

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

GOVERNOR'S OFFICE
[4 PA. CODE CH. 1]

Executive Orders, Management Directives and Other Issuances of the Directives Management System Indexed for Reference Purposes

The Index of Issuances is being updated to reflect changes since 25 Pa.B. 2191 (June 3, 1995). This revision adds new issuances, amends and rescinds others. Recipients of publications listed in this index should be kept informed of the status of these publications.

THOMAS G. PAESE,
Secretary of Administration

(Editor's Note: This Index of Issuance is published under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code). This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Bulletin.)

Annex A

TITLE 4. ADMINISTRATION

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[Pa.B. Doc. No. 96-398. Filed for public inspection March 15, 1996, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of State

The Executive Board approved a reorganization of the Department of State effective March 6, 1996.

The organization chart at 26 Pa.B. 1148 (March 16, 1996) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 96-399. Filed for public inspection March 15, 1996, 9:00 a.m.]

Title 7—AGRICULTURE

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 138g]

Farm Safety and Occupational Health Grant Program Guidelines

The Department of Agriculture (Department) adopts Chapter 138g (relating to the Farm Safety and Occupational Health Grant Program—statement of policy).

This statement of policy is authorized under sections 6 and 13 of the Farm Safety and Occupational Health Act (act) (3 P. S. §§ 1906 and 1913), which directs the Secretary to establish a grant program for the purpose of awarding grants to Statewide farm organizations and volunteer fire companies, ambulance services and rescue squads for providing farm safety, occupational health and emergency response programs.

In summary, this statement of policy establishes the procedures governing the submission of grant applications, documentation required to accompany the applications, eligibility criteria, criteria for determining grant amounts and reporting requirements for grant assistance.

Background

The Commonwealth's approximately 51,000 farms are the foundation of a \$35 billion industry, employing over 650,000 workers in farming and related services, food processing and food wholesale and retail sales. The National Safety Council reports agriculture as this Nation's most hazardous industry with a work death rate 22% higher than the second most hazardous industry—mining and quarrying. Farming accounts for over 80% of agriculture's injury toll. Since 1980, 576 farm-related fatal injuries have occurred in this Commonwealth, including 47 in 1992. Nineteen percent of the 1992 farm-related injuries were to children 14 years of age and younger. Thirty percent of the fatal injuries were to persons 65 years of age and over. Approximately 14% of all farm operations in this Commonwealth each year suffer an injury serious enough to cause lost work time. Approximately 2% of these injuries leave the victim with some form of permanent disability.

Section 138g.1 (relating to program objectives) sets forth that the objective of the grant program is to fund projects which will increase the awareness of farm safety and occupational health issues and other issues specific to emergency response programs. The awarding of the grant moneys is on a funds available basis and through a competitive application process.

Section 138g.2 (relating to definitions) defines various recurring terms such as "Statewide farm organizations," "volunteer ambulance services," "volunteer fire company" and "volunteer rescue squad."

Section 138g.3 (relating to limitations on grants) describes the type of organization which is eligible for the grant awards. This section specifically delineates that eligible applicants may be awarded financial assistance in amounts of up to \$2,500.

Section 138g.4 (relating to applications generally) provides that an application is required and from whom organizations may request applications.

Section 138g.5 (relating to application deadline) provides that for this fiscal year only applications for the

grant program will be accepted 90 days from the date of publication in the *Pennsylvania Bulletin*. Thereafter, once this statement of policy has been published, the application deadline will be January 30 of each subsequent year.

Section 138g.6 (relating to review of application) sets forth the grant application requirements and the factors which the Board or the Secretary may consider in reviewing grant applications.

Section 138g.7 (relating to disposition of application) describes the time frame for notification of rejection or approval of the application and how the Secretary will notify the applicant.

Section 138g.8 (relating to recordkeeping) describes what type of records shall be kept by the grant recipient and for how long those records shall be kept. This section also provides for inspection and audit of those records by the Department.

Section 138g.9 (relating to verification of use) requires a grant recipient to document the expenditures of grant funds within 3 months of project completion. This section also specifically delineates the ramifications of failure to provide the documentation.

Section 138g.10 (relating to grant cancellation) provides for the cancellation of a grant which is not being spent in accordance with the grant agreement and the repayment thereof.

This statement of policy sets forth the basic process by which the Department may exercise its administrative discretion with respect to the expenditure of the funds appropriated to it by the General Assembly for farm safety and occupational health programs.

This statement of policy does not constitute a rule or regulation, does not have the force and effect of law and is not intended to circumscribe any administrative discretion afforded the Department under the act with respect to the expenditure of funds appropriated for the Farm Safety and Occupational Health Grant Program (Program).

