPARTMENT OF REVENUE
Subpart B. GENERAL FUND REVENUES
ARTICLE VI. CORPORATION TAXES
CHAPTER 153. CORPORATE NET INCOME TAX
ALLOCATIONS AND APPORTIONMENTS

(Editor's Note: Section 153.24a is proposed to be added and is printed in regular type to enhance readability.)

§ 153.24a. **Business and nonbusiness income.**

(a) *Apportionment and allocation.* Article IV of the TRC requires that every item of income be classified either as business income or nonbusiness income. For purposes of this classification, income includes gains and losses. Business income is apportioned among jurisdictions by use of a formula. Nonbusiness income is specifically allocated to one or more specific jurisdictions in accordance with express rules. The following apply:

(1) An item of income is classified as business income if it falls within the definition of business income in subsection (h).

(2) An item of income is nonbusiness income only if it does not meet the definitional requirements in subsection (h) for being classified as business income.

(b) *Transactional test.* Business income includes income arising from transactions and activity in the regular course of the taxpayer's trade or business. The following apply:

(1) If the transaction or activity is in the regular course of the taxpayer's trade or business, the income arising from the transaction or activity is business income. If the income arose from the unitary business of the taxpayer, income is business income even though the actual transaction or activity that gives rise to the income does not occur in this Commonwealth.

(2) For a transaction or activity to be in the regular course of the taxpayer's trade or business, the transaction or activity need not be one that frequently occurs in the trade or business. It is sufficient to classify a transaction or activity as being in the regular course of a trade or business, if it is reasonable to conclude transactions of that type are customary in the kind of trade or business being conducted or are within the scope of what that kind of trade or business does. The transactional test includes income from sales of inventory, property held for sale to customers and services which are commonly sold by the trade or business. The transactional test also includes income from the sale of property used in the production of business income of a kind that is sold and replaced with some regularity, even if replaced less frequently than once a year.

(c) *Functional test.* Business income also includes income from tangible and intangible property if either the acquisition, management or disposition of the property constitutes an integral part of the taxpayer's regular trade or business. Income arising from property, which was depreciated, amortized, expensed or for which management costs were expensed in computing taxable income while owned by the taxpayer is business income under the functional test. The following apply:

(1) Property includes any direct or indirect interest in, control over, or use of real property, tangible personal property and intangible property by the taxpayer. Property that constitutes an integral part of the trade or business refers to property that is or was used to contribute to the production of business income directly or indirectly, without regard to the materiality of the contribution. Property that is held solely for investment purposes does not constitute an integral part of the trade or business.

(2) Acquisition, management or disposition refers to a taxpayer's activities in acquiring property, exercising control and dominion over property and disposing of property, including dispositions by sale, lease or license. Income arising from the liquidation, disposition or other

use of property which was acquired or developed in the course of the taxpayer's trade or business constitutes business income even if the property was not directly employed in the operation of the taxpayer's trade or business.

(3) Income from the disposition or other use of property which has been withdrawn from use in the taxpayer's trade or business and is instead held solely for unrelated investment purposes is nonbusiness income. Property that was used in the taxpayer's trade or business is not considered converted to investment purposes merely because it is offered for sale, but any property which has been withdrawn from use in the taxpayer's trade or business for 5 years or more is presumed to be held for investment purposes.

(4) The classification of income by the labels occasionally used, such as manufacturing income, compensation for services, sales income, interest, rents, royalties, gains, income derived from accounts receivable, operating income, non-operating income, and the like, is of no aid in determining whether income is business or nonbusiness income.

Example 1: The taxpayer purchases a chain of 100 retail stores for the purpose of merging those store operations with its existing business. Five of the retail stores are redundant under the taxpayer's business plan and are sold 6 months after acquisition. Even though the five stores were never integrated into the taxpayer's trade or business, the income is business income because the property's acquisition was related to the taxpayer's trade or business.