Fiscal Impact

Commonwealth

The statement of policy will impose minimal costs and have minimal fiscal impact upon the Commonwealth, including projected increases in Program costs. The Department has a continuing appropriation for use in developing the Program.

Political Subdivisions

The statement of policy will impose no costs and have no fiscal impact upon political subdivisions.

Private Sector

The statement of policy will impose minimal costs on those organizations who are interested in applying for grant moneys. The costs most likely will be associated with the attending and participating in farm safety training programs.

General Public

The statement of policy will impose no costs and have no fiscal impact on the general public.

Paperwork Requirements

The statement of policy will not result in an appreciable increase of paperwork. The Department will de-

velop a grant application form for use in administering the Program.

Contact Person

Further information is available by contacting the Department of Agriculture, Farm Safety and Occupational Health Grant Program, 2301 North Cameron Street, Harrisburg, PA 17110-9408; Attn: John Tancelosky (717) 787-4843.

Effective Date

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

CHARLES C. BROSIUS,
Secretary

(Editor's Note: The regulations of the Department of Agriculture, 7 Pa. Code, are amended by adding a statement of policy at §§ 138g.1—138g.10 (relating to Farm Safety and Occupational Health Grant Program—statement of policy) to read as set forth in Annex A.)

Fiscal Note: 2-105. (1) General Fund; (2) Implementing Year 1995-96 is \$77,500; (3) 1st Succeeding Year 1996-97 is \$82,500; 2nd Succeeding Year 1997-98 is \$86,000; 3rd Succeeding Year 1998-99 is \$86,000; 4th Succeeding Year 1999-00 is \$86,000; 5th Succeeding Year 2000-01 is \$86,000; (4) FY 1995-96 SN/A; FY 1994-95 SN/A; FY 1993-94 SN/A; (7) Farm Safety and Occupational Health; (8) recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART V-C. FARMLAND AND FOREST LAND

**CHAPTER 138g. FARM SAFETY AND
OCCUPATIONAL HEALTH GRANT
PROGRAM—STATEMENT OF POLICY**

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138g.10.	Grant cancellation.

§ 138g.1. Program objectives.

(a) *Purpose.* The purpose of the FSOH Grant Program is to fund projects which will increase the knowledge and awareness of farm safety measures and occupational health issues in this Commonwealth, in particular, among the rural youth of this Commonwealth.

(b) *Competitive program.* The FSOH Grant Program is competitive. Grant requests and related documentation will be collected by the Department and reviewed by the Board and Secretary. Grants will be awarded annually.

(c) *Funds available basis.* Grants will not be awarded unless funds are available for this purpose.

§ 138g.2. Definitions.

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

Act—The Farm Safety and Occupational Health Act (3 P. S. §§ 1901—1915).

Board—The Farm Safety and Occupational Health Advisory Board.

Department—The Department of Agriculture of the Commonwealth.

FSOH Grant Program—The Farm Safety and Occupational Health Grant Program.

Secretary—The Secretary of Agriculture of the Commonwealth.

Statewide farm organizations—The term includes any of the following organizations located in this Commonwealth:

- (i) Farmers organizations.
- (ii) Dairy organizations.
- (iii) Livestock and poultry organizations.
- (iv) Veterinary associations.
- (v) Commodity organizations.
- (vi) Food industry organizations.
- (vii) Horticulture and agronomy organizations.
- (viii) Agricultural promotional organizations.
- (ix) Agricultural equipment organizations, including a local, county or regional chapter thereof.

Volunteer ambulance services—A nonprofit chartered corporation, association or organization located in this Commonwealth and which is regularly engaged in the services of providing emergency medical care and transportation of patients.

Volunteer fire company—A nonprofit chartered corporation, association or organization located in this Commonwealth which provides fire protection services and other voluntary emergency services within this Commonwealth.

Volunteer rescue squad—A nonprofit chartered corporation, association or organization located in this Commonwealth which provides rescue services in this Commonwealth.

§ 138g.3. Limitations on grants.

(a) The FSOH Grant Program will award financial assistance, of up to \$2,500, to Statewide farm organizations, volunteer fire companies, ambulance services and rescue squads within this Commonwealth that wish to develop and deliver farm safety, occupational health and emergency response programs.

(b) Eligible applicants will not be awarded more than one \$2,500 grant per State fiscal year. An applicant may submit more than one type of grant application.

(c) Grants awarded to an organization may be used only for the specific project/event/activity described in the grant application. Grants shall only be used to fund projects within the geographic boundaries of this Commonwealth and may be awarded for the following types of projects:

- (1) Projects related to methods of preventing or mitigating farm accidents.
- (2) Educational programs relating to agricultural equipment safety programs for farm youth.

(3) Educational seminars or field demonstrations relating to first aid programs for farm youth.

(4) Agriculture safety training programs at day camps and demonstration projects for farm youth.

(5) Development and implementation of age-appropriate rural school curricula.

(6) Fire/educational safety programs specific to farms.

(7) Development and implementation of age-appropriate adult farmer and farm worker safety training programs.

(8) Farm related emergency response training programs.

§ 138g.4. Applications generally.

(a) *Application required.* Interested Statewide farm organizations, volunteer fire companies, ambulance services and rescue squads within this Commonwealth may submit grant applications to the Department at the address listed in subsection (b).

(b) *Obtaining an application and technical assistance.* Application for grants under this chapter shall be made on forms prepared by the Department. For applications and for assistance, contact the Farm Safety and Occupational Health Grant Program, Department of Agriculture, 2301 N. Cameron St., Harrisburg, Pennsylvania 17110, (717) 787-4843.

(c) *Additional information.* The Board and the Secretary may require that an applicant submit additional documentation to complete, verify or clarify the application.

§ 138g.5. Application deadline.

For the first fiscal year only, the application deadline will be June 14, 1996. The Department will not accept grant applications after that date. In subsequent years, applications for grants under this chapter shall be received by the Department at the address set forth in § 138g.4(b) (relating to applications generally) by the postmark date of January 30.

§ 138g.6. Review of application.

(a) *Grant application requirements.* An application for a grant will not be considered by the Board or the Secretary unless the following items are attached:

(1) A detailed description of the project to be funded by the grant.

(2) A reasonable and accurate statement of the project's estimated cost. A separate breakdown on the labor portion of the cost, on the materials portion of the cost, and on any other type of expense anticipated shall be provided.

(3) A copy of the official organization board minutes where action was taken on this project.

(4) Information of the project or area to be served by the proposed project. Maps or other geographic aids may be attached.

(5) A biographical sketch of primary persons involved in the project which indicates skills, knowledge and prior experience required for the completion of the project.

(b) *Factors.* Factors to be considered by the Board or the Secretary in selecting grant recipients include the following:

(1) The relevance of the project to farm safety or rural health issues.

(2) The innovativeness of the project.

(3) The scope of the project and the number of people who will be affected by the project as described in the application.

(4) The value to the agricultural community of the project described in the application.

(5) The willingness of the applicant to make in kind or financial contributions, or both, to the project.

(6) The availability of funding for the project from a source other than the FSOH Grant Program.

(7) The extent to which one project shall impact upon rural youth or farmers, growers or producers within this Commonwealth.

(8) The value to those who work directly with farm accident victims.

(9) Whether the applicant has been, in whole or in part, the recipient of another grant under the act within the same State fiscal year.

(10) Whether a local, county or regional farm organization is affiliated with a Statewide farm organization.

(c) The Secretary may impose restrictions or special conditions upon the issuance of a grant. The Secretary will review the recommendations of the Board, but will have final authority to accept or reject these recommendations.

§ 138g.7. Notice of disposition of application.

Grant applicants will be notified by the Secretary within 30 days of a decision to reject or approve the grant. This notice will be sent by regular mail to the address indicated by the applicant on the grant application. Recipients will receive a grant agreement which shall be executed by the recipient and the Department prior to the release of funds. Grant money shall be used within 1 year of the date of the grant agreement unless an extension is granted by the Secretary.

§ 138g.8. Recordkeeping.

Financial records, supporting documents, statistical records and other records pertaining to the project shall be retained for 3 years beginning at the end of the grant year. The records and documents shall be available for inspection or audit at all reasonable times by the Department or its authorized representative.

§ 138g.9. Verification of use.

(a) *Verification.* An organization receiving a grant shall maintain books, records and other evidence pertaining to costs incurred for expenditures associated with the project funded by the grant. The books and records shall be maintained according to generally accepted accounting principles. Within 3 months of the project completion date specified in the grant agreement, the recipient shall submit to the Department written receipts for the project costs. Grant recipients shall provide to the Department a final report which includes pertinent documentation as well as a narrative report describing the effectiveness of the project, experience gained and knowledge acquired.

(b) *Failure to verify use.* If required receipts or documentation, or both, are not submitted to the Department as described in subsection (a), the Secretary may demand,

in writing, the return by the grant recipient of the entire grant sum or a lesser amount, plus appropriate legal interest. The grant recipient shall repay a sum demanded by the Department within 60 days of a written demand.

§ 138g.10. Grant cancellation.

A grant may be canceled by the Department if the Secretary determines that grant funds are not being

spent in accordance with the terms and conditions of the grant agreement. In the event of cancellation, the Department may demand the return of the grant sum, or a portion thereof, plus legal interest thereon.

[Pa.B. Doc. No. 96-400. Filed for public inspection March 15, 1996, 9:00 a.m.]