Example 2: The taxpayer is in the business of developing adhesives for industrial and construction uses. In the course of its business, it accidentally creates a weak but non-toxic adhesive and patents the formula, awaiting future applications. Another manufacturer uses the formula to create temporary body tattoos. The taxpayer wins a patent infringement suit against the other manufacturer. The entire damages award, including interest and punitive damages, constitutes business income.

Example 3: The taxpayer is engaged in the oil refining business and maintains a cash reserve for buying and selling oil on the spot market as conditions warrant. The reserve is held in overnight "repurchase agreement" accounts of United States treasuries with a local bank. The interest on those amounts is business income because the reserves are necessary for the taxpayer's business operations. Over time, the cash in the reserve account grows to the point that it exceeds any reasonably expected requirement for acquisition of oil or other short-term capital needs and is held pending subsequent investment opportunities unrelated to the taxpayer's business operations. The interest received on the excess amount is nonbusiness income.

Example 4: A manufacturer decides to sell one of its redundant factories to a real estate developer and transfers the ownership of the factory to a special purpose subsidiary, SaleCo (Taxpayer) immediately prior to its sale to the real estate developer. The parties elect to treat the sale as a disposition of assets under section 338(h)(10) of the IRC (26 U.S.C. § 338(h)(10)), resulting in Taxpayer recognizing a capital gain on the sale. The capital gain is business income.

(i) Under the functional test, income from the liquidation, disposition or other utilization of property is business income if the property is or was an integral part of the taxpayer's trade or business. The income is business

income even though the transaction or activity from which it is derived did not occur in the regular course of the taxpayer's trade or business.

(ii) Income that is derived from isolated sales, leases, assignments, licenses, and other infrequently occurring dispositions, transfers or transactions involving property, including transactions made in the full or partial liquidation or the winding-up of any portion of the trade or business, is business income, if the property is or was related to the taxpayer's trade or business. Income from the licensing of an intangible asset, such as a patent, copyright, trademark, service mark, know-how, trade secrets, or the like, that was developed or acquired for use by the taxpayer in its trade or business, constitutes business income whether or not the licensing itself constituted the operation of a trade or business, and whether or not the taxpayer remains in the same trade or business from or for which the intangible asset was developed or acquired.

(iii) Under the functional test, income from intangible property is business income when the intangible property serves an operational function as opposed to solely an investment function.

(iv) If either the acquisition, management or disposition of the property is or was an integral part of the taxpayer's trade or business, then income from that property is business income even though the actual transaction or activity involving the property that gives rise to the income does not occur in this Commonwealth.

Example 1: A manufacturer purchases raw materials to be incorporated into the product it offers for sale. The nature of the raw materials is such that the purchase price is subject to extreme price volatility. To protect itself from extreme price increases or decreases, the manufacturer enters into future contracts pursuant to which the manufacturer can either purchase a set amount of the raw materials for a fixed price, within a specified time period, or resell the future contracts. Any gain on the sale of the future contracts would be considered business income, regardless of whether the contracts were either made or resold in this Commonwealth.

Example 2: A National retailer produces substantial revenue in its business activities. It invests a large portion of the revenue in fixed income securities which are divided into two categories: (a) short-term securities held pending use of the funds in the taxpayer's trade or business; and (b) long-term securities held solely as an investment. Interest income on the short-term securities held pending use of the funds in the taxpayer's trade or business (a) is business income because the funds represent working capital necessary to the operations of the taxpayer's trade or business. Interest income derived from the long-term investment securities (b) is nonbusiness income as those securities were held solely as an investment and not in furtherance of the taxpayer's trade or business.

(5) If with respect to an item of property a taxpayer takes a deduction from income that is apportioned to this Commonwealth including depreciation, amortization, expensing or for which management costs were expensed in computing taxable income while owned by the taxpayer, it is presumed that the item or property is or was an integral part of the taxpayer's trade or business. No presumption arises from the absence of any of these actions.

(6) Application of the functional test is unaffected by the form of the property, tangible or intangible property,

real or personal property. Income arising from an intangible interest, for example, corporate stock or other intangible interest in an entity or a group of assets, is business income when the intangible itself or the property underlying or associated with the intangible is or was an integral part of the taxpayer's trade or business. While apportionment of income derived from transactions involving intangible property may be supported by a finding that the issuer of the intangible property and the taxpayer are engaged in the same trade or business, the establishment of a relationship is not the exclusive basis for concluding that the income is subject to apportionment. It is sufficient to support the finding of business income if the holding of the intangible interest served an operational rather than an investment function.

(d) *Unitary business principle.* The Due Process Clause and the Commerce Clause of the Constitution of the United States restrict states from apportioning income that has no rational relationship with the taxing state. The protection against extra-territorial state taxation afforded by these clauses is often described as the "unitary business principle." The unitary business principle requires apportionable income to be derived from the same unitary business that is being conducted at least in part in this Commonwealth. The unitary business that is conducted in this Commonwealth includes both a unitary business that the taxpayer alone may be conducting and a unitary business the taxpayer may conduct with any other person or persons. Satisfaction of either the transactional test or the functional test complies with the unitary business principle because each test requires that the transaction or activity, in the case of the transactional test or the property, in the case of the functional test, be tied to the same trade or business. Items of income that do not satisfy the transactional or functional tests for business income may still be classified as business income if the income is apportionable business income under the unitary business principle. The application of the unitary business principle to this income assures that income over which the Commonwealth has Constitutional authority to tax does not escape taxation. Determination of the scope of the unitary business being conducted in this Commonwealth is without regard to the extent to which this Commonwealth requires or permits combined reporting.

(e) *Principles for determining the existence of a unitary business.*

(1) *Unitary business principle.*

(i) *The concept of a unitary business.* A unitary business is a single economic enterprise that is made up either of separate parts of a single entity or of a commonly controlled group of entities that are sufficiently interdependent, integrated and interrelated through their activities so as to provide a synergy and mutual benefit that produces a sharing or exchange of value among them and a significant flow of value to the separate parts. This flow of value to an entity located in this Commonwealth that comes from being part of a unitary business conducted both within and without this Commonwealth is what provides the constitutional due process definite link and minimum connection necessary for this Commonwealth to apportion income of the unitary business, even if that income arises in part from activities conducted outside the Commonwealth. The income of the unitary business is then apportioned to this Commonwealth. This sharing or exchange of value may also be described as requiring that the operation of one part of the business be dependent upon, or contribute to, the operation of another

part of the business. Phrased in the disjunctive, the foregoing means that if the activities of one business either contributes to the activities of another business or are dependent upon the activities of another business, those businesses are part of a unitary business.

(ii) *Constitutional requirement for a unitary business.* The sharing or exchange of value described in subparagraph (i) that defines the scope of a unitary business requires more than the mere flow of funds arising out of a passive investment or from the financial strength contributed by a distinct business undertaking that has no operational relationship to the unitary business. The unitary business principle shall be applied to the fullest extent allowed by the Constitution of the United States. The unitary business principle shall not be applied to result in the combination of business activities or entities under circumstances where, if it were adverse to the taxpayer, the combination of these activities or entities would not be allowed by the Constitution of the United States.

(iii) *Separate trades or businesses conducted within a single entity.* A single entity may have more than one unitary business. In these cases it is necessary to determine the business income attributable to each separate unitary business as well as its nonbusiness income, which is specifically allocated. The business income of each unitary business is then apportioned by a statutory formula that takes into consideration the in-State and the out-of-State factors that relate to the respective unitary business whose income is being apportioned.

(iv) *Unitary business unaffected by formal business organization.* A unitary business may exist within a single entity or among a commonly controlled group of entities. The scope of what is included in a commonly controlled group of entities is set forth in paragraph (4).

(2) *Determination of a unitary business.*

(i) A unitary business is characterized by significant flows of value evidenced by factors such as those described in *Mobil Oil Corp. v. Vermont*, 445 U.S. 425 (1980): functional integration, centralization of management and economies of scale. These factors provide evidence of whether the business activities operate as an integrated whole or exhibit substantial mutual interdependence. Facts suggesting the presence of the previously mentioned factors should be analyzed in combination for their cumulative effect and not in isolation. A particular business operation may be suggestive of one or more of the previously mentioned factors.

(ii) *Description and illustration of functional integration, centralization of management and economies of scale.*

(A) *Functional integration.* Functional integration refers to transfers between, or pooling among, business activities that significantly affect the operation of the business activities. Functional integration includes, but is not limited to, transfers or pooling with respect to the unitary business's products or services, technical information, marketing information, distribution systems, purchasing and intangibles such as patents, trademarks, service marks, copyrights, trade secrets, know-how, formulas and processes. There is no specific type of functional integration that must be present. The following is a list of examples of business operations that can support the finding of functional integration. The order of the list does not establish a hierarchy of importance.

(I) *Sales.* Sales, exchanges or transfers, collectively "sales" of products, services and intangibles between business activities provide evidence of functional integra-

tion. The significance of the intercompany sales to the finding of functional integration will be affected by the character of what is sold, and the percentage of total sales or purchases represented by the intercompany sales. For example, sales among entities that are part of a vertically integrated unitary business are indicative of functional integration. Functional integration is not negated by the use of a readily determinable market price to effect the intercompany sales, because these sales can represent an assured market for the seller or an assured source of supply for the purchaser.

(II) *Common marketing.* The sharing of common marketing features among entities is an indication of functional integration when the marketing results in significant mutual advantage. Common marketing exists when a substantial portion of the entities' products, services or intangibles are distributed or sold to a common customer, when the entities use a common trade name or other common identification or when the entities seek to identify themselves to their customers as a member of the same enterprise. The use of a common advertising agency or a commonly owned or controlled in-house advertising office does not by itself establish common marketing that is suggestive of functional integration. However, the activity is relevant to determining the existence of economies of scale and centralization of management.

(III) *Transfer or pooling of technical information or intellectual property.* Transfers or pooling of technical information or intellectual property, such as patents, copyrights, trademarks and service marks, trade secrets, processes or formulas, know-how, research or development, provide evidence of functional integration when the matter transferred is significant to the businesses' operations.

(IV) *Common distribution system.* Use of a common distribution system by the entities, under which inventory control and accounting, storage, trafficking and transportation are controlled through a common network provides evidence of functional integration.

(V) *Common purchasing.* Common purchasing of substantial quantities of products, services or intangibles from the same source by the entities, particularly where the purchasing results in significant cost savings or where the products, services or intangibles are not readily available from other sources and are significant to each entity's operations or sales, provides evidence of functional integration.

(VI) *Common or intercompany financing.* Significant common or intercompany financing, including the guarantee by, or the pledging of the credit of, one or more entities for the benefit of another entity or entities provides evidence of functional integration if the financing activity serves an operational purpose of both borrower and lender. Lending which serves an investment purpose of the lender does not necessarily provide evidence of functional integration.

(B) *Centralization of management.* Centralization of management exists when directors, officers or other management employees jointly participate in the management decisions that affect the respective business activities and that may also operate to the benefit of the entire economic enterprise. Centralization of management can exist whether the centralization is effected from a parent entity to a subsidiary entity, from a subsidiary entity to a parent entity, from one subsidiary entity to another, from one division within a single entity to another division within an entity, or from any combination of the forego-

ing. Centralization of management may exist even when day-to-day management responsibility and accountability has been decentralized, so long as the management has an ongoing operational role with respect to the business activities. An operational role can be effected through mandates, consensus building, or an overall operational strategy of the business, or any other mechanism that establishes joint management.

(I) *Facts providing evidence of centralization of management.* Evidence of centralization of management is provided when common officers participate in the decisions relating to the business operations of the different segments. Centralization of management may exist when management shares or applies knowledge and expertise among the parts of the business. The existence of common officers and directors, while relevant to a showing of centralization of management, does not alone provide evidence of centralization of management. Common officers are more likely to provide evidence of centralization of management than are common directors.

(II) *Stewardship distinguished.* Centralized efforts to fulfill stewardship oversight are not evidence of centralization of management. Stewardship oversight consists of those activities that any owner would take to review the performance of or safeguard an investment. Stewardship oversight is distinguished from those activities that an owner may take to enhance value by integrating one or more significant operating aspects of one business activity with the other business activities of the owner. For example, implementing reporting requirements or mere approval of capital expenditures may evidence only stewardship oversight.

(C) *Economies of scale.* Economies of scale refer to a relation among and between business activities resulting in a significant decrease in the average per unit cost of operational or administrative functions due to the increase in operational size. Economies of scale may exist from the inherent cost savings that arise from the presence of functional integration or centralization of management. The following are examples of business operations that can support the finding of economies of scale. The order of the list does not establish a hierarchy of importance.

(I) *Centralized purchasing.* Centralized purchasing designed to achieve savings due to the volume of purchases, the timing of purchases or the interchangeability of purchased items among the parts of the business engaging in the purchasing provides evidence of economies of scale.

(II) *Centralized administrative functions.* The performance of traditional corporate administrative functions, such as legal services, payroll services, pension and other employee benefit administration, in common among the parts of the business may result in some degree of economies of scale. An entity that secures savings in the performance of corporate administrative services due to its affiliation with other entities that it would not otherwise reasonably be able to secure on its own because of its size, financial resources or available market, provides evidence of economies of scale.

(3) *Indicators of a unitary business.*

(i) *Same type of business.* Business activities that are in the same general line of business generally constitute a single unitary business as, for example, a multistate grocery chain.

(ii) *Steps in a vertical process.* Business activities that are part of different steps in a vertically structured

business almost always constitute a single unitary business. For example, a business engaged in the exploration, development, extraction and processing of a natural resource and the subsequent sale of a product based upon the extracted natural resource is engaged in a single unitary business, regardless of the fact that the various steps in the process are operated substantially independently of each other with only general supervision from the business's executive offices.

(iii) *Strong centralized management.* Business activities which might otherwise be considered as part of more than one unitary business may constitute one unitary business when there is a strong central management, coupled with the existence of centralized departments for functions such as financing, advertising, research or purchasing. Strong centralized management exists when a central manager or group of managers makes substantially all of the operational decisions of the business. For example, some businesses conducting diverse lines of business may properly be considered as engaged in only one unitary business when the central executive officers are actively involved in the operations of the various business activities and there are centralized offices that perform for the business activities, the normal matters that a truly independent business would perform for itself, such as personnel, purchasing, advertising or financing.

(4) *Commonly controlled group of entities.*

(i) Separate corporations can be part of a unitary business only if they are members of a commonly controlled group.

(ii) "Commonly controlled group" means any of the following:

(A) A parent corporation and any one or more corporations or chains of corporations, connected through stock ownership or constructive ownership with the parent, but only if one of the following apply:

(I) The parent owns stock possessing more than 50% of the voting power of at least one corporation.

(II) Stock cumulatively possessing more than 50% of the voting power of each of the corporations, except the parent, is owned by the parent, one or more corporations described in clause (A), or one or more other corporations that satisfy the conditions of this subclause.

(B) Two or more corporations, if stock possessing more than 50% of the voting power of the corporations is owned, or constructively owned, by the same person.

(C) Two or more corporations that constitute stapled entities. The following apply:

(I) For purposes of this clause, stapled entities means any group of two or more corporations, if more than 50% of the ownership or beneficial ownership of the stock possessing voting power in each corporation consists of stapled interests.

(II) Two or more interests are stapled interests if, by reason of form of ownership, restrictions on transfer or other terms or conditions in connection with the transfer of one of the interests, the other interest or interests are also transferred or required to be transferred.

(D) Two or more corporations, if stock possessing more than 50% of the voting power of the corporations is cumulatively owned without regard to the constructive ownership rules of clause (A) by, or for the benefit of, members of the same family. Members of the same family are limited to an individual, his or her spouse, parents,

brothers or sisters, grandparents, children and grandchildren and their respective spouses.

(iii) *Commonly controlled group.*

(A) If, in the application of subparagraph (ii), a corporation is a member of more than one commonly controlled group of corporations, the corporation shall elect to be treated as a member of only the commonly controlled group or part thereof with respect to which it has a unitary business relationship. If the corporation has a unitary business relationship with more than one of those groups, it shall elect to be treated as a member of only one of the commonly controlled groups with respect to which it has a unitary business relationship. This election shall remain in effect until the unitary business relationship between the corporation and the rest of the members of its elected commonly controlled group is discontinued or unless revoked with the approval of the Department.

(B) Membership in a commonly controlled group shall be treated as terminated in any year, or fraction thereof, in which the conditions of subparagraph (ii) are not met, except as follows:

(I) When stock of a corporation is sold, exchanged or otherwise disposed of, the membership of a corporation in a commonly controlled group shall not be terminated if the requirements of subparagraph (ii) are again met immediately after the sale, exchange or disposition.

(II) The Department may treat the commonly controlled group as remaining in place if the conditions of subparagraph (ii) are again met within a period not to exceed 2 years.

(iv) A taxpayer may exclude some or all corporations included in a commonly controlled group by reason of subparagraph (ii)(D) by showing that those members of the group are not controlled directly or indirectly by the same interests, within the meaning of the same phrase in section 482 of the IRC (26 U.S.C. § 482). For purposes of this subparagraph, the term "controlled" includes any kind of control, direct or indirect, whether legally enforceable, and however exercisable or exercised.

(v) Except as otherwise provided, stock is owned when title to the stock is directly held or if the stock is constructively owned.

(A) An individual constructively owns stock that is owned by any of the following:

(I) His or her spouse.

(II) Children, including adopted children of that individual or the individual's spouse who have not attained the age of 21 years.

(III) An estate or trust, of which the individual is an executor, trustee or grantor, to the extent that the estate or trust is for the benefit of that individual's spouse or children.

(B) Stock owned by a corporation, or a member of a controlled group of which the corporation is the parent corporation, is constructively owned by any shareholder owning stock that represents more than 50% of the voting power of the corporation.

(C) In the application of subparagraph (ii)(D) dealing with stock possessing voting power held by members of the same family, if more than 50% of the stock possessing voting power of a corporation is, in the aggregate, owned by or for the benefit of members of the same family, stock owned by that corporation shall be treated as constructively owned by members of that family in the same ratio

as the proportion of their respective ownership of stock possessing voting power in that corporation to all of the stock of that corporation.

(D) Except as otherwise provided, stock owned by a partnership is constructively owned by any partner, other than a limited partner, in proportion to the partner's capital interest in the partnership. For this purpose, a partnership is treated as owning proportionately the stock owned by any other partnership in which it has a tiered interest, other than as a limited partner.

(E) In any case where a member of a commonly controlled group, or shareholders, officers, directors or employees of a member of a commonly controlled group is a general partner in a limited partnership, stock held by the limited partnership is constructively owned by a limited partner to the extent of its capital interest in the limited partnership.

(F) In the application of subparagraph (ii)(D) dealing with stock possessing voting power held by members of the same family, stock held by a limited partnership is constructively owned by a limited partner to the extent of the limited partner's capital interest in the limited partnership.

(vi) For purposes of the definition of "commonly controlled group," each of the following shall apply:

(A) "Corporation" means any entity defined as a corporation, as defined in section 401(1) of the TRC (72 P.S. § 401(1)).

(B) "Person" means an individual, a trust, an estate, a qualified employee benefit plan, a limited partnership or a corporation.

(C) "Voting power" means the power of all classes of stock entitled to vote that possess the power to elect the membership of the board of directors of the corporation.

(D) "More than 50% of the voting power" means voting power sufficient to elect a majority of the membership of the board of directors of the corporation.

(E) Stock possessing voting power includes stock where ownership is retained but the actual voting power is transferred in either of the following manners:

(I) For 1 year or less.

(II) By proxy, voting trust, written shareholder agreement or by similar device, where the transfer is revocable by the transferor.

(F) In the case of an entity treated as a corporation under clause (A), "stock possessing voting power" refers to an instrument, contract or similar document demonstrating an ownership interest in that entity that confers power in the owner to cast a vote in the selection of the management of that entity.

(G) In the general application of paragraph 4, if an entity may elect to be treated as a partnership or as a corporation under the laws of this Commonwealth or under section 7701 of the IRC (26 U.S.C. § 7701) and elects to be treated as a partnership, that entity shall be treated as a general partnership. If, however; contractual agreements, member agreements, or other restrictions limit the power of some or all of the members to participate in the vote of stock possessing voting power owned by that entity, similar to the restrictions of limited partners in a limited partnership, the Department may permit or require that entity to be treated as a limited partnership.

(f) *Examples of business income and nonbusiness income.* The examples used in these regulations are illustrative only and are limited to the facts they contain.

(1) *Rents from real and tangible personal property.*

Example 1: The taxpayer operates a multistate car rental business. The income from car rentals is business income.

Example 2: The taxpayer is engaged in the heavy construction business in which it uses equipment such as cranes, tractors, and earth-moving vehicles. The taxpayer makes short-term leases of the equipment when particular pieces of equipment are not needed on any particular project. The rental income is business income.

Example 3: The taxpayer operates a multistate chain of men's clothing stores. The taxpayer purchases a five-story office building for use in connection with its trade or business and uses the street floor as one of its retail stores and the second and third floors for its general corporate headquarters. The remaining two floors are held for future use in the trade or business and are leased to tenants on a short-term basis in the meantime. The rental income is business income.

Example 4: The taxpayer operates a multistate chain of grocery stores. The taxpayer purchases as an investment an office building in another state with surplus funds and leases the entire building to others. The net rental income is nonbusiness income of the grocery store trade or business. Therefore, the net rental income is nonbusiness income.

Example 5: The taxpayer operates a multistate chain of men's clothing stores. The taxpayer invests in a 20-story office building and uses the street floor as one of its retail stores and the second floor for its general corporate headquarters. The remaining 18 floors are leased to others. The rental of the 18 floors is not done in furtherance of but rather is separate from the operation of the taxpayer's trade or business. The net rental income is nonbusiness income of the clothing store trade or business. Therefore, the net rental income is nonbusiness income.

Example 6: The taxpayer constructed a plant for use in its multistate manufacturing business and 20 years later the plant was closed and offered for sale. The plant was rented for a temporary period from the time it was closed by the taxpayer until it was sold 18 months later. The rental income is business income and the gain on the sale of the plant is business income.

(2) *Gains or losses from sales of assets.*

Example 1: In conducting its multistate manufacturing business, the taxpayer systematically replaces automobiles, machines and other equipment used in the trade or business. The gains or losses resulting from those sales constitute business income.

Example 2: The taxpayer constructed a plant for use in its multistate manufacturing business and 20 years later sold the property at a gain while it was in operation by the taxpayer. The gain is business income.

Example 3: Same as "Example 2" except that the plant was closed and offered for sale but was not in fact sold until a buyer was found 18 months later. The gain is business income.

Example 4: Same as "Example 2" except that the plant was rented while being held for sale. The rental income is business income and the gain on the sale of the plant is business income.

(3) *Interest.*

Example 1: The taxpayer operates a multistate chain of department stores, selling for cash and on credit. Service charges, interest or time-price differentials and the like are received with respect to installment sales and revolving charge accounts. These amounts are business income.

Example 2: The taxpayer conducts a multistate manufacturing business. During the tax year, the taxpayer receives a Federal income tax refund pertaining to the taxpayer's trade or business and collects a judgment against a debtor of the business. Both the tax refund and the judgment bear interest. The interest income is business income.

Example 3: The taxpayer is engaged in a multistate manufacturing and wholesaling business. In connection with that business, the taxpayer maintains special accounts to cover such items as workmen's compensation claims, rain and storm damage, machinery replacement, and the like. The funds in those accounts earn interest. Similarly, the taxpayer temporarily invests funds intended for payment of Federal, State and local tax obligations pertaining to the taxpayer's trade or business. The interest income is business income.

Example 4: The taxpayer is engaged in a multistate money order and traveler's check business. In addition to the fees received in connection with the sale of the money orders and traveler's checks, the taxpayer earns interest income by the investment of the funds pending their redemption. The interest income is business income.

Example 5: The taxpayer is engaged in a multistate manufacturing and sales business. The taxpayer usually has working capital and extra cash totaling \$200,000 which it regularly invests in short-term interest-bearing securities. The interest income is business income.

(4) *Patent and copyright royalties.*

Example 1: The taxpayer is engaged in the multistate business of manufacturing and sales of industrial chemicals. In connection with that business, the taxpayer obtained patents on certain of its products. The taxpayer licensed the production of the chemicals in foreign countries, in return for which the taxpayer receives royalties. The royalties received by the taxpayer are business income.

Example 2: The taxpayer is engaged in the music publishing trade or business and holds copyrights on numerous songs. The taxpayer acquires the assets of a smaller publishing company, including music copyrights. These acquired copyrights are used by the taxpayer in its trade or business. Any royalties received on these copyrights are business income.

(g) *Consistency and uniformity in reporting.*

(1) *Year-to-year consistency.* In filing reports with the Commonwealth, if the taxpayer departs from or modifies the manner in which income has been classified as business income or nonbusiness income in reports for prior years, the taxpayer shall disclose the nature and extent of the modification in the report for the current year.

(2) *State-to-state consistency.* If the returns or reports filed by a taxpayer for all states to which the taxpayer files income or gross receipts tax reports are not uniform in the classification of income as apportionable or non-apportionable income under the United States Constitution, the taxpayer shall disclose in its report to the Commonwealth the nature and extent of the variance.

For purposes of this paragraph, the phrase “returns or reports filed by a taxpayer for all states” includes returns or reports filed by a taxpayer with political subdivisions of a state.

(h) *Definitions.* The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

Allocation—The assignment of items of nonbusiness income to a particular state.

Apportionment—The division of business income between states by the use of a formula containing apportionment factors.

Business activity—The transactions and activities occurring in the regular course of a particular trade or business of a taxpayer and includes the acquisition, management or disposition of property that constitutes an integral part of the taxpayer’s trade or business.

Business income—All income which is apportionable under the Constitution of the United States, including the following:

(i) Income arising from transactions and activity in the regular course of the taxpayer’s trade or business.

(ii) Income arising from tangible and intangible property if either the acquisition, management or disposition of the property constitutes an integral part of the taxpayer’s regular trade or business.

Nonbusiness income—All income other than business income. The term does not include any income that is apportionable under the Constitution of the United States.

Trade or business—Transactions and activity that are included in the unitary business of the taxpayer under the unitary business principle as applied by the United States Supreme Court.

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END OF ISSUE

